



Minnesota Department of Natural Resources

500 Lafayette Road
St. Paul, Minnesota 55155-40__

May 5, 2005

Jim Bodensteiner
Senior Environmental Analyst
Xcel Energy
414 Nicolet 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 March 5, 2005. Mr. Orr sent the list of fish species and the numbers of dead fish per species to me via e-mail. A total of 187 fish of four species were reported. These fish included channel catfish, small mouth bass, bluegill and green sunfish.

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 #30. Accordingly, we request reimbursement for the fish in the amount of \$298.48.

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 Pfannmuller, Director
Division of Ecological Services

Attachment

c: Marilyn Danks

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Monticello Plant Fish Kill
March 5, 2005

Channel catfish-

| | |
|--------------------------------------|----------------|
| 92= 6"-12" @ \$0.84 each = | \$ 77.28 |
| 66= 12"-18" @ \$1.50 each = | \$ 99.00 |
| 4= 18"-24" = 3.23 lbs. @ \$1.29/lb = | \$ 16.66 |
| 1= 24" = 5.06 lbs. @ \$1.29/lb = | <u>\$ 6.53</u> |
| Total fish= 163 | \$199.47 |

Smallmouth bass-

| | |
|--------------------------------------|----------------|
| 8= 6"-12" @ \$3.73 each = | \$29.84 |
| 7= 12"-18" = 12.81 lbs @ \$5.08/lb = | <u>\$65.07</u> |
| Total fish = 15 | \$94.91 |

Bluegill-

| | |
|---------------------------|---------------|
| 1 = 2"-4" @ \$0.44 each = | \$0.44 |
| 2 = 4"-6" @ \$0.78 each = | \$1.56 |
| 1 12"-18" @ \$1.73 each = | <u>\$1.73</u> |
| Total fish = 3 | \$2.00 |

Green sunfish-

| | |
|-------------------------------|---------------|
| <u>6 = 2" @ \$0.35 each =</u> | <u>\$2.10</u> |
|-------------------------------|---------------|

| | |
|-------------------------|-----------------|
| Total = 187 fish | \$298.48 |
|-------------------------|-----------------|

Compensation values for fish are taken from the American Fisheries Society special publication #30 entitled "Investigation and Valuation of Fish Kills", 2003.