



W.J. McCABE (DULUTH) CHAPTER IZAAK WALTON LEAGUE OF AMERICA

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Comments to the Duluth Public Utilities Commission (PUC) 9/16/2024

These comments are submitted on behalf of the McCabe Chapter of the Izaak Walton League to express our concern about the event that resulted in the death of hundreds of fish and other living things in Tischer Creek earlier in the summer.

While the cause is still being investigated, the kill followed a release of 400 to 500,000 gallons of drinking water from a reservoir owned by the City of Duluth into a designated trout stream that flows through public parkland and into Lake Superior. While this might look benign, drinking water is treated for human consumption, and that includes chlorine. Chlorine does not normally exist in freshwater ecosystems and it's lethal to fish and aquatic organisms at very low concentrations.

Aside from being horrified and saddened by this, we are trying to understand how such a thing could have happened, what can be done to prevent a recurrence, and what will be done to restore the creek, which is designated one of Duluth's priority streams. Some of our questions:

- Is there is a Standard Operating Procedure for discharging this volume of water from a City reservoir and whether it was followed?
- What discussion took place among City employees before the decision was purposefully made to release of a half-million gallons of chlorinated water
- Why was the reservoir discharged into Tischer Creek, rather than to the sanitary sewer system, which goes to the Western Lake Superior Sanitary District, where it would have been treated and subject to dechlorination before discharge to surface waters?

We understand the investigation into this event by the MPCA and MDNR is still underway and hope that these questions will be answered as part of that process.

It was disturbing to learn that while the discharge took place on Wednesday, July 31, and the dead fish began appearing Thursday morning August 1, the event was not reported by City staff to the Minnesota duty officer until Friday afternoon, ~~July~~ ^{August} 2nd. There was no statement or communication to the public from City staff about the event until Wednesday, August 7th, almost a week after it happened. Regardless of the outcome of the investigation, it's our hope that the City will respond by taking a serious look at the internal policies and practices that allowed this to happen and make changes to prevent such a disastrous event from happening again. The PUC has an important oversight role to play in this, and we urge you to exercise it.

We encourage the City to make use of the numerous water quality professional resources in our community, to develop a protocol and a best practice for the future that protects our natural resources. These include the City's own Natural Resources Commission, UM-Duluth, the Natural Resources Research Institute, SeaGrant, WLSSD, U.S. EPA Mid-Continent Ecology Division, and the Lake Superior Research Institute, and numerous non-profit organizations focused on the health of lakes, rivers, streams, and aquatic life.

On a positive note, DNR staff investigating the incident have commented that the number and quality of dead brook trout found show that Tischer Creek supports a healthy population despite all the pressures from polluted run-off, climate change, and other stresses that come with an urban environment. This is good news and proof of the success of restoration efforts, but all that progress can easily be lost if the City doesn't do a better job connecting the dots about activities like this release that impact our streams. Duluth prides itself on having many natural amenities and outdoor recreation opportunities for the community to use and to attract visitors and new residents. This event is a serious failure to protect the very things we boast about. We must do better.

Thank you for the opportunity to share these concerns. The Izaak Walton League is keenly interested in this issue and will be following future developments. We would welcome the opportunity to sit down with City staff and the mayor to talk about how we can work together to protect the Duluth parks and streams that we all love and enjoy.

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