

## Nestlé Opposition in Michigan Continues

It has been one year since we were alerted that Nestlé was once again attempting to take 400 gallons per minute from a cold water stream 20 miles down the road from where they lost the legal right to do the same back in 2009. Court precedent aside, Nestlé went ahead with its expansion of the Stanwood plant under the assumption that the permit was a shoe-in and would be granted simply because they asked. Not this time. Too many people learned from the last round not to trust the false promises of Nestlé about economic growth, jobs, tax revenue, and sustainable practices.

MCWC and our allies got busy, and you know some of the results. Over 600 people came to the Nestlé DEQ Hearing we helped to force on the DEQ. Over 100 people spoke out against Nestlé, and 3 favored this corporation. We brought buses from Flint and Detroit to bring the message that it was simply wrong to let Nestlé take 210 million gallons of public water for a mere \$200 when the people of Flint and Detroit were being shut off or poisoned and charged ridiculous prices for the privilege of such injustice.

The public comment period was extended twice. 85,000 comments were submitted from Michigan residents. 350,000 comments came from around the world as well, particularly from people who have experienced Nestlé's predatory practices in small communities. Expert testimony was submitted by FLOW as well as MCWC's citizen scientists. Investigative reporters like Garret Ellison and Michael Jackman came to see for themselves what it looked like on the ground at the initial 150 gpm. Other journalists followed and we were able to share real time facts with them.

Twice the DEQ was forced to request more real data from Nestlé to show there would be no environmental impact. The law they should have followed in the first place when they increased to 250 GPM two years ago required more than computer models and Nestlé's questionable data. It also demanded more than the series of so-called community information sessions held by Nestlé in Mecosta and Osceola counties, full of fancy charts, dozens of public relations staff members and proof that only Nestlé had been monitoring its own chicken house over the years.

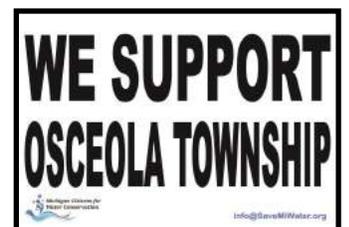
In the meantime, Nestlé applied to the township for a permit to build a booster station so it could pump those 400 GPM to the truck dock once they got their permit from DEQ. Imagine their surprise when the Osceola Township Zoning Board said "no", it did not meet their zoning requirements or represent a public good. Nestlé appealed and again was told "no", so they did the next thing a well-heeled multi-national organization always does, They sued the township and started bullying it with legal bills it could not afford.



The township has held strong. People in Ewart are tired of Nestlé's tactics and empty promises. Two local circuit court judges had to recuse themselves due to ties to Nestlé. The case was heard before Judge Susan Sniegowski from Ludington on November 15. MCWC organized a "Silent Vigil" and held a press conference before the Hearing. Many supporters came on this cold and rainy day. It will take weeks to months before we hear the results of this case. On November 4th Nestlé gave the DEQ more data that was not included in the April DEQ Hearing. We are not expecting anything convincing from this data. There is simply no way that Nestlé can show that 400 gpm is sustainable when 150 gpm has not been. We continue to gather real data on the condition of the two former trout streams. (See Bells & Whistles article) We have mounted a campaign to ensure that the township does not get stuck with a huge legal bill for simply exercising their right to protect their community.

MCWC has also been working with a number of other state, national and international organizations concerned about efforts like Nestlé's to privatize our water and remove it from the commons. You will be hearing more about this important collaboration, connecting dots between the Detroit shut-offs, poisoning of Flint, battles against Nestlé in Ontario as well as the violation of tribal treaty rights. All of us together can make a difference.

Peggy Case, President MCWC



**MCWC** supports Osceola Township as they FIGHT legal battles with Nestlé.

If you would be so kind to make a donation – every little bit helps!

Send check to:

Osceola Township Legal Defense Fund  
6521 100<sup>th</sup> Avenue

Ewart, MI 49631

Attention: Martin Nieman, Treasurer



## Thank You to ALL MEMBERS and a Tin Cup



A huge **thank you** to the members, supporters who **donate to MCWC**. Without your donations MCWC would not exist. Over the past year, your small volunteer organization has continued to try to make a difference for the wise use and protection of Michigan's magnificent water resources.

