

**CITY OF LAKE ELMO  
WASHINGTON COUNTY  
STATE OF MINNESOTA**

**RESOLUTION NO. 2022-027**

**A RESOLUTION SUPPORTING LEGISLATIVE EFFORTS TO ENSURE A  
SUSTAINABLE, SAFE, AND RELIABLE WATER SUPPLY**

**WHEREAS**, the City holds a water appropriation permit to draw water from the Prairie du Chien-Jordan Aquifer, which feeds into White Bear Lake, this permit allows the City to provide safe water to its residents, businesses, schools, and hospitals;

**WHEREAS**, on February 28, 2018, the Minnesota Department of Natural Resources amended the City's water appropriation permit due to fluctuating lake levels on White Bear Lake and the resulting advocacy of homeowners on the lake who want sufficient lake levels for recreational activities; and

**WHEREAS**, the Minnesota Department of Natural Resources ("DNR"), at the direction of a 2021 Ramsey County Court Order in Case File No: 62-CV-13-2414, filed a letter with the Court on February 7, 2022 illustrating its preparedness to limit the City's water appropriation permit to 55 gallons of water per day per person on average, along with other municipalities within a 5 mile range of White Bear Lake in order to comply with the Court's Order;

**WHEREAS**, such proposed restrictions on the City's water permit present a dire threat to safe and reliable water access for local schools, hospitals, new housing developments, and other industries;

**WHEREAS**, the DNR's potential permits amendments threaten the health, welfare, growth, and prosperity of the City, and surrounding communities, and is an untenable solution to shared use of the aquifer;

**WHEREAS**, the issue of groundwater usage from the Prairie du Chien-Jordan Aquifer is a regional concern that involves a significant number of communities across three counties, including their residents, businesses, schools, hospitals, and numerous other public and private uses.

**WHEREAS**, recognizing the importance of conservation and sustainability is best achieved through localized strategies;

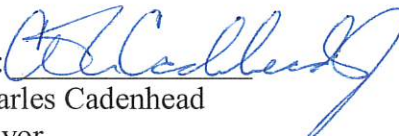
**WHEREAS**, the Minnesota Legislature is in a position to provide a legislative solution to groundwater permitting in the Prairie du Chien-Jordan Aquifer and reinforce the role of the DNR in engaging in water appropriation based on science and public health.


**NOW THEREFORE BE IT RESOLVED**, the City Council respectfully requests that the legislature enact legislation that accomplishes the following:

1. Protects municipal water permits, including those arising from the in the Prairie du Chien-Jordan Aquifer, from legal challenges.
2. Directs the DNR to explore innovative options for meeting the water needs of our residents, hospitals, schools, industries, and future development and ensuring the sustainability and quality of the state's water resources in and around White Bear Lake and neighboring aquifers.
3. Allowing the DNR the discretion to issue and amend groundwater water appropriation permits as was the case prior to the pending litigation.

**ADOPTED BY THE LAKE ELMO CITY COUNCIL THIS 15<sup>TH</sup> DAY OF MARCH 2022.**

**CITY OF LAKE ELMO**

By:   
Charles Cadenhead  
Mayor

By:   
Julie Johnson  
City Clerk