

## **Eggers, Tomas@Waterboards**

---

**From:** lakearrowheaddentist@verizon.net  
**Sent:** Monday, February 12, 2018 8:27 AM  
**To:** Vasquez, Victor@Waterboards  
**Cc:** habialeckidmd@gmail.com  
**Subject:** Nestle Waters: Response to CA State Water Control Board Decision Letter  
**Attachments:** Nestle SWRCB Decision Letter Response 1-2018.doc; Communication Jan 22.pdf; LWV press release.pdf; SOFA comments 5.16.pdf

Dear Mr. Vasquez,

Attached is the response from the Save Our Forest Association, Inc., to the Report of Investigation, INV 8217, Nestle Waters North America (NWNA).

Additional supporting documents are also attached for your review.

Sincerely,

Hugh A. Bialecki, DMD  
Pres., Save Our Forest Association, Inc.



**Progressive dental care that enhances health and changes lives.**

Jennifer Schrader – Scheduling Coordinator

***Arrowhead Dental Arts***

Hugh A. Bialecki, DMD  
402 S. Grass Valley Rd.  
Lake Arrowhead, CA 92352  
P: (909) 337-0705 F: (909) 337-4925  
[www.lakearrowheaddentist.com](http://www.lakearrowheaddentist.com)  
[lakearrowheaddentist@verizon.net](mailto:lakearrowheaddentist@verizon.net)

Confidentiality Notice: This email communication and any attachments may contain confidential and privileged information for the use of the designated recipients named above. If you are not the intended recipient, you are hereby notified that you have received this communication in error and that any review, disclosure, dissemination, distribution, or copying of it or its contents is prohibited. If you have received this communication in error, please notify the offices of Hugh A. Bialecki, DMD immediately by telephone at (909)337-0705 and destroy all copies of this communication and attachments.

Disclaimer: No liability is accepted for any errors or omissions in the contents of this message which arise as a result of email transmission. If verification is required, please request a hard-copy version. No liability is accepted for any damage caused by any virus transmitted by this email. The recipient should check this email and any attachments for the presence of viruses.

8 February 2018

State Water Resources Control Board  
Division of Water Rights, PO Box 2000  
Sacramento, CA 95812-2000

Attn: Victor Vasquez

Re: Report of Investigation, INV 8217, Nestle Waters North America (NWNNA)

The Save Our Forest Association, Inc., (SOFA), is focused on mountain quality of life concerns in the San Bernardino Mountains and has been engaged since 1989 with Federal, State, County and local jurisdictions regarding environmental sustainability, land use planning, species and habitat conservation, and natural resource protection.

SOFA provided comments to the SBNF Front Country Ranger District Office on 2 May 2016, in response to the 14 April 2016, Nestle Waters Special Use Permit Scoping meeting and provided copies of those comments to the SBNF Forest Supervisor, USFS Region 5 HQ, USFS National HQ, Senator Barbara Boxer, Senator Dianne Feinstein and Congressman Paul Cook; those comments are also attached to this letter.

The SBNF proposed five-year NEPA study period is unreasonable in its lack of natural resource protection as it allows NWNNA to continue water extraction, with no limitations, during the study period. The State of California is experiencing historic drought with many restrictions placed on agricultural and domestic water use. Why should continued, uncontrolled water extraction be allowed under an expired permit, with no evidenced pre-1914 water rights, during a five year study period? Particularly when there is clear evidence of injury to signatories to the Western Judgement and the Strawberry Creek ecosystem.

Our Board of Directors welcomes the Report of Investigation (ROI), INV 8217, in response to numerous complaints regarding Nestle water rights between April, 2015, and September, 2017. We support the contention that "Nestle claimed several poorly defined bases of right, but none of these claims are supported by evidence provided or found by Division staff."

