

# House bill passes to keep DNR from enforcing court order

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ST. PAUL — The Minnesota House of Representatives passed legislation May 8 delaying for one year a court-ordered enforcement of groundwater permit restrictions. Eleven municipal water suppliers within 5 miles of White Bear Lake were affected by the court order in the lake level lawsuit decided August 2017.

District Court Judge Margaret Marrinan ordered the Department of Natural Resources (DNR) to enforce amendments to water appropriation permits for the municipalities that included an irrigation ban and limit to per capita water consumption.

The legislation, authored by Rep. Linda Runbeck (R-Circle Pines), gives temporary relief to the municipalities affected by the court order, which the representative felt was both overreaching and confusing.

"The important thing is it gives a temporary pause for all cities impacted and beyond to all the people impacted," Runbeck said. "The order is counterproductive and doesn't work to conserve water. It is a one-size-fits-all, and that is why it's challengeable."

Bill HF4003 prohibits the DNR from using funds to enforce certain permit restrictions placed on groundwater appropriations until July 1, 2019. It received bipartisan support in the House and passed 74-52. Area Rep. Peter Fischer (DFL-Maplewood) voted in favor; Rep. Matt Dean (R-Dellwood) voted against.

"The judge in this case went way beyond a traditional role by imposing far-reaching and onerous water restrictions on cities within an arbitrary 5-mile radius of White Bear Lake," Runbeck said. "Policy-making is the job of the legislative and executive branch and the judge's orders are, in effect, policy created without debate, without hearings or public input. I am grateful

for my colleagues' support on this very important issue that impacts those living near and around White Bear Lake. I look forward to continuing our work with the DNR to ensure we come to a solution that works for all interested parties and stakeholders."

The court order imposed restrictions on the cities of Hugo, Lake Elmo, Lino Lakes, Mahtomedi, North St. Paul, Oakdale, Stillwater, Vadnais Heights, White Bear Lake and White Bear Township. In addition, it drew in those suburbs that receive water from St. Paul Regional Water Services.

The judge's order prohibited the DNR from issuing new or expanded groundwater appropriations until it could be determined that new uses were sustainable for future generations.

Language addressing the court order was included in the Senate's omnibus supplemental spending bill, SF 3141, approved a week earlier.