

**WHITE BEAR LAKE TEMPORARY ENFORCEMENT PROHIBITION
OPPOSE HF 4003 (RUNBECK & LILLIE); SF 3573 (CHAMBERLAIN)**

<p>THIS BILL WOULD:</p>	<p>Prohibit the DNR from complying with an order from Ramsey County District Court Judge Margaret Marrinan to address groundwater depletion in White Bear Lake by including certain requirements in water appropriation permits.</p>	
<p>THIS IS A PROBLEM BECAUSE:</p>	<p>Judge Marrinan presided over a trial spanning more than 20 days, reading numerous reports and hearing from expert witnesses testimony that groundwater extraction from the Prairie du Chien-Jordan Aquifer was directly impacting water levels in White Bear Lake. The record showed DNR has been on notice of the connection between the aquifer and White Bear Lake since at least 1998, yet continued to allow an unsustainable amount of groundwater extractions.</p> <p>Judge Marrinan found the DNR violated two principles of law.</p> <ol style="list-style-type: none"> 1. The public trust doctrine: The DNR violated its fiduciary duty to protect the public’s right to use White Bear Lake’s water and lakebed. 2. The Minnesota Environmental Rights Act (MERA): The DNR violated numerous statutes and rules by allowing unsustainable groundwater extractions that damage White Bear Lake. <p>As a result, Judge Marrinan imposed a number of requirements and limitations on the DNR to modify groundwater extractions within a 5-mile radius of White Bear Lake.</p> <p>This bill attempts to circumvent these protections and will result in the continued depletion of groundwater to the detriment of White Bear Lake.</p>	
<p>HERE IS A PROPOSED SOLUTION:</p>	<p>The Legislature should support actions that protect the Prairie du Chien-Jordan Aquifer and White Bear Lake’s water levels.</p> <p>As Judge Marrinan found, the DNR’s “business as usual” approach is harming and will in the future harm businesses, recreation, aquatic plants and animals, and water quality.</p> <p>The Legislature should allow the judicial process to reach its conclusion. The DNR and municipalities have remedies at their disposal in the judicial branch if they disagree with Judge Marrinan’s decision.</p>	
<div style="text-align: center;">  <p>Distributed and produced by the Minnesota Center for Environmental Advocacy</p> </div>	<p>Allison Wolf Legislative Director awolf@mncenter.org 612 750 5449</p>	<p>Elise Larson Staff Attorney el Larson@mncenter.org (651) 287-4800</p>