



Enforcement News

Nestle told to cease unauthorized diversions in San Bernardino National Forest

State Water Board investigation finds multiple violations

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SACRAMENTO – Following numerous complaints and a multi-year investigation into unauthorized spring water diversions in the San Bernardino National Forest by Nestle Waters North America, the State Water Resources Control Board today issued a revised Report of Investigation and a [draft Cease and Desist Order](#) directing the company to stop its unlawful activities.

Nestle has 20 days to respond to the draft order and request a hearing or the State Water Board may issue a final order.

The action comes as state agencies are ramping up their efforts to build California's water resilience amid a second consecutive dry year. At the [direction of Governor Gavin Newsom](#), state agencies are coordinating closely with local partners to track and actively respond to changing conditions and issues that impact public health, safety and the environment.

During the state's historic drought, the State Water Board's Division of Water Rights received multiple complaints alleging that Nestle's continual water diversions depleted Strawberry Creek, resulting in reduced downstream drinking water supply and impacts on sensitive environmental resources. The division conducted a field investigation and issued an initial report in 2017 with recommendations that Nestle only take amounts within its established water rights. Afterward, the State Water Board received an additional 4,000 comments and thousands of pages of information from the public alleging continued excessive water diversions, which significantly expanded the investigation that culminated with today's proposed enforcement action.

"It is concerning that these diversions are continuing despite recommendations from the initial report, and while the state is heading into a second dry year," said Jule Rizzardo, Assistant Deputy Director for the Division of Water Rights. "The state will use its enforcement authority to protect water and other natural resources as we step up our efforts to further build California's drought resilience."



Besides prohibiting the unauthorized diversions, the order, if adopted, would instruct the company to limit diversions from surface streams to its pre-1914 water right of 7.26 acre-feet per year; submit annual monitoring reports that contain diversion amounts for the previous year, and include information regarding the nature of diversions that could be subject to the Board's permitting authority; establish a basis of right for diversions found within the board's permitting authority; and submit a compliance plan within 180 days after a final order is adopted.

Nestle operates facilities in the Strawberry Creek watershed, a tributary of the Santa Ana River that provides municipal water to an estimated 750,000 customers. The operation involves 13 sites where spring water is taken and redirected for bottling at numerous plants, including one in downtown Los Angeles.

The board acknowledged the extraordinary public input it received in this matter and its powerful impact on the investigation.

"This investigation provides a clear example of the vital role Californians play in protecting our water resources," added Victor Vasquez, senior engineer with the Division of Water Rights. "We cannot overemphasize the importance of public engagement on water enforcement issues, especially given current conditions."

Any member of the public can submit a complaint regarding water rights issues through the online [CalEPA Environmental Complaint System](#).

The State Water Board and its nine regional water boards have the regulatory responsibility to ensure the proper allocation of water resources and protection of the water quality for approximately 1.6 million acres of lakes, 1.3 million acres of bays and estuaries, 211,000 miles of rivers and streams and 1,100 miles of coastline. More information about drinking water, water quality and water rights can be found on the board [website](#).