

PENNINGTON COUNTY RESOLUTION

A RESOLUTION TO REQUEST THE STATE WATER MANAGEMENT BOARD TO CONDUCT PUBLIC HEARING(S) IN PENNINGTON COUNTY FOR THE POTENTIAL ISSUANCE OF ANY TEMPORARY OR PERMANENT WATER USE PERMIT BY ANY MINERAL MINING OPERATION

WHEREAS, the Pennington County Board of Commissioners is the legislative and governing body of Pennington County, SD and has the responsibility to provide for the safety and welfare of all residents of Pennington County; and

WHEREAS, most residents of Pennington County are provided drinking water through the Rapid Creek Watershed, Pactola Lake and Deerfield Lake; and

WHEREAS, for Pennington County residents, visitors and travellers water quality in our natural drinking water system is essential for safe drinking water, and Rapid City draws "raw water" from Rapid Creek at the Mountain View and Jackson Municipal Water Stations; and

WHEREAS, clean drinking water for Pennington County residents, visitors and travellers is the highest use of water from our Pennington County watersheds, including Rapid Creek, Pactola Lake and Deerfield Lake; and

WHEREAS, exploratory operations for mineral mining has occurred in the Black Hills in proximity to Rapid Creek; and

WHEREAS, although mineral rights are property rights and are protected by the U.S. Constitution, the rights of others affected by mineral operations must also be protected. Laws are necessary to regulate mining in order to protect water, air, natural resources, aesthetics and the welfare of the public; and

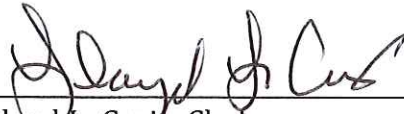
WHEREAS, the Pennington County Board of Commissioners is in the process of developing an ordinance to oversee mineral mining in Pennington County; and

WHEREAS, water uses in South Dakota require water rights permits. The permits are under the authority of the State Water Management Board who issues, denies or cancels water permits, establishes surface and groundwater quality standards, approves groundwater discharge permits, establishes drinking water standards, sets ordinary high water marks, regulates water use, establishes safety of dams standards, validates vested water right claims, issues water quality variances, establishes well construction standards, establishes standards for above and below ground storage tanks and underground injection wells; and

NOW THEREFORE BE IT RESOLVED, the Pennington County Board of Commissioners feels it is critical for the State Water Management Board to conduct public hearing(s) where the people who may be most affected are located prior to the issuance of any temporary or permanent water use permit by any mineral mining operation, which could potentially impact the drinking water supplies; and

NOW THEREFORE BE IT FURTHER RESOLVED, the Pennington County Board of Commissioners respectfully requests the South Dakota Department of Environment and Natural Resources via the State Water Management Board to conduct public hearing(s) in Rapid City for the potential issuance of any temporary or permanent water use permit by any mineral mining operation, which could potentially impact the drinking water supplies in Pennington County including Rapid Creek, Pactola Lake, Deerfield Lake and appurtenant watersheds.

Dated this 17 day of April, 2018.



Lloyd LaCroix, Chair
Pennington County Commission



Vicki Wolf, Deputy
Pennington County Auditor/Deputy