



Year End Summary and Highlights

Giant Victory In Osceola Township battle with Nestle over booster station:

As many of you have heard, Michigan Citizens for Water Conservation and the citizens of Osceola Township in Ewart Michigan won a great opinion from the Michigan Court of Appeals last week. **The judges ruled that the township was correct in its denial of a permit to Nestle for a booster station needed to pump 400 gallons per minute from the White Pines Spring well.** In the opinion they affirmed the right of the zoning board to enforce its own ordinance and to take seriously the wishes of the people who elected them in the first place. Every one of Nestle's arguments was declared invalid. You can read the opinion on our website to see the other relevant points made by the court, along with the press release we sent out following it. Among other things the court ruled that bottled water is not an essential public service as nestle claimed.

MCWC has been working in support of our members in the township for years. Some of those affected members were founders of our organization and are finally seeing the tide change as we expose Nestle practices to the world. We have assisted in the production of a few videos and numerous interviews over the last few years, bringing these issues to public attention. **We helped raise the money the township needed to appeal the faulty ruling of the Circuit Court,** with the help of SumOfUs. It all paid off last week. Nestle has options. They can appeal to the Supreme Court. They can try even more environmentally damaging ways to get the water to the trucking station, like new pipes or trucks on the rural roads, and have publicly threatened to do so. We will be vigilant and plan to be ready to do what is necessary to continue enforcing the rule of law.

We are also joining with other groups to move these battles to the state level and have been pressing elected officials to pay attention to the needs of people, not corporations. We know that grassroots organizations, activists and poor

communities cannot sustain multiple legal battles against giant corporations. There are too many threats these days. We have been demanding that state agencies, courts and our elected representatives must establish state law to protect residents throughout the state. There are signs that this is beginning to happen. Last week Michigan legislators introduced legislation to 1) establish water as a public trust and 2) prevent bottled water from being shipped out of Michigan. The recent ruling by the Appeals Court gives us opportunities to continue moving for state-wide solutions.

Nestle Contested Case Still Undecided:

When the old DEQ granted Nestle the permit to increase pumping at PW-101 in Evart, we were forced to file a petition for a contested case hearing with the DEQ. We were joined by the Grand Traverse Band of Ottawa and Chippewa Indians. The hearing occurred over a five day period last June. Lots of briefs and counter briefs filed, lots of attorney time required, stacks of paper filling the courtroom. After the hearing, more briefs, rebuttals, counter briefs. We thought the judge would rule in October, however it appears it will not be until after the first of the year. **We are reminded of the beginning days of MCWC when we had to file a lawsuit against Nestle, spent a million dollars to do it and 9 years in litigation. But in that case we won a partial victory against one of the largest corporations in the world and set a precedent that still stands. We do not expect this contested case to cost anywhere near that figure but we plan to be prepared for whatever is on the horizon.** Nestle is likely to appeal if they lose the contested case. They are also likely to look for alternative sites to get the water they think they need to suck out of Michigan. We have filed a Complaint with the office of Environmental Justice and still hope to engage the new administration and the new EGLE in defending our waters from the likes of Nestle.

To continue this important work on behalf of the water justice movement, the citizens of Michigan, and tribal allies, we must continue to generate funding from members and supporters. Please make your generous end of year contribution to MCWC by sending a check or submitting a payment on-line at our website. We haven't pestered you much this year, no streams of emails begging for money, no blitz for Giving Tuesday. We remind you in our newsletter to renew membership with a donation and we've held a few fundraising musical events. **Now we are seriously in need of renewed funding and appeal to increase your support so we can go on with our good work.**

Potash Contested Case on hold:

After a year of preparation for a hearing and the generation of legal bills, the **judge ruled a week before the hearing that MCWC did not have jurisdiction and he could not hear the case.** This outrageous ruling could not be left as it was. We had to appeal to a new review panel of experts at EGLE for a better ruling so we could finally argue the issues that justified our filing in the first place. To date no one in State government has looked at the case itself or the merits of our opposition to the mine operation. The panel of three was appointed with three civil engineers and no legal expert. They met and had no clue what to do, so they postponed deliberations until March 20 while requesting that the parties submit the kinds of briefs they would submit to an actual hearing. We are the first to test the use of such a review panel and clearly the process has not been worked out at all, since Snyder created it.

So far the legal bills for this case have been paid by our members who live in the area of the proposed mine, but MCWC is ultimately responsible and we hope to assist more in the future with this effort once we pay off the Nestle debt. **This is an important case that affects how extractive industries will be allowed to operate in our state for years to come.** For more information on this case, see our website section on the mine.

Injection Well Alerts:

MCWC is one of the few organizations in the state that has been educating communities and monitoring the behavior of government bodies with regard to permitting injection wells to dump toxic waste deep under our aquifers. We have worked with several local communities threatened with new wells, researched these sites and helped force public hearings. **There was finally a victory in getting a permit withdrawn in Barry County this year thanks to the diligent work of local activists and MCWC advocates.** This was reported in a recent newsletter.

We also were able to launch a page on our website, currently on the home page, designed by an eighth grade student working with our own John McLane, which uses google maps to locate each new well permit requested and offers information on the site to local residents. We urge you to see if there is one coming near you, and if so, get involved, get in touch with us.

Coalition to Oppose Expansion of US Ecology:

This coalition has successfully held off the granting of a permit for a tenfold expansion at this waste treatment facility in the middle of Detroit for the last three years. MCWC board member Diane Weckerle has been a leader in this and MCWC has played a supporting role when needed. In the process, a remarkable coalition has formed which unites the community across ethnic, religious, and language barriers, bringing the poor, minority and immigrant communities together to put pressure on government. In cooperation with the People's Water Board of Detroit, another coalition MCWC is part of, we have helped connect the issues of toxic waste in the city with water shut offs and the overall issue of clean water as a human right

Water is Life Alliance:

MCWC has been a leader in forming this alliance over the last three years to bring grassroots organizations together to enhance our voice on major water issues. The latest newsletter describes our mission and work to date. We are hoping some of our members will want to get involved in the work of some of the committees forming in the Alliance. We are particularly interested in finding people who want to turn their communities into Blue Communities. For more on this see the latest newsletter, posted on our website.

This Alliance also builds on the earlier work of MCWC in **connecting the dots between Nestle's water grab in Evart and the poisoned water in Flint.** Flint groups are part of the Alliance and we make a point of speaking out about the injustices in Flint whenever we speak about Nestle. Five years after the disaster, Flint is not healed by a long shot and we feel it is essential that we keep the lights on Flint, just as we try to keep the lights on the continuing water shut-offs in Detroit. **The State of Michigan must eventually act to guarantee the human right to water to all residents, and end attempts to privatize the waters of the commons.**

MCWC is about as grassroots as a group can get, and we are quite proud of our accomplishments to date. We do not spend a penny on staff or an office. We are all volunteers, with a small activist core of leaders, sustained by a large and dedicated group of members and supporters. We take no government or corporate money.

We need your help now so that we can continue our work on your behalf.

**PLEASE OFER A GENEROUS END OF YEAR GIFT TO MCWC BY MAIL OR
ON THE WEBSITE.**

ADDRESS:

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WEBSITE:

saveMlwater.org