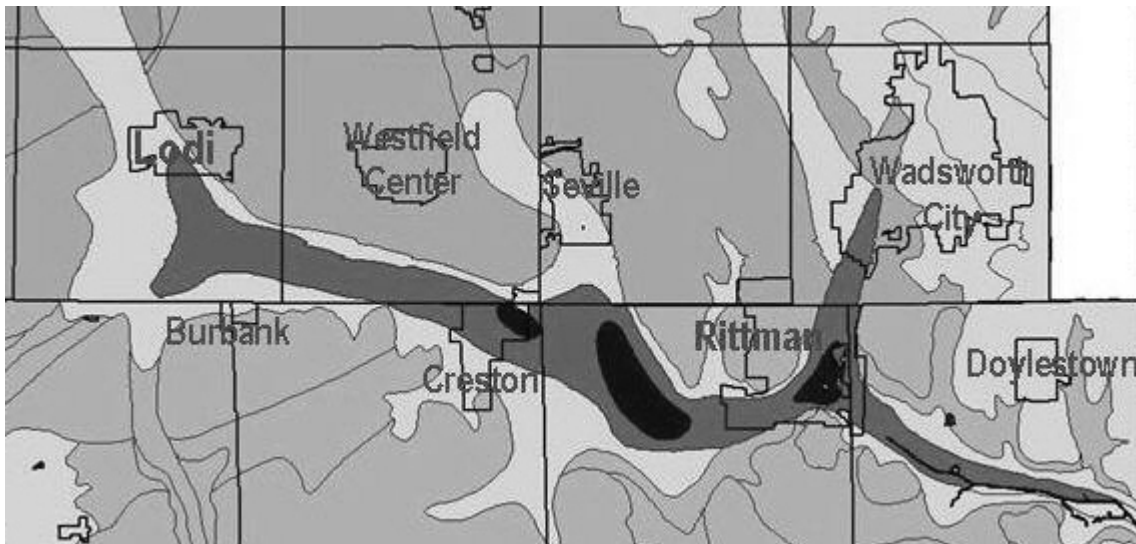


Protecting the Groundwater in Westfield

By Steve Hambley
Medina County Commissioner

Underlying parts of southern Westfield Township is an aquifer that stretches from Lodi Village to Chippewa Township in Wayne County. The aquifer is essentially a buried valley of sand and gravel surrounded by strata of bedrock. There are a number of public water systems already tapped into this valuable natural resource which draw down over a million gallons of water from the aquifer every day. These include the Villages of Lodi, Creston and Seville and Cities of Rittman and Wadsworth as depicted by the darkest shades in Ohio Division of Natural Resources Unconsolidated Aquifer map below.



Since 1997, the Board of Medina County Commissioners has noted the desire of various communities and private interests to tap into these groundwater aquifers. We have taken an active interest in protecting the existing wells of residents in this area, as well as the aquifer from which they draw. Current state law permits any public or private entity to purchase property in this area and use the groundwater resources for their own purposes. Since the aquifer is the primary source of water available for Medina County residents in this area, the Board of County Commissioners encouraged the formation of a consortium of local governments to help manage and protect this valuable resource. The mission of the consortium is to explore, protect and manage the use of potable ground water resources in southern Medina County for the sustainable benefit of current and future Medina County residents.

The legal necessity, as well as prudence of these mission principles has been further validated by recent court rulings. In *McNamara, et al. v. City of Rittman* (2005), the Supreme Court of Ohio ruled unanimously that landowners have a property right in the groundwater under their land, and that governmental interference with that right can constitute a “taking” of property for which the owner is entitled to compensation. The Supreme Court ruling opened the door for individuals to file claims against local governments whose activities in any way diminish the quantity or quality of water which is held or flows beneath a landowner's real estate. It is in the

enlightened self-interest of all large scale public users of the groundwater in this aquifer to work together and plan to conserve, protect and manage this finite resource. The ruling not only highlights the legal benefits of that cooperation, but also reinforces the moral obligation we have as stewards of the public trust.

In order to promote sound management and protection of the drinking water source, the Medina County Commissioners has consistently endorsed protection strategies that will help minimize threats to this finite and valuable resource. One such strategy involved the purchase of 350 acres of land in 2004 in Westfield Township by the Medina County Park District. In addition to local park district funds, money for the purchase came from a \$920,000 Clean Ohio Grant and \$100,000 from Medina County Commissioners for the water rights. The purchase of undeveloped property is an ideal way to prevent contaminant sources from affecting the aquifer by converting the land into a public green space or park, rather than a commercial or residential subdivision.

Another key component of the county's groundwater management planning effort involves using existing data to determine areas of high susceptibility to pollution. Ground Water Pollution Potential studies conducted by ODNR Division of Water have evaluated the susceptibility of ground water to contamination from surface sources, based on a system developed for the USEPA. The studies show that the groundwater aquifers located in southern Westfield and Harrisville Townships in Medina County, and in Canaan, Milton and Chippewa Townships in northern Wayne County, are in the most vulnerable classification for contamination from surface sources. This means that protecting the aquifer from surface contamination should be one of our highest priorities.

It is our goal to convene a regional meeting of public water systems using this aquifer over the next year to discuss the potential for a regional groundwater protection plan. It is hoped that this plan will not only address protection from surface pollution, but also adoption of operating principles that mirror those adopted by the Board of Medina County Commissioners in 2000 that address concerns about quantity and sustainable use of the resource.

Based upon those operating principles, it is our sincere hope that the public water systems in Medina and Wayne Counties will in due course agree to the following:

- Commitment to the protection of groundwater resources from over development by any entity, public or private.
- Protection of the quality and quantity of groundwater available to individual residential wells is the first concern of every public water system.
- Residents in well development areas will be given ample notice and opportunity for public comments during the planning process and prior to test pumping of production wells.
- In order to promote the sustainable use of the available ground water resources by all residents, specific measures to preserve the hydrologic integrity of the aquifer and strategies for recharging local ground water resources will be implemented.

The World Bank reports that 80 countries now have water shortages that threaten health and economies while 40 percent of the world — more than 2 billion people — have no access to clean water or sanitation. Medina County communities are fortunate to have ready access to

economical, clean potable water – water from Lake Erie north of the continental divide and groundwater aquifers for those communities south of the divide. With every gift comes a responsibility to use it wisely. As citizens, shame on us if we don't conserve, protect and properly manage this natural resource for the sustainable benefit of current and future Medina County residents.