



MISSOURI DEPARTMENT OF CONSERVATION

Headquarters

2901 West Truman Boulevard, P.O. Box 180, Jefferson City, Missouri 65102-0180
Telephone: 573/751-4115 ♦ Missouri Relay Center: 1-800-735-2966 (TDD)

JERRY M. CONLEY, Director

March 29, 2000

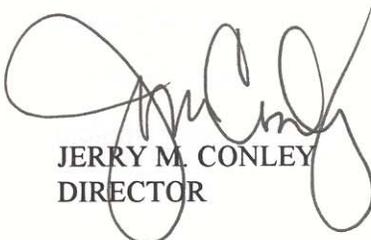
Stephen Mahfood, Director
Missouri Department of Natural Resources
PO Box 176
Jefferson City, MO 65102-0176

Dear Director Mahfood:

Enclosed is a signed copy of the Memorandum of Agreement regarding pollution and fish kill investigations. Members of my staff have reviewed the Memorandum and found it to be well written and agreeable. Past cooperative efforts in fish kill and pollution investigations have gone a long ways towards protecting Missouri's aquatic resources from the degrading effects of pollution. We look forward to continuing to work closely with your agency's staff to enhance the quality of Missouri's aquatic resources and provide quality aquatic recreational opportunities to the citizens of Missouri.

Please feel free to contact Mr. Alan Buchanan, of my staff, at (573)882-9880 if you have any questions regarding the Memorandum of Agreement.

Sincerely,



JERRY M. CONLEY
DIRECTOR

Enclosure

c: Norm Stucky, Gary Novinger, ESU, Steve Eder, Kevin Richards, Stan Michaelson, Ron Glover,
Fisheries Regional Administrators

COMMISSION

ANITA B. GORMAN
Kansas City

RANDY HERZOG
St. Joseph

RONALD J. STITES
Plattsburg

HOWARD L. WOOD
Bonne Terre

Cooperative Agreement
Between the Missouri Department of Natural Resources
And Conservation Relative to Investigating
Fish Kills in Waters in Missouri

The Department of Natural Resources is responsible for protection, maintenance, and improvement of the waters of the state for legitimate, beneficial uses including the propagation of wildlife, fish, and aquatic life. The Department of Conservation is responsible for the management and conservation of the fish, forestry, and wildlife resources of the state. The duties of the two departments complement one another. Both departments agree to cooperate during the investigation and collection of evidence of water pollution events which result in the destruction of fish and/or other aquatic life. This will ensure effective and efficient collection of valuable evidentiary observations and sample data. In making this agreement, the Department of Conservation and the Department of Natural Resources commit to cooperate during fish kill investigations, support enforcement action taken in response to fish kills, and provide joint news releases of both department's efforts in this regard.

Specifically, the Department of Natural Resources and the Department of Conservation agree to cooperate in the following manner:

1. Each department agrees to notify the other when they become aware of a report of a fish kill or other major pollution occurrences of concern to both agencies. Personnel from the Department of Natural Resources will contact the Department of Conservation Environmental Services Unit. Personnel from the Department of Conservation will contact the Department of Natural Resources through its Environmental Emergency Response 24-Hour telephone number (573/634-2436). Each agency agrees to provide contact names and telephone numbers, including those for after hours, to each other.

2. Because any enforcement action taken will be pursuant to laws administered by the Department of Natural Resources, the Department of Natural Resources will have ultimate responsibility for managing the collection, transportation and analysis of samples in cases where water pollution is suspected or has occurred.

3. Samples may be collected by the agencies as follows:

- A. When the cause of a fish kill is unknown or suspected to be from a hazardous substance, personnel from the Department of Natural Resources trained to respond to hazardous substance incidents will collect and transport samples to the Department of Natural Resources' laboratory for analysis.
- B. When the cause of the fish kill is not suspected to be from a release of a hazardous substance, personnel from either agency may collect and transport samples to the Department of Natural Resources' laboratory for analysis.

4. The Department of Natural Resources will develop a Quality Assurance Project Plan (QAPP) that staff from both agencies will follow to assure the integrity, proper custody, and quality analysis of all samples from fish kill investigations they collect relative to this agreement.

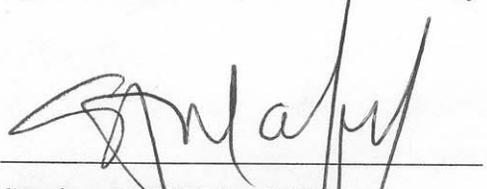
5. The Department of Natural Resources will provide formal training in sampling protocol to staff of the Department of Conservation as outlined in the QAPP. Refresher training will be provided as necessary. Training will be provided upon the request of the Department of Conservation at times and locations mutually agreeable to both departments.

6. The Department of Conservation will advise their trained sample collection personnel to notify a member of their department's Environmental Services Unit when samples are collected for analysis under this Cooperative Agreement. The Department of Conservation's Environmental Services Unit will contact the Department of Natural Resources' Environmental Services Program, Environmental Emergency Response 24-Hour telephone number (573/634-2436) and discuss how the sample will be delivered to the Environmental Services Program for analysis, e.g., by the Department of Conservation Environmental Services Unit personnel, the sample collector, or a Department of Natural Resources person, etc. If sample custody is conveyed to a Department of Natural Resources staff person, it shall be the responsibility of that staff person to notify the Environmental Services Program and ensure the chain-of-custody sheet is properly completed by the sample collector.

7. The Department of Conservation will provide and maintain appropriate basic collection and preservation equipment, as well as any essential field analysis equipment, for their trained sample collection personnel according to the needs specified in the QAPP.

8. Media inquiries related to the incident or response will be handled in a coordinated fashion. Joint news releases will be issued; individual news releases may be issued by either department after consultation between the two agencies.

Agreed to and truly executed this day



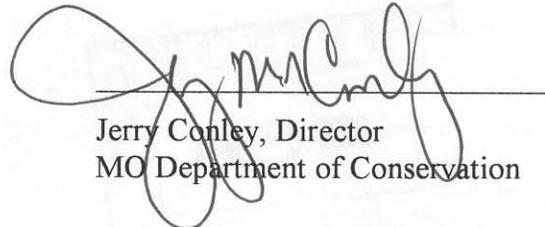
Stephen M. Mahfood, Director
MO Department of Natural Resources

3/6/2000

Date

APPROVED
BY
COUNSEL

sd



Jerry Conley, Director
MO Department of Conservation

4/4/00

Date

js

I have reviewed a copy of the Memorandum of Agreement regarding pollution and fish kill investigations. Members of my staff have reviewed the Memorandum and found it to be well written and clear. Pollution events in fish kill and pollution investigations have gone a long way towards separating aquatic resources from the degrading effects of pollution. We look forward to working with your agency's staff to enhance the quality of Missouri's aquatic resources and provide more aquatic recreational opportunities to the citizens of Missouri.

Please let me know if Mr. Alan Eukowski, of my staff, at (573)882-9800 if you have any questions regarding the Memorandum of Agreement.



cc: News Staff, Gary Novinger, FSU, Steve Eitz, Kevin Richards, Stan Michaelson, Ron Glover, Fisheries Regional Administrators