Our expenses include the following activities:

- We helped to lead the fight to stop the DEQ's rush to approve another increase for Nestlé's watertaking in Evert.
- The Rapid Response Email effort (that is now called "Action Alerts") has given many of you an opportunity to participate by taking an action to preserve & protect our water.
- We made a Freedom of Information Act request of the DEQ which formed the basis for 2 letters to the DEQ for more info from Nestlé.
- MCWC delivered 480,000 signatures to the DEQ against the Nestlé permit increase with the help of the organization SumofUs.
- MCWC provided the funding for two busloads of citizens from Flint and Detroit to the DEQ Nestlé Hearing at Ferris State University.
- MCWC is currently helping to lead the fight to support Osceola Township's legal battle to uphold their zoning authority. Money donated by you was sent to help Osceola Township defray it's legal costs. SumofUs is also helping in a major way to assist Osceola Township pay a portion of the Nestlé legal battle.
- MCWC is part of the Detroit Coalition to Oppose Expansion of U.S. Ecology. We paid for soil tests that showed major problems. Because of your support, the issue of water and soil testing can no longer be swept under the rug in Detroit. Ten thousand people live within a mile of this facility.
- MCWC assists local groups and communities to fight environmental threats. We sponsored a Community Rights US workshop on how to use local ordinances to resist environmental threat.
- MCWC has assisted many communities in their struggles to stop toxic injection wells in the counties of Barry, Oakland, Clare, Gladwin and Mecosta.
- MCWC has attempted to STOP the granting of permits to the Michigan Potash Mine in a wetlands area near Hersey. This is an ongoing issue that continues to go forward in favor of the Michigan Potash Mine.
- Major updating and improvements to our website [www.saveMIwater.org](http://www.saveMIwater.org) and to our Facebook page (Michigan Citizens for Water Conservation).

We are proud of the work we are doing together. It can be said that we may have made some small differences. As we approach the holiday season and a time for considerations of charitable giving, we welcome your consideration of MCWC.

Happy Thanksgiving, and best wishes as the holiday season begins.

MCWC Board

---

### [Court Hearing between Nestlé vs. Osceola Township](#)

Some MCWC members organized a Silent Vigil and Press Conference on Nov 15 at the Osceola County Courthouse in Reed City. Many supporters came on a cold and rainy day to show their support of Osceola Township in their fight to uphold their zoning ordinance.

The organization SumofUs presented over 100,000 signatures in 2 days time to support the township. We are forever grateful for the support from local citizens, state citizens, and people around the world. More news can be found @[saveMIwater.org](https://www.facebook.com/saveMIwater.org)



## Bells and Whistles or Real-Time Data (Nestlé "Science" vs the Real World)

Nestlé claims that their 17 years of data collection proves there has been no harm to the Muskegon River watershed and the two creeks that feed into it through Evert. They have lots of fancy charts, some pipes in the ground here and there and some high price computer models that tell them what they want us to believe. It's an impressive show but has little to do with the realities on the ground, particularly in Chippewa Creek and Twin Creek.

Two of our members, with many years of experience and knowledge of the area to qualify them for the research, set out to examine these two streams. They have spent the last year gathering data, making on-site observations, searching for historical benchmarks.

At the same time MCWC paid over \$2000 for a Freedom of Information packet from the MDEQ which should have given us much of the real time data needed to assess the impact of Nestlé pumping. We got next to nothing for that money. The data either wasn't there or wasn't given to us. However, the DEQ must have realized they didn't have much more than computer models either, as they asked Nestlé twice to provide more real data. That data is due as we put this newsletter together. We can't wait to see what Nestlé offers. We don't expect much. We have real information that shows these two creeks are no longer coldwater trout streams, and in fact hardly qualify as moving water in some places.

The following information has been given to the DEQ and DNR. There has been silence so far. Are they waiting to see if Nestlé can come up with something real? We expect to keep on gathering our own data in the meantime.

**What we know so far are these things.** (Detailed data available upon request by media or government agencies) The water temperatures and depths have been measured from the headwaters (where Nestlé pumps) down the length of the creeks to the Muskegon River in numerous places. In general the temperatures would support trout, as they once did. However, **there is not enough water for trout to swim in and the deep holes are mostly gone, full of silt. We found no trout.** Since there had not been drought this year, we take this as significant.