On page 33 of the ROI it is stated that "Nestle likely has a pre-1914 right for an amount up to 26 AFA, including developed water." It would seem that for Nestle's (or their predecessor-in interest) claims to be legitimate there would be a documented water rights claim in the San Bernardino National Forest (SBNF) prior to 1894. There are no recorded claims at Nestle's water withdrawal sites on the SBNF lands including T2NR3W, upper Strawberry Creek, or Indian Springs, T1NR4W E 1/2 Sec 2. Neither the Upper Strawberry Creek or Indian Springs were the site of the water used for the first water bottling, and no pre-1914 rights can be conferred. The

historical record indicates that the first water bottling during the 1909-1913 period was from Coldwater Canyon, not Strawberry Creek or Indian Springs. We are of the opinion that no evidence-based proof of water rights translates to no water permitted removal, and that as the ROI states in Section 6 recommendations, "Division staff recommends that Nestle immediately cease any unauthorized diversions."

We also appreciate the request, dated May 20, 2016 from the USFS Forest Supervisor Jody Noiron, asking for clarification of Nestle's basis of right. The SBNF Project Proposal dated March 18, 2016 describes proposed actions regarding the Nwana Special Use Permit. Page 6, S46: Surface water diversions and groundwater extractions, including wells and spring developments will only be authorized when it is demonstrated by the user, and/or agreed to by the Forest Service, that the water extracted is excess to the current and reasonably foreseeable future needs of forest resources. Consideration of beneficial uses, existing water rights and the absence of other available water sources will be part of the water extraction application. It is troubling that there has not been mention of the Federal Reserve Rights for those lands within the SBNF and the overlaying landowner groundwater rights associated with the SBNF. The federal reserve water rights have been repeatedly confirmed by the United States Supreme Court (*Winters v. United States*, 207 US 564 (1908), *Arizona v California*, 373 US 546 (1963), *Cappaert v United States*, 426 US 128 (1976) and the *United States v New Mexico*, 438 US 696 (1978). Most recently the federal reserve water rights were again upheld in the US Ninth Circuit Court of Appeals, *Agua Caliente Band of Cahuilla Indians, USA v Coachella Valley Water District et al* (2017) and this decision was upheld when the US Supreme Court refused to hear an appeal in November 2017.

On January 17, 2018 the San Bernardino Valley Municipal Water District (SBVMWD) submitted its response to the SWRCB regarding the ROI. The SBVMWD comments are particularly pertinent to the issue of unauthorized diversion by Nwana due to the District's role as Water master administering the terms of the Western judgement (April 17, 1969);

"...the diversion of water by Nestle in excess of the diversion of water during the 1959-1963 base period represents an unauthorized diversion of water that constitutes injury to Valley District and/or Western. Secondly, the over appropriation of water by Nestle has likely had an adverse impact on fish and wildlife in the Strawberry Creek watershed. Valley District, in working with a large number of other local public agencies, the US Fish & Wildlife Service and the California Department of Fish & Wildlife, is in the process of developing a habitat conservation plan that aims at recovering native species like the Santa Ana sucker, the arroyo chubb, the speckled dace and the mountain yellow-legged frog, all of which would likely have been adversely affected by Nestle's over appropriation of water."

The specific impacts noted by SBVMWD have been raised, for over the last three years by retired USFS Biologist Steve Loe, and have been ignored by our SBNF Forest Supervisor, the Regional Office, and by Nestle. SOFA agrees with the recommendation that the SWRCB work with the SBMWD, Nestle, the SBNF, the CA Department of Fish & Wildlife and the US Fish & Wildlife Service and the public to determine what the adverse effects are from Nestle's over appropriation of water from Strawberry Creek. The SWRCB should also determine from the historical record including documents revealed by Amanda Frye if there is any valid water right (including critical review of a "likely" pre-1914 water right for a maximum of 26 AFA).

I am attaching a memo dated 22 January, 2018, from hydrologist and Arrowhead Lake Association Board Member, Ralph Wagner, provided to me as President of SOFA, to be shared with all interested parties. Mr. Wagner expresses his opinion and concerns regarding the issue of pre-1914 water rights, groundwater resources on Federally owned property (Federal Reserve Rights) and the inherent financial inequity of scarce water resources being removed from public lands for the commercial benefit of a for-profit foreign corporation. Please include this letter as part of the public comments on the ROI.

