

**PROTECT THE MICHINDOH**



# **WATER IS LIFE**

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The Michindoh glacial aquifer system - comprised of hydraulically-connected sand and gravel intervals distributed laterally and vertically.

The only source of water for almost 400,000 people. Attempt to obtain SSA designation from USEPA failed in early 2000s due to influence of the Farm Bureau.



# Water as a Commodity

## Artesian of Pioneer Proposal (2018)

Provide 3 to 14 million gallons/day to Toledo area communities

- The Ohio EPA requires a water system to meet double the average daily usage for any municipality it serves.

## Response from the aquifer communities

**Local govts:** RESOLUTIONS opposing the “drilling for, or private distribution, of the groundwater from the Michindoh glacial outwash aquifer, to locations outside the designated aquifer”; OMI regional govt formed to support USGS studies of aquifer.

**Grassroots:** protests, petitions, yard signs, letter writing campaigns; **county charter petition initiative which recognized the right of the Michindoh Aquifer to exist, flourish and evolve**; community meetings, fair booth.

**State legislature:** enacted groundwater withdrawal permitting program with **no citizen input; no local control; all authority rests at the state level with the ODNR.**

2019 – Toledo area communities negotiated to remain with Toledo

# July 2021: AquaBounty, land-based aquaculture company

11-acre indoor facility in Pioneer, Ohio (Williams County)

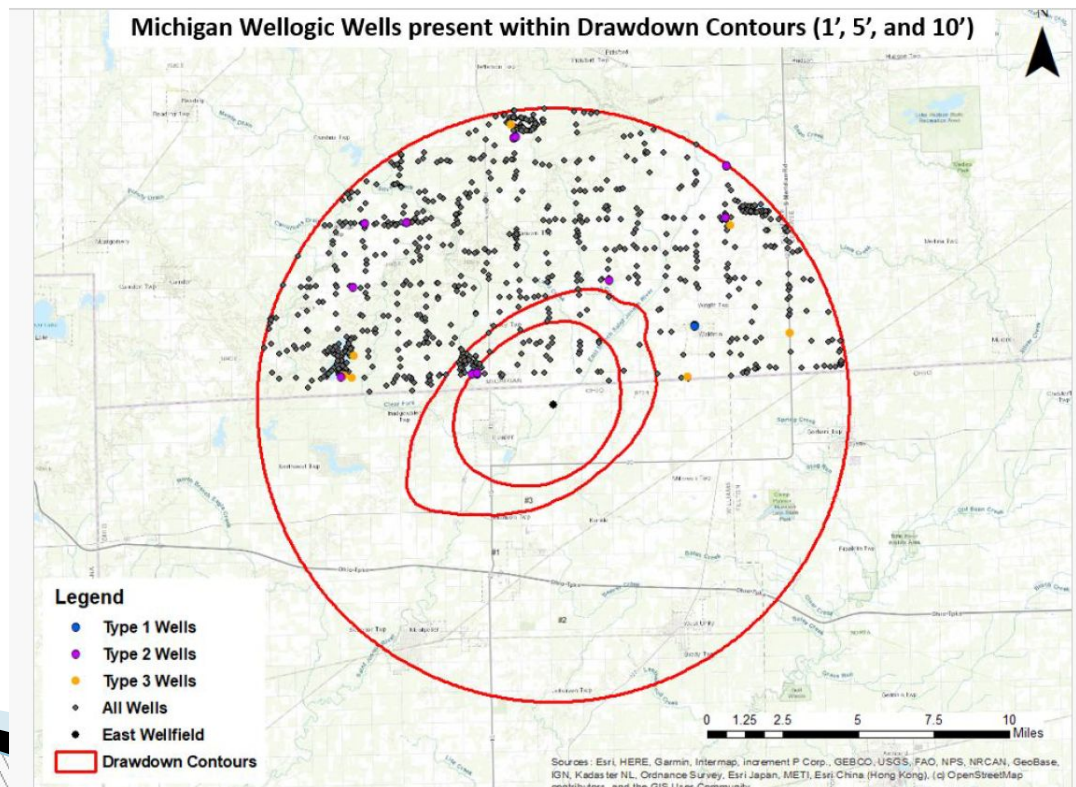
10,000 metric tons of **genetically engineered** salmon/year

All in one facility: hatch, raise, process, pkg, sell salmon

Withdrawal: 5.25 MGD from the Michindoh Aquifer (ODNR permit)

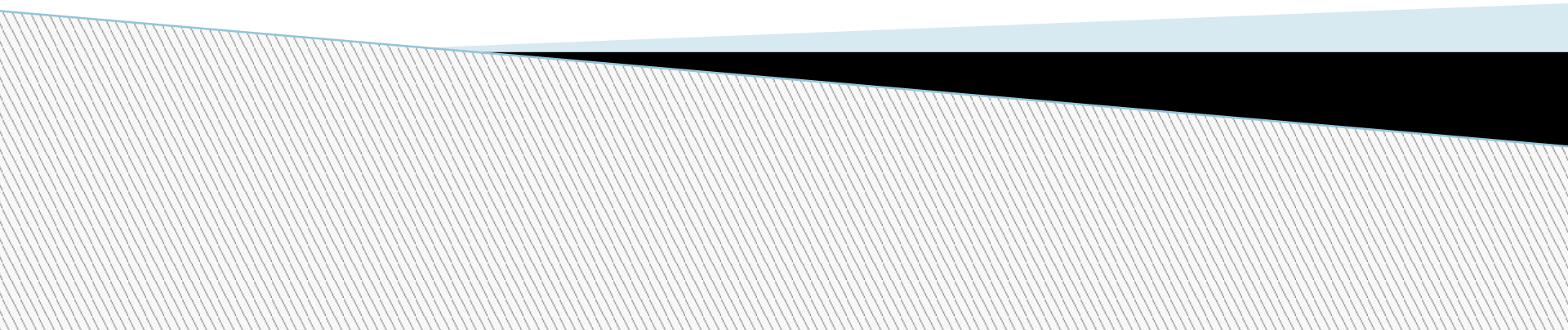
Discharge: just under 5 MGD into the St Joe River (NO NPDES permit yet)

Legal battle over the water/discharge lines in the county right of way



Community opposition – informational booth at fair; yard signs, protests, community meetings, **over 1200 comments in opposition submitted to the ODNR**; keeping community informed via FB and group emails; **fundraisers to support landowners opposing easements; retained attorney; monitored wells in cone of depression; baseline stream monitoring at discharge point**; participated in the Ohio EPA NPDES permitting process.

What we learned – powerful special interest groups representing industries play a large role in the creation of the permitting processes; the regulatory process often does not reflect the concerns of the community; if errors are found in the permit, the agency will assist the industry in correcting the error; **the regulatory system legalizes how much harm can occur to the environment and the community**; the profitability of the industry takes precedence over the health and welfare of the community and the environment.





# Changing the System of Existing Law

Water/nature is viewed as property under existing law. By beginning to shift our perspective to recognize the critical role of ecosystems, we can begin to understand that what we do to nature we do to ourselves – we are connected. The relatively new concept of granting nature the right to exist, flourish and evolve, would allow people to act on behalf of nature by acting as its guardians. Currently ecosystems have no standing in the judicial system.

Local communities should be allowed to enact more protective measures than state law (state preemption) allows.