In addition to measuring temperatures and water depth along the length of both streams, we examined the culverts the water has to pass through. As water flows through a culvert for a long period of time aquatic vegetation grows from the bottom to the sides, providing historical record of the constant flow of water. Where the culverts showed historical averages of 18 inches, they now show between 2 and 8 inches. Interestingly, Nestlé made an offer to the township last summer to replace all the culverts for free. Some of them aren't very old. Why would they do that? The township declined to cover up the evidence of damage.

In 2000, prior to Nestlé pumping, a team from the DNR surveyed both streams for a Whirling Disease study. They found an abundance of native Brown and Brook Trout and other fish species of various sizes and age classes. They reported healthy aquatic ecosystems. On the exact same 300-foot section of the Chippewa Creek they surveyed, we recorded 4 inches of water, no trout or other species in 2017.

We have that report and we have our data, thanks to the diligence of our two experienced citizen scientists. They were paid nothing for their work and the time they spend trudging around in the wetlands and dry-stream beds. They do have the gratitude of their fellow MCWC members who live near those creeks and knew something was wrong. Let us hope the DEQ expects the same diligence from Nestlé. The permit will have to be denied based on the current condition of the ecosystem as a result of 17 years of their pumping. MCWC demands honest science and transparency, all Nestlé DEQ water permits must be monitored by the U.S. Geological Survey.



Chippewa Creek feeder stream



MCWC Members

MCWC is currently updating our Website and Facebook pages.

There are new updates going up almost everyday.

Please check to see UPDATES on:

The battle in Detroit/Hamtramck against toxic waste company called U.S. Ecology.  
More detailed information on the Injection Wells that MCWC has been fighting around the state.

**Go to: [www.saveMIwater.org](http://www.saveMIwater.org)**

**Miranda Fox and her filming crew from the organization called "Story of Stuff" came to Evert on October 1 to film the sites of Nestlé's water withdrawals and to interview folks in Evert being impacted by the world's largest bottling company.**



**Story of Stuff, from San Francisco, has a wonderful website with films about Nestlé' taking water from California, the battle in Oregon, and around the world. The film about the Michigan Nestlé Water Taking is set to come out in December.**



## Flint and Detroit Water Justice

The **Flint Water Crisis** did not begin with the failure of the MDEQ to apply an anti-corrosive coating to water distribution pipes after the switch to the Flint River. It began when revenue sharing funds were taken from the city, a financial crisis was thus declared. In 2011 Emergency Management was imposed on Flint residents through a series of decisions to disenfranchise Flint voters and give control of its assets and financial decisions to the state through the managers. Part of their goal was to support the adoption of the Karegnondi Water Authority (KWA) to compete against the Detroit Water and Sewerage Department and, later, the Great Lakes Water Authority (GLWA). They lacked the resources to develop the system and eventually were charged with crimes that tied emergency management operations with deadly decisions to change the Flint drinking water source.

The State had given City Council back temporary authority and then strong-armed the Council into accepting the KWA as a political cover. In fact, the EM and governor remained in control of all decision-making. It may be years before we really know all the back room deals managed by the Emergency Managers of the time resulting in the current Mayor vs City Council debates. WE do know it was the EM's decision to go with the Flint River to "save" the money the state had stripped from the city in the first place. This turned out to be a disaster for Flint. It was a straight up power grab in service to corporations seeking to privatize water and public infrastructure.

The Flint crisis diverted attention from the mounting **Detroit water shut-off crisis** but is intimately tied to it. Emergency Managers had arrived in Detroit also, engineering a bankruptcy, selling off assets and moving to shift control from the Detroit Water and Sewerage Department to the Great Lakes Water Authority, a public-private entity engineered by another Emergency Manager with the Governor and County Executives from Oakland, Wayne and Macomb to usurp control from the City of Detroit, and to change control of the large water system to suburban and private interests.

In both cases, Veolia, the French water corporation, has operated behind the scenes as a consultant. We can only wonder what they hope to get out of all this, and hope some good investigative reporting gets to the bottom of it. Flint got poisoned, and thousand have had their water shut off in Detroit. Detroit has lost control of their water department to the suburbs. Flint is being sued by the State for refusing to sign a 30 year contract with the GLWA at a time when they still don't even have assurances that their infrastructure will be repaired and there is no guarantee of a reasonable price structure over the long haul. Meanwhile there is a great deal of confusion over who controls anything and who will benefit in the end. Of course it should be the people of Flint and Detroit who benefit with the return of safe, publicly controlled drinking water.

