

DAKOTA COUNTY BOARD OF COMMISSIONERS

Authorization To Submit A Letter To Commissioner Of Natural Resources Opposing Bulk Exportation Of Dakota County Groundwater

Meeting Date: 11/12/2019
 Item Type: Regular-Action
 Division: Physical Development
 Department: Environmental Resources
 Contact: Grover, Valerie
 natural areas
 Contact Phone: (952) 891-7588
 Prepared by: Grover, Valerie

Fiscal/FTE Impact:
☒ None ☐ Other
☐ Current budget ☐ Amendment requested
☐ New FTE(s) requested
 Board Goal: A healthy environment with quality

Public Engagement Level: N/A

PURPOSE/ACTION REQUESTED

Authorize the County Board Chair to submit a letter, on behalf of the Dakota County Board of Commissioners, to the Minnesota Department of Natural Resources (DNR) Commissioner documenting the Dakota County Board position and opposition of any bulk exportation of Dakota County groundwater.

SUMMARY

The DNR recently reviewed a Preliminary Assessment Application from Empire Builder Investments, Inc., for withdrawal of up to 500 million gallons of groundwater per year from two proposed wells north of the City of Randolph. The proposed water use was to transfer the potable water via rail for bulk sale to customers in the western United States.

This request represents a possible new kind of water use in the State of Minnesota. Although the DNR's preliminary assessment report (Attachment A) indicates that the project would not be authorized under Minnesota law for several reasons, it is unknown if Empire Builder Investments, Inc., will modify its proposal to make it more likely to be permitted, or if other companies would submit similar water appropriation requests.

There are few resources, if any, more critical to the wellbeing of Dakota County and its residents both now and in the future than the County's drinking water supply. Removing substantial amounts of groundwater and exporting it outside the County or the watershed could negatively impact Dakota County water availability in future years.

The letter would include the following points:

- Importance of groundwater to Dakota County residents, both current and future generations, for drinking water, irrigation, commercial and industrial purposes.
- Potential concerns with future water availability due to population growth based on Metropolitan Council's water availability projections (Master Water Supply Plan projections).
- Dakota County residents are opposed to transporting Dakota County water resources to other states.
- Dakota County Board of Commissioners are opposed to exporting bulk groundwater from Dakota County.
- Request DNR develop legislative action to restrict any bulk exportation of water resources from Minnesota.

RECOMMENDATION

Staff recommends authorizing the County Board Chair to submit a letter to the DNR Commissioner opposing any bulk exportation of Dakota County groundwater.

EXPLANATION OF FISCAL/FTE IMPACTS

None.

Supporting Documents:

Attachment A: DNR Preliminary Well Assessment

Previous Board Action(s):**RESOLUTION**

WHEREAS, the Minnesota Department of Natural Resources (DNR) recently reviewed a Preliminary Assessment Application from Empire Builder Investments, Inc., for withdrawal of up to 500 million gallons of groundwater per year from two proposed wells north of the City of Randolph; and

WHEREAS, the proposed water use was to transfer the potable water via rail for bulk sale to customers in the western United States; and

WHEREAS, the DNR's preliminary assessment report indicates that the project would not be authorized under Minnesota law for several reasons, but it is unknown if Empire Builder Investments, Inc., will modify its proposal to make it more likely to be permitted, or if other companies would submit similar water appropriation requests; and

WHEREAS, removing substantial amounts of groundwater and exporting it outside the County or the watershed could negatively impact Dakota County water availability in future years; and

WHEREAS, staff recommends authorizing the County Board Chair send a letter to the DNR indicating the importance of groundwater to Dakota County residents, potential concerns with future water availability, Dakota County residents' and Board of Commissioners' opposition to bulk exportation of water resources and request legislative action.

NOW, THEREFORE, BE IT RESOLVED, That the Dakota County Board of Commissioners hereby authorize the County Board Chair to submit a letter to the Minnesota Department of Natural Resources Commissioner opposing any bulk exportation of Dakota County groundwater.

County Manager's Comments:

- ☒ Recommend Action
- ☐ Do Not Recommend Action
- ☐ Reviewed---No Recommendation
- ☐ Reviewed---Information Only
- ☐ Submitted at Commissioner Request



County Manager

Reviewed by (if required):

- ☒ County Attorney's Office
- ☒ Financial Services
- ☒ Risk Management
- ☐ Employee Relations
- ☐ Information Technology
- ☐ Facilities Management