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*MCWC Position on
Nestlé Water Taking in Ewart, Osceola County
February 14, 2018*

The DEQ Public Hearing on Nestlé's permit to increase pumping in Osceola Township, Michigan took place on April 12, 2017 at the Ferris State University Center. The DEQ increased the original 150 gpm (gallons per minute) permit to 250 gpm in January of 2016 without the correct legal framework and without public notification, and before Nestlé even submitted an application. Now Nestlé is asking for 400 gpm. This withdrawal is for every minute of every day with no cap.

We urge you to visit our website for more details as updating occurs at: www.saveMIwater.org

MCWC's position:

1.

The DEQ scheduled one Public Hearing in Big Rapids. MCWC asked for multiple hearings around the state because this is a STATE-WIDE issue, not only a local Ewart issue. We believe that the DEQ tried to minimize the information about this hearing. This is **an issue that touches many people in Michigan, U.S., and around the world** as Nestlé, a multi-billion-dollar foreign corporation, privatizes our water to sell back to us for their huge profits. Over 600 people attended, many coming from Flint and Detroit. One hundred people testified, and all but two were opposed to the permit.

2.

MCWC believes there is a **serious disconnect in the State of Michigan's water policies and laws** that grants Nestlé a permit for \$200 per year to take more than 210,000,000 gallons of fresh spring water (less than \$1.00 for 1,000,000 gallons) while more than 100,000 people in Detroit have had their household water disconnected for non-payment, and currently Flint residents are being disconnected. Flint residents have been subjected to long-term contamination of their drinking water through senseless and possibly criminal governmental acts. Their water bills are outrageously high, and if they were allowed to pay the Nestlé rate, no one would owe more than \$1.00 per year. Many still should not drink their water, and no one would want to bathe in it.

Michigan water policies are in serious need of updating if Michigan is going to manage, use and conserve its water resources wisely.

3.

MCWC believes that serious and **significant environmental damage** has already occurred on the upper reaches of both Twin and Chippewa Creeks in Osceola County.

- MCWC is calling for a **species inventory** on both creeks to be conducted by the United States Fish and Wildlife Service in the summer months.
- MCWC is calling for a **moratorium** on all pumping from PW101, until such time as the ground water table and the upper reaches of the Chippewa Creek has been restored to prior levels before the Nestlé water taking.

4.

Nestlé does their own **monitoring** with their independent consultants. MCWC is calling for our DEQ to get *real data* collection of the Nestlé water takings conducted by the **United States Geological Survey**. USGS is willing and able to take on this commitment.



5. MCWC is calling for **real time electronic monitoring** with limit switches and discontinuation of water takings below agreed-to levels of the water table at the White Pine Springs Well 101. Such a system of real time digital monitoring provides the best way to comply with present law that requires that no environmental damage occur because of Nestlé's water takings permit.

6. A precedent was set in the lawsuit that MCWC waged against Nestlé over the water taking at the Sanctuary Springs in Mecosta county in 2005. Nestlé was taking 400 gpm and environmental damage occurred. After a court case that cost MCWC \$1million, Nestlé was ordered to reduce their water taking to 218 gpm average year-round. They have moved 20 miles up the road and want to take 400 gpm and create more harm to the aquifers north of Ewart. MCWC believes that Nestlé/Ice Mountain should **observe the legal precedent set in the Mecosta County court case** and assure that there is no environmental damage resulting from the PW 101 well in Ewart. The Nestlé permit, as submitted, does not meet Michigan requirements of law and cannot be acted upon by the DEQ. The application is based upon computer model information and the Safe Water Drinking Act (SWDA) specifically requires real time data. The DEQ has in fact requested real data from Nestlé three times so far. It has not been provided by Nestlé. The only real data submitted has been provided by independent experts and the citizen scientists of MCWC. This data shows the damage has already occurred at 150 gpm.

7. Bottled water recently surpassed all other bottled beverages as the most popular. MCWC believes that serious legislation about a **deposit on plastic water bottles** must occur. The waste of plastic is astounding, and should not happen. Nestlé should be required to use its facility expansion to recycle its bottles.

8. A **two-year moratorium must be declared for all new water taking commercial wells and all new increases in water taking in Michigan**. During these two years, laws and policies must be changed to manage and protect our valuable public trust resource of water. Canada recently imposed a two-year moratorium after 30 years of Nestlé water taking in Ontario, yet Nestlé continues to pump on expired permits. We must coordinate with Canada to preserve the Great Lakes Basin water. Water is quickly becoming more valuable than oil. We need water for all species to live. The Great Lakes Basin has 20% of the world's fresh surface water, and we must protect this for future generations by countering all efforts to privatize this water for corporate profit.

Respectfully submitted,

Michigan Citizens for Water Conservation

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