All of this activity has resulted in massive suffering of real people, a majority of whom are poor residents and mostly people of color. They live in declining cities with municipal assets that were looted and bankrupted to pay millions of dollars in Wall Street debt. Institutional racism plays out as low income residents are blamed for their water shutoffs and bills, yet corporate water customers are regularly late and can negotiate their bills with the water department. Further, racism underpins emergency management through the removal of Detroit's and Flint's democratically elected officials from managing and approving operations and contracts, and public participation in these processes.

Privatization of water and public assets is the goal for the current administration and its corporate allies. In Flint the water is still not safe to drink, people are still being infected by bacterial contamination, some are losing their homes for refusal to pay for water they can't drink, and democracy is still not available. The pipe replacement is going at a snail's pace, Only 35 homes have had the lead removed inside. Bottled water companies are making a fortune by supplying for a profit public water they paid virtually nothing for to the people who actually own and need it. In Detroit over 100,000 residents have had their water shut off, some have lost their homes and their children, and the suffering continues. Efforts to establish a Water Affordability Plan have hit a brick wall and there still is no democratic control over water in the city.

MCWC is opposed to any form of water privatization. Water must remain in the commons, subject to the public trust doctrine embedded in the constitution. We demand that a Water Affordability Plan be adopted at the state and federal level. Flint and Detroit residents should be allowed to access public water at the same rate Nestlé takes it, which would mean all those shut off should only owe a few dollars and should be re-connected immediately. Funding for public infrastructure upgrades and maintenance must be restored by the State and democratic control must be returned to the cities still run by emergency managers or the latest Receivership Transition Advisory Board as in Flint. Money allocated to fix the pipes and deal with the lead in Flint should be spent there for that purpose and not parceled out for more unnecessary studies.

No matter which decision is ultimately made by the people in Flint as to a contract with the Great Lakes Water Authority or the Karegnondi Water Authority, several guidelines should be followed. 1) There should only be interim contracts for water for 2-3 years until the city has recovered and is made whole again. 2) There should be a waiver from all long-term contracts while the city recovers. 3) There must be a path to public control of the water and the government. In other words, justice must prevail. Water is Life for all of us.

Peggy Case, President MCWC

## Water is Life Coalition: Groups Pledge for Water Justice for the Great Lakes

Great Lakes water protector groups united at the Water Is Life: Strengthening the Great Lakes Commons conference in Flint on September 29- 30, 2017. Sixteen water protection organizations representing urban and rural communities from Michigan and Ontario along with local residents, Indigenous representatives and activists attended this unprecedented **international summit on water justice around the Great Lakes**. Attendees pledged to challenge Nestlé and end the water crises in Flint, Detroit and Indigenous nations.

Maude Barlow of Council of Canadians presented the keynote speech on Friday evening to a crowd of more than 200 people at Woodside Church in Flint. *“The summit this weekend was a powerful moment for water justice organizations, Great Lakes residents and Indigenous representatives. We came together to challenge the issues that our governments are failing to address. We renewed our commitment and outlined concrete steps to secure the human right to water and bring about water and social justice for all communities around the Great Lakes,”* Maude Barlow said.

People shared stories of violations of the human right to water. Water in communities around the Great Lakes is being put at risk by privatization and commodification.

A theme raised during the two-day summit was the outrage people feel at allowing Nestlé to take water (essentially free) for private corporate profit while Flint, Detroit, and Indigenous communities cannot rely on public systems/government for clean water and many are shut off altogether. Sylvia Plain, from Aamjiwnaang First Nations, near Sarnia, expressed her concern that Indigenous nations in both countries have kept their treaty promises yet are still waiting for American and Canadian governments to reciprocate. Claire McClinton of Democracy Defense League of Flint, Michigan said: *“In Flint Michigan, you can buy a gallon of lead free gas, or a gallon of lead free paint, but you can’t get a gallon of lead free water from your own tap”*.