Additionally, attached is a press release from the League of Women Voters of the San Bernardino Area subsequent to the January 29, 2017 public meeting co-hosted by the LWV and SOFA at the Twin Peaks Community Center. The USFS and NRNA were both invited to participate in this public meeting and declined to attend. This press release is the formal position of the LWV on the NRNA special use permit SBNF project proposal #7285 for continued water extraction in the SBNF.

The SOFA Board would submit that during the period of time that the SWRCB recommendations are implemented, all water extraction from the currently identified well systems should be immediately ceased. All water extraction since January 1, 2018 should be documented and disclosed so that water extracted up to the 26 AFA possible water right be clearly identified and limited by the SWRCB. Given the fact that the Santa Ana River is a fully appropriated stream system that there be no allowed exceptions and that no post-1914 water right permit application be allowed.

The Save Our Forest Association recognizes the complexity of this issue including the historical record going back over 100 years. The responsibilities of the US Forest Service to prevent unreasonable use and injury to public trust resources, and the role that the State of California Water Resources Board has in defining and taking enforcement actions relative to water rights and groundwater diversions.

Sincerely,

Hugh A. Bialecki, DMD  
President, Save Our Forest Association, Inc.

cc: USFS SBNF Supervisor, Jody Noiron  
USFS Region 5 Headquarters, Vallejo, CA  
USFS National Headquarters, Washington, DC  
Congressman Paul Cook  
Senator Kamala Harris  
Senator Dianne Feinstein

MEMO

22 January 2018

TO: Hugh Bialecki  
FROM: Ralph Wagner   
SUBJECT: Nestle and the SWRCB

Amanda Frye has done a thorough and commendable job of researching historical records related to the fact that the USFS has permitted Nestle and its predecessors to withdraw ground water from springs, and/or tunnels, located on Federally owned property. The water now being taken by Nestle is not surface water, since it emanates from one or more springs, sometimes into tunnels to enhance the flow, and collect it into a pipeline for conveyance downhill to a truck-loading station. This is ground water, not surface water.

Apparently, SWRCB has acknowledged that Nestle has a pre-1914 appropriative right to take 26 acre-feet of surface water per year from the "Indian Spring" location. I do not know where "Indian Spring" is precisely located, but if it includes any of Nestle's 12 springs, and/or tunnels, it is not surface water, and, therefore, the pre-1914 appropriative water right does not exist, in my opinion.

Until just a year ago or so, the State of California had no rules or regulations covering ground water, or water extracted from wells (vertical or horizontal) penetrating the earth, other than to generally recognize that the overlying property owner had the right to the ground water beneath his property, as long as its use was beneficial and reasonable. The SWRCB did not get involved in ground water regulation or permitting, and virtually all disputes involving ground water were addressed and resolved by State Superior Courts.

In my mind, there is no doubt that the USFS has the right to develop groundwater resources beneath its own Federally owned property for beneficial and reasonable use on its own property. And I don't believe that the SWRCB has much to say about it in the form of regulation. However, I am unsure if the USFS has the legal right to permit it for export and use off its property at a ridiculous low fee, as it is doing now with Nestle, and has done for many years with Nestle's predecessors. This may be a question that can be resolved in a Federal Court, with national implications.

On the other hand, I am intrigued by the position taken by San Bernardino Municipal Water District in their letter of January 17, 2018, when it is said that "Together, the Orange County and Western Judgments constitute a comprehensive adjudication of all of the rights to surface and ground water in the Santa Ana River watershed"....."In these ways, the diversion of water during the 1959-63 base period

represents an unauthorized diversion of water that constitutes injury to Valley District and/or Western”.

Records show that during the 1959-63 base period, Nestle’s predecessor produced the following amounts of groundwater from “springs” on the USFS property.

