

JOURNAL TRIBUNE

Proposed Wells water ordinance is a good first step

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Wells voters will face an important decision on Nov. 3 – whether to enact a town-sponsored ordinance regulating commercial water extraction.

There has been a long-running argument over this proposal, but both sides share the goal of protecting the town's abundant, clean groundwater. We believe voting Yes on Question 1 would be a good first step toward preserving this priceless resource.

A Yes vote would enact the ordinance prepared by the Wells Ordinance Review Committee and recommended by the Board of Selectmen. Both boards have worked in good faith to establish regulations to protect the interests of the town and its citizens.

Regulations are needed because Poland Spring has shown a keen interest in tapping local aquifers for hundreds of thousands of gallons per day. Although such an enterprise would be regulated by state agencies, the town's ordinance would set important ground rules about how such extraction would be undertaken.

Some are adamantly opposed to any accommodation to the interests of the water bottling industry. Earlier this year, they put their hopes in an unenforceable ordinance that was soundly rejected by Wells voters. Now a few claim that the town would be better off with no ordinance at all. We hope a majority of Wells voters realize that this can't be true. Any groundwater protection is better than none at all.

Those inclined to take a hard line against water extraction should instead work for stricter regulations. This year's proposal should be the start of a long-range effort to establish a comprehensive ordinance. The current version sets no specific limits on how much water can be extracted, relying instead general language intended to protect property owners and overall water quality.

State law is said to be unclear on municipal authority in this area, but the town should be within its rights to establish well-considered limits. Poland Spring hopes to pump a lot of water – a proposed contract with the local water district specified 300 gallons per minute – so the town should require a substantial margin for safety.

The proposal needs to be defensible in court and flexible enough to address unexpected circumstances. Town officials have done a good job weighing these potential complications. This regulatory ordinance may not be the final answer to keeping commercial water extraction within manageable limits, but Wells voters should regard it as a good starting point. With more research and consultation with experts, the town could go further.

This issue is pertinent for many other towns, and we hope legislative committees will continue considering how Maine law should deal with the growing interest in Maine groundwater. It would be helpful for instance, for state law to establish clear deference to municipal efforts to set appropriate limits on water extraction.