January 30, 2024

Elizabeth Lincoln, Director
Legislative Reference Library
645 State Office Bldg.
100 Rev. Dr. Martin Luther King Jr. Blvd.
St. Paul, MN 55155-1050

Dear Ms. Lincoln:

On behalf of the Board of Regents of the University of Minnesota, I submit the following annual report to the Legislature under Minnesota Statutes Section 137.52(b) regarding the University’s efforts and the efforts of the United States Department of Defense to remedy environmental impacts associated with the former Gopher Ordnance Works, a World War II smokeless powder production facility located on University land in Rosemount, Minnesota. That land includes Vermillion Highlands: A Research, Recreation, and Wildlife Management Area, which is managed under a cooperative agreement between the University and the Department of Natural Resources. Per Minn. Stat. §3.187, the cost to prepare this report was $756.00.

In 2023, the University continued to perform the first phase of the Feasibility Study requested by the Minnesota Pollution Control Agency to identify cleanup options for identified hazardous substances at the site. This study is being completed in the northcentral portion of the site, which is closest to the ongoing and planned residential and commercial redevelopment projects. The University anticipates that based on this study, the MPCA will select a cleanup plan later this year that is consistent with the planned property uses in that area of the site.

The University, the Army Corps, and E.I. du Pont de Nemours and Company have very recently reached a tentative settlement in the cost recovery litigation the University commenced in federal district court. As a result, the trial scheduled for February 5, 2024, has been taken off the Court’s calendar. The parties are drafting a proposed Consent Decree to document all terms of the settlement, which include a payment by the Army Corps to the University to be applied against the University’s past and future response costs at the site. Once prepared, the Consent Decree is subject to Court review and approval, with a hearing currently set in April for that purpose.

Sincerely,

Myron Frans
Senior Vice President for Finance and Operations
cc:  Brian Steeves, Executive Director and Corporate Secretary, Board of Regents  
     Jon Steadland, Chief of Staff, Office of the President  
     Douglas Peterson, General Counsel  
     Alice Roberts-Davis, Vice President, University Services  
     Melisa López Franzen, Executive Director of Government and Community Relations  
     Leslie Krueger, Assistant Vice President for Planning, Space, and Real Estate  
     Jami Markle, Central Region Wildlife Manager, DNR, Vermillion Highlands Joint  
     Steering Committee