1959	163 Ac-Ft
1960	109 Ac-Ft
1961	86 Ac-Ft
1962	93 Ac-Ft
1963	<u>88 Ac-Ft</u>
TOTAL	539 Ac-Ft
Average	107.8 Ac-Ft = 35,126,737.8 gallons

There are records, titled Arrowhead Drinking Water Company, that indicate that from 1947 through 2015, a total of 13,029 acre-feet of water was produced from the “springs”, or an average of 188.826 acre-feet (61,529,169 gallons) per year. If one looks at minimum and maximum annual amounts, it is interesting to see that 0 acre- feet were produced in 1989, 11 acre-feet in 2004, and 506 acre- feet (164,880,606 gallons) in 1998.

To me, it is interesting to note that for 120 years or more, no one has paid attention to this exportation of water from a basin of origin, almost exclusively for the economic benefit of a commercial entity, certainly not the basin of origin itself.

In that 120 year or longer period, there have been at least 6 periods of prolonged serious drought, but it appears that only this most recent drought has attracted emotional attention. Is this due to the passivity of the USFS, or discernable distress in the watershed? Probably both! The deal that Nestle has with the USFS disproportionately benefits Nestle, and disproportionately harms the public, private, community and tribal partners of the USFS, including the environment.

I can fully subscribe to the Valley District’s call for resolution of this situation by means of a physical solution to bring all of this into balance, so that all parties, cooperating with one another, mutually benefit, rather than mutually suffer. To do this, the USFS should consider renewal of the SUP with Nestle, limiting their water export from “springs” on USFS property to 107.8 Acre-Feet per year, when precipitation is 100% of normal, and varying linearly with the percentage of normal precipitation, and paying USFS at least 1% of what they ultimately sell their water for that comes from “springs” on USFS property. In turn, the USFS can contribute its share of funds to the proposed Habitat Conservation Plan.



of the SAN BERNARDINO AREA

P.O. Box 3394  
San Bernardino, CA 92413

**PRESS RELEASE**

**For Immediate Release**

Media Contact: Susan Longville

Phone: 909-772-0843

Email: slongvil@gmail.com

**LEAGUE OF WOMEN VOTERS OF THE SAN BERNARDINO AREA ANNOUNCES  
FORMAL POSITION ON PROPOSED NESTLÉ WATERS NORTH AMERICA INC.  
SPECIAL USE PERMIT SAN BERNARDINO NATIONAL FOREST PROJECT  
PROPOSAL #7285 (PERMIT) FOR CONTINUED WATER EXTRACTION SYSTEM IN  
THE SAN BERNARDINO NATIONAL FOREST**

Background

The League of Women Voters of the San Bernardino Area established a committee in 2016 to study the issue of an expired Special Use Permit that continues to authorize the operation of a private water collection system located in the San Bernardino National Forest that allows Nestlé Waters North America (Nestlé or Nwana) to collect spring water on a year-round basis from Strawberry Creek that infiltrates into collection tunnels or horizontal wells and is transported through 4.5 miles of 4" steel water transmission pipes located on National Forest Service lands to storage tanks located on private land. From 1947-2015, a total of 4,247,454,000 gallons of spring water has been transported from these storage tanks by truck to be bottled and sold as Arrowhead Mountain Spring Water. Special Use Permits from the Forest Service for this system date back to 1929 when the quantity of spring water extracted was not recorded.

A new 5-year Nestlé Waters North America Inc. Special Use Permit San Bernardino National Forest Project Proposal #7285 (permit) was proposed on March 18, 2016 by the San Bernardino National Forest Supervisor who has the authority to decide whether to issue the new permit, and if so, the terms and conditions to be included.

To study this issue, the committee asked specific questions about the expired and the proposed permit to the San Bernardino National Forest Supervisor, Nestlé Waters of North America Senior Sustainability Manager, the State Water Resources Control Board Division of Water Rights and a retired San Bernardino National Forest biologist.

The committee then prepared testimony from the responses provided by the parties listed above, as well as official documents, and presented it to the public at an Informational Hearing on Sunday, January 29, 2017 at the Twin Peaks Community/Senior Center.

Formal Position of the League of Women Voters of the San Bernardino Area

At a joint meeting of the membership and the Board of Directors on March 11, 2017, the findings of the committee were presented and discussed. After additional amendments, the Board of Directors adopted a formal position on Nestlé Waters North America Inc. Special Use Permit San Bernardino National Forest Project Proposal #7285.

