

# Notice of availability and request for comments on draft Interagency Fish Kill Response Guidance Document and Protocol

## General information

**Public comment period begins:** March 11, 2024

**Public comment period ends:** May 10, 2024

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The draft Interagency Fish Kill Response Guidance Document and Protocol is available for review on the Minnesota Pollution Control Agency (MPCA) draft/public noticed [MPCA Public Comments webpage](#), or at the MPCA office address listed under the MPCA contact person above. Comments, petitions, and other requests must be received at the MPCA in writing on or before the public comment period end date and time identified above. Following the public comment period the interagency team will consider comments received as the document is revised to a final version to be posted on the MPCA website.

## Description of the Interagency Fish Kill Response Guidance Document and Protocol

The MPCA coordinated an interagency team (Department of Natural Resources, Department of Health, Department of Agriculture, Pollution Control Agency) that produced this guidance and protocol, which is meant to fulfill the requirements in Minn. Stat. § 103G.2165 – *Development of Fish Kill Response Protocol*. The document describes interagency communications protocols and field response considerations following fish kill reports. It also describes Department of Health involvement following fish kills and routing fish kill reports to the Environmental Quality Board for publication in the *EQB Monitor*. A public meeting to provide an overview of the document will be held via webex on April 16, 2024 at 10:00 a.m.

## Procedure for public participation

As stated in Minn. R. chs. 7000 and 7001, there are three formal procedures for public participation in the MPCA's consideration of this matter. Interested persons may:

1. Submit written comments on the draft reports.
2. Petition the MPCA to hold a public informational meeting.
3. Petition the MPCA to hold a contested case hearing.

## Submitting written comments

Comments may be submitted to the MPCA by the two methods below:

1. Online at [www.pca.state.mn.us/publiccomments](http://www.pca.state.mn.us/publiccomments)
2. U.S. Mail to the following address:

Minnesota Pollution Control Agency  
Justin Watkins  
7381 Airport View Dr SW  
Rochester, MN 55902

To submit comments or petitions online or by mail to the MPCA, you must state:

1. Your interest in the reports.
2. The action you wish the MPCA to take, including specific references to the section of the draft report(s) you believe should be changed. It is important to clearly specify which of the two reports the comments pertain to since the reports will proceed along separate tracks for final approval.
3. The reason(s) supporting your position, stated with sufficient specificity as to allow the MPCA to investigate the merits of the position.

## Public informational meeting

A public informational meeting is an informal meeting during which interested persons can ask questions concerning the proposed project. The MPCA staff will be present to provide information. If an interested person would like the MPCA to hold a public informational meeting, the person should include all information identified above and in addition include a statement of the reasons the person desires the MPCA to hold a public informational meeting and the issues that the person would like the agency to address at the public informational meeting.

## Contested case hearing

A contested case hearing is a formal proceeding before an administrative law judge empowered to advise the MPCA regarding issues of fact. As described in Minn. R. 7000.1800, persons who submit petitions for a contested case hearing must also state the issues they propose to address in a contested case hearing, the specific relief requested or resolution of the matter, and the reasons (which may be in the form of proposed findings) supporting an MPCA decision to hold a contested case hearing. Failure to comply with these rules exactly may result in a denial of the request. To the extent known, the petitioner may also submit a list of prospective witnesses to be called at a hearing, a proposed list of publications, references, or studies to be introduced at a hearing and the approximate time required for the petitioner to present the matter at a hearing. The decision whether to hold a contested case hearing will be made under Minn. R. 7000.1900.