MCWC members who attended the Summit were committed to connecting the dots between Nestlé’s push for corporate water by “taking” as much as possible while destroying the ecosystem of the Muskegon River Watershed. Meanwhile the folks in Flint and Detroit pay the highest prices for water in our country. Nestlé makes \$millions while the local communities are losing their precious water and gaining little economic value for the community.

In both the U.S. and Canada Nestlé controls access to underground aquifers, takes water for fractions of a penny per gallon and sells water marked up by 2000% in single use plastic bottles, which end up as litter rather than being recycled. The pumping, packaging and distribution of bottled water is unsustainable for the environment and carries a heavy carbon footprint. Bottled water undermines confidence in public tap water as governments neglect investment in public water infrastructure.

At the Summit’s conclusion, representatives of many water protection organizations, pledged to work together to protect water in their communities. They are continuing their work together and as the **Water is Life Coalition**.

*Michigan Citizens for Water Conservation* will call on Governor Snyder and our legislators to phase out permits to bottle water, and will defend the Osceola Township’s decision to say NO to the Nestlé booster station zoning ordinance permit. MCWC has begun a campaign to BOYCOTT products from Nestlé, the Swiss company. MCWC will encourage members and supporters to contribute to the legal defense fund set up to cover the bills for the lawsuit Nestlé filed against Osceola Township. Please visit our website @saveMIwater.org for more information.

We must remember that our water resources are cherished, valuable, and Water IS Life.



**Maude Barlow, from Council of Canadians. Author of many books on protecting our water around the world.**



**Tabling at Flint Water is Life Summit**



**The organizing committee from the Summit at the Woodside Church in Flint called “Water is Life: Strengthening our Great Lakes Commons.**

**Organizers from the Summit include: Jeff Ostahowski (MCWC), Paul Baines and Luke Evans (Great Lakes Commons), Claire McClinton (Flint Democracy Defense League), Peggy Case (MCWC), Liz Kirkwood (FLOW), Miranda Fox (Story of Stuff), Emma Lui (Council of Canadians), Lila Cabbil and Sylvia Orduno (Peoples Water Board)**

### Upcoming MCWC Meetings

We welcome our members to attend upcoming monthly meeting. They will be held on second Sundays at 2pm at the Big Rapids Public Safety Building Meeting Room 435 N Michigan Ave, Big Rapids. Please join us!!!

December 10, 2017

January 14, 2018

February 11, 2018

March 11, 2018

April 8, 2018

May 13, 2018

Michigan Citizens for Water Conservation  
P.O. Box 1  
Mecosta, MI 49332

PRSRT STD  
U.S. POSTAGE PAID  
MECOSTA MI  
PERMIT NO 8

MCWC Board Members

Peggy Case, President  
Jeff Ostahowski, Vice President  
Chris Swier, Treasurer  
Karen Turnbull, Secretary  
John McLane  
Wendy Nystrom  
Jim Maturen  
Diane Weckerle  
Pam Gilbert  
Shannon Abbott  
info@SaveMiWater.org

*Help preserve natural resources—recycle this newsletter by sharing it with a friend!*

*We are Water Protectors and invite you to join us*

Your Donation and Membership is how we fund our organization.

MCWC is A 501c3 grassroots group organized in December 2000. Our mission is to protect our surface and ground waters from pollution, plunder and privatization through education, advocacy and actions. We work to protect and promote human and ecosystem rights to water and defend the public trust doctrine. All staff are volunteer. Your donation is tax-deductible.

Please send your check to P.O. Box 1, Mecosta, MI 49332

Or pay via our Website: [www.saveMiwater.org](http://www.saveMiwater.org)

**Please help support MCWC as we continue  
to support communities through research,  
information distribution, and coalition building.**

**Together, we can help to stop the privatization and  
commodification of our natural water resources.**

**Water is Life.**

**HELP BY DONATING TODAY**



**Become a Member**

Name \_\_\_\_\_

Address \_\_\_\_\_

State/Zip \_\_\_\_\_

Email \_\_\_\_\_

Student (\$10) \_\_\_\_\_

Individual (\$25) \_\_\_\_\_

Family (\$50) \_\_\_\_\_

Wetland Donor (\$100) \_\_\_\_\_

River Watershed (\$250) \_\_\_\_\_

Great Lakes Donor (\$500) \_\_\_\_\_

