



Scheduling Public Hearing on Ordinance Establishing 365-Day Moratorium of Specific Industrial Processing Wells

Dakota County Board of Commissioners

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Overview



- Background
- Concerns
- Authority
- Interim Ordinance
- Requested Action

Background

Oct/Nov 2019:

- A Preliminary Assessment Application was submitted to DNR to withdraw 500 MG of groundwater per year from Dakota County
- Water would be shipped via rail to Southwest U.S.



DNR stated project was not authorized under Minnesota law:

- Upper Mississippi River Basin Charter requires notification for diversion of water out of the basin exceeding 5 MG/day
- DNR cannot issue permits to appropriate water from the Mt. Simon-Hinckley aquifer

- Additional water appropriation requests could be submitted to export groundwater
- Groundwater is critical to Dakota County (25 BG/year)
- Future population growth will put additional demand on groundwater needs
- Additional time is needed to put in place protective measures to ensure groundwater use sustainability

Ordinance 114, Well and Water Supply Management

- Administered through delegation agreement with MDH
- Purpose is to protect groundwater and the environment, and promote the health, safety and welfare of the public
- Establishes standards and regulates construction, reconstruction, operation, maintenance, repair, and sealing:
 - Private water supply
 - Noncommunity public water systems
 - Agricultural, commercial, industrial
 - Irrigation
 - Heating or Cooling
 - Dewatering
 - Environmental



Establishes 365-Day Moratorium:

- Prohibits the construction, installation, or permitting of new wells estimated to use a water volume greater than 10,000 gal/day or 1 M gal/year for the following DNR use/types:
 - Commercial/Industrial Water Supply
 - Other Water Supply
 - Agriculture/Food Processing
- Does not apply to existing wells or replacement of existing wells

Requested Action



Schedule hearing for May 5, 2020 to receive comments on proposed interim ordinance.

Questions?