- 1) The National Forest Service is responsible for the stewardship of the San Bernardino National Forest's natural resources. Responsible stewardship includes careful weighing of available options. If the Forest Service determines that the best stewardship includes permitting a private company to extract water from national forest land, that extraction should be monitored to ensure that no permanent harm is caused to the forest or to the citizens who rely upon its resources. The focus should be on the public good, both now and in the future.

*Basis for position: The League of Women Voters US supports water management policies that promote stewardship of natural resources.*

- 2) If the proposed permit is issued, the League of Women Voters of the San Bernardino Area (League) SUPPORTS the San Bernardino National Forest designing, implementing and managing an Adaptive Management Plan that ensures water extraction will be consistent with San Bernardino National Forest Land Management Plan (LMP) standards. As the entity responsible to the public for the management of the National Forest, the National Forest Service must design and implement the plan and must monitor the results and make those results available to the public. Furthermore, the League SUPPORTS that Nestlé Waters North America Inc., as the sole beneficiary of the spring water exported from the San Bernardino National Forest, pay the full costs of the Adaptive Management Plan in addition to the permit fees.

Note: The proposed permit is silent on who will design, implement and manage the Adaptive Management Plan and who will pay for it.

*Basis for position: The League of Women Voters US supports water management policies that promote stewardship of natural resources and supports that beneficiaries pay the cost for water projects.*

- 3) If the proposed permit is issued, the League of Women Voters of the San Bernardino Area SUPPORTS an Adaptive Management Plan that also monitors the quantity of water extraction on a year-round basis and the effect upon the affected headwater environment under real-time climate variations. Furthermore, the League SUPPORTS that Nestlé Waters North America Inc., as the sole beneficiary of the spring water exported from the San Bernardino National Forest, pay the full costs of mitigating any environmental impacts in addition to the permit fees.

Note: The proposed permit is silent on the quantity of water that Nestlé can extract on a year-round basis.

*Basis for position: The League of Women Voters US supports water management policies that promote stewardship of natural resources.*

- 4) If the proposed permit is issued, the League of Women Voters of the San Bernardino Area SUPPORTS an Adaptive Management Plan that monitors the extent that continued water extraction impacts well levels of adjacent property owners in times of drought that are predicted 8 out of every 10 years in the 21<sup>st</sup> century. Furthermore, the League SUPPORTS that Nestlé Waters North America Inc., as the sole beneficiary of the spring water exported from the San Bernardino National Forest, pay the full costs of mitigating any well level impacts to adjacent property owners in times of drought in addition to the permit fees.

Note: The proposed permit is silent on this issue.

*Basis for position: The League of Women Voters of the San Bernardino Area supports water management measures that are aimed at maintaining a reliable supply of safe water to meet the needs of the San Bernardino area.*

- 5) If the proposed permit is issued, the League of Women Voters of the San Bernardino Area OPPOSES studying comparison sites in adjacent unmanaged drainages to determine what conditions would exist in Strawberry Creek without water extraction in the upper watershed (typically referred to as a "paired basin" study).

Note: The Southern California Native Freshwater Fauna Group points out the proposed permit should be modified, under the Adaptive Management Plan, to study and create a more natural stream flow in Strawberry Creek.

*Basis for position: The League of Women Voters US supports water management policies that promote stewardship of natural resources. The public has a right to know about proposed resource management policies and options.*

- 6) If the proposed permit is issued, the League of Women Voters of the San Bernardino Area SUPPORTS an annual permit fee for Nestlé Waters North America Inc. that is commensurate with value of the water bottled and sold.

Note: The proposed permit is silent on this issue.

*Basis for position: The League of Women Voters US supports water management policies that promote stewardship of natural resources and supports that beneficiaries pay the cost for water projects.*

- 7) If the proposed permit is issued, the League of Women Voters of the San Bernardino Area SUPPORTS immediate termination of permit operation if Nestlé violates any