

Resolution 19-184

**Resolution of the City of Woodbury,
Washington County, Minnesota**

**The City of Woodbury's Position on the Development of the State of Minnesota 3M PFC
Settlement Conceptual Drinking Water Supply Plan, Priority 1 Criteria Evaluation
Framework and Subsequent 3M Settlement Grant Distribution**

WHEREAS, per- and polyfluoroalkyl substances (PFAS) are synthetic chemicals that do not occur naturally in the environment; and

WHEREAS, these ubiquitous synthetic chemicals have been used in industry and consumer products worldwide since the 1950s; and

WHEREAS, the extreme persistence of PFAS in the environment and resistance to typical degradation processes has created a public health crisis; and

WHEREAS, based on this pervasive threat and the need for protection relating to PFAS contamination, Minnesota's Attorney General sued 3M Company (3M) in 2010 alleging that the company's production of chemicals known at that time as PFCs had damaged and continues to damage drinking water and natural resources in the Twin Cities east metropolitan area; and

WHEREAS, on February 20, 2018, the State of Minnesota settled its lawsuit against the 3M Company in return for a settlement of \$850 million; and

WHEREAS, after legal and other expenses are paid, approximately \$720 million will be available to protect, treat, and make available clean, safe drinking water in the Twin Cities east metropolitan area; and

WHEREAS, the State of Minnesota's 2018 Agreement and Order (Agreement) with 3M establishes a grant for the "3M Water Quality and Sustainability" appropriation in the Remediation Fund (Settlement Grant); and

WHEREAS, under Priority 1 of this Agreement, the Minnesota Pollution Control Agency (MPCA) and the Minnesota Department of Natural Resources (DNR) will use the Grant to enhance the quality, quantity, and sustainability of drinking water in the East Metropolitan Area to ensure clean drinking water in sufficient supply to residents and businesses to meet their current and future water needs; and

WHEREAS, the MPCA and DNR as the "Co-Trustees" for the distribution of these funds established in 2018 four Working Groups and have been holding public meetings toward development of a Conceptual Drinking Water Supply Plan; and

WHEREAS, this collaborative approach is needed to assess potential hazards, share data, identify best practices, establish guidance on best water treatment practices, and leverage the 3M Consent Order and Settlement Grant funding sources; and

WHEREAS, recognizing that PFAS has created a public health crisis, east metro local governmental units identified in the 3M settlement are at a crossroads awaiting distribution of the 3M Settlement Grant proceeds to remediate and protect our water systems; and

WHEREAS, it is imperative that a State of Minnesota commitment is made to allocate all the necessary resources as expeditiously as possible to provide the east metropolitan area's 157,000 residents and businesses with clean drinking water to meet current and future needs and protect the viability of the aquifer as a source of drinking water; and

WHEREAS, failing to equitably treat all potable water within the affected area would result in untenable disparities among neighborhoods related to health risks; and

WHEREAS, the City of Woodbury at a current population of approximately 73,000 and expected to grow to close to 100,000 residents by 2050 has invested a significant amount of resources to construct a robust and resilient system to distribute municipal drinking water; and

WHEREAS, the City of Woodbury has altered the operations of multiple water production wells that have been idled due to PFAS contamination, which has significantly impacted our water operations and materially damaged the City of Woodbury; and

WHEREAS, the PFAS contamination continues to migrate, and the federal and state health-based standards are subject to modification as more becomes known about PFAS; and

WHEREAS, the City of Woodbury is at risk of having insufficient water to meet demand in the near future with the continued loss of water production wells due to PFAS contamination; and

WHEREAS, based on the 2019 Woodbury Community Survey, consumer water confidence levels are dropping and drinking water quality was the number one concern of our residents.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota that the City of Woodbury commits to continuing to actively participate in efforts by the 3M Settlement Working Groups to encourage a fair and equitable distribution of the 3M Settlement Grant proceeds.

BE IT FURTHER RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota that the City of Woodbury believes the State of Minnesota, the Co-Trustees, the Conceptual Drinking Water Supply Plan and the subsequent grant process must:

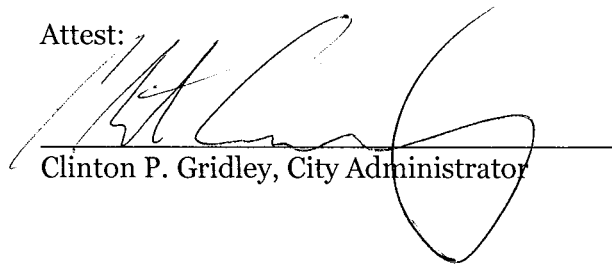
1. Preserve groundwater as the City of Woodbury's continued source of water.
2. Protect water quality for all residents in the Twin Cities east metropolitan area irrespective of current PFAS health-based value levels.

3. Establish a water treatment goal of the lowest detectable levels of PFAS feasible in order to protect residents and businesses in the Twin Cities east metropolitan area now and into the future.
4. Provide funding for temporary water treatment facilities as expediently as possible to the City of Woodbury in order to bring the idled wells due to PFAS contamination back into full service.
5. Compensate the City of Woodbury for the lost production of the City of Woodbury's idled water production wells and the depreciation of Woodbury's other water wells that have been over-taxed to make up for the loss of impacted water wells and any other damages.
6. Provide funding for the construction and operation of permanent water treatment facilities for public and private water systems necessitated by the PFAS threat.

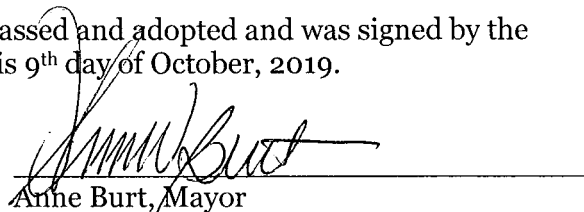
BE IT FURTHER RESOLVED by the City Council of the City of Woodbury, Washington County, Minnesota that this resolution adopted by the City of Woodbury be forwarded to the "Co-Trustees" Minnesota Pollution Control Agency and Minnesota Department of Natural Resources, Governor Tim Walz, state representatives for local governmental units in the affected area and the Metropolitan Council for their consideration.

This Resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the City Administrator this 9th day of October, 2019.

Attest:



Clinton P. Gridley, City Administrator



Anne Burt, Mayor

(SEAL)