



# Minnesota Department of Natural Resources

500 Lafayette Road  
St. Paul, Minnesota 55155-4025

February 22, 2002

Jim Bodensteiner  
Senior Environmental Analyst  
Xcel Energy  
414 Nicollet Mall  
Minneapolis, MN 55401-1927

Dear Mr. Bodensteiner;

Based on information provided in an e-mail from Dan Orr and a report from the State Duty Officer, a fish kill was reported at the Monticello plant on January 21, 2002. Mr. Orr sent the list of fish species and the numbers of dead fish per species to me via e-mail. A total of 797 fish of three species were reported. These fish included channel catfish, small mouth bass and rock bass.

According to permits issued, Xcel Energy is responsible for the fish killed due to operation of the facility, and as the party responsible for the operation of the power plant and the consequent killing of fish, is liable to the State for the fish replacement values as described in the enclosed, itemized bill. Minnesota Statutes Section 97A.025 provides that ownership of fish and wild animals is in the state in its sovereign capacity, for the benefit of all people of the state. Also, Minnesota Statutes Section 115.071, subdivision 3 requires the person(s) responsible for the destruction of fish or wildlife to forfeit and pay to the state a sum that will adequately compensate the state for any loss or destruction of wildlife, fish or other aquatic life. Replacement values for the fish species were determined from the American Fisheries Society special publication #24. Accordingly, we request reimbursement for the fish in the amount of \$268.20.

Your prompt remittance will be appreciated. This is not a fine or penalty but compensation for the fish destroyed. Please make the check payable to the Department of Natural Resources and send it to my attention at the above address. Thank you.

Sincerely,

*Lee A. Pfannmuller*

Lee Pfannmuller, Director  
Division of Ecological Services

Attachment

c: Marilyn Danks

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Monticello Plant Fish Kill

January 21, 2002

Dead Fish in Discharge Canal:

Channel catfish-

|                                  |                |
|----------------------------------|----------------|
| 665 <6" @ \$0.18 each =          | \$119.70       |
| 37 6"-12" @ \$0.62 each =        | \$ 22.94       |
| 18 12"-18" @ \$1.73 each =       | \$ 31.14       |
| 1 18"-24" = 3.3 lbs. @ 1.10/lb = | <u>\$ 3.63</u> |
| Total fish= 721                  | \$177.41       |

Dead Fish in the River Below Outfall:

Smallmouth bass-

|                          |                |
|--------------------------|----------------|
| 66 <6" @ \$0.76 each =   | \$50.16        |
| 6 6"-12" @ \$6.30 each = | <u>\$37.80</u> |
| Total fish = 72          | \$87.96        |

Channel catfish-

|                           |               |
|---------------------------|---------------|
| 1 <6" @ \$0.18 each =     | \$0.18        |
| 1 6"-12" @ \$0.62 each =  | \$0.62        |
| 1 12"-18" @ \$1.73 each = | <u>\$1.73</u> |
| Total fish = 3            | \$2.53        |

Rock bass-

|                       |               |
|-----------------------|---------------|
| 1 <6" @ \$0.30 each = | <u>\$0.30</u> |
|-----------------------|---------------|

|                  |          |
|------------------|----------|
| Total = 797 fish | \$268.20 |
|------------------|----------|

Compensation values for fish are taken from the American Fisheries Society special publication #24 entitled "Investigation and Valuation of Fish Kills", 1992.