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EDITORIAL

Good intentions: A first step in protecting groundwater

[Print Page](#)

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If nothing else, a decision by the Kennebunk, Kennebunkport & Wells Water District trustees should reassure resident of Wells and Kennebunk that the Branch Brook watershed is safe – for now – from commercial exploitation.

The trustees voted unanimously last month to end further consideration of a proposed arrangement with Poland Spring. The water bottler had hoped to pump groundwater from the district's watershed, but word of the arrangement heightened concerns that Maine's abundant and generally pure groundwater is at risk of exploitation.

The trustees' May 27 vote did more than officially take last year's deal off the table. It demonstrated that the board respected the worries this issue raised, even though members felt some of the worries may have been overblown.

The trustees had assurances that the capacity of the watershed would be carefully monitored, and that extraction would be limited – to no more than 432,000 gallons per day.

To a layman, it seems a large amount to take from a limited watershed that serves customers from York to Biddeford. As the region grows, public water will become an increasingly valuable amenity. The water district has arranged for the capacity to tap the ample flow of the Saco River when necessary, which seems good evidence that Branch Brook is not considered inexhaustible.

Public opposition performed a valuable service by forcing the water district to reconsider. But the opposition was also led astray by activists whose agenda extended further than protecting water supplies.

Their ambitions took shape in a proposed ordinance in the Town of Wells that asserted that ecosystems had civil rights but corporations had none. When it came up for a vote at a special Town Meeting in Wells on May 16, only one resident spoke in favor of it.

The defeat of that proposal leaves the way clear for the town's Ordinance Review Committee to draft a regulatory ordinance that will prevent excessive exploitation of groundwater. It will have to be a balancing act, few will want to bar motels from filling their swimming pools or outlaw the opening of brewpubs in Wells.

But protection of Maine's groundwater should remain a high priority, and a matter for legislative concern.

Under Maine law, groundwater is owned by the owner of the property where it is found – an archaic and unsustainable arrangement. In practice, extraction of groundwater is regulated by the Department of Environmental Protection and other agencies.

At recent legislative hearings, agency officials said their rulebooks are sufficient to protect Maine's water.

But what if a future administration comes to believe that rules are an unfair burden on private enterprise, and that the high price of water on world markets should dictate a strategy of "Drill, baby, drill."

In the unlikely event that Maine agencies became ruled by political expedience, it would be nice to have state laws that we could rely on.

— Questions? Comments? Contact Kristen Schulze Muszynski or Nick Cowenhoven at 282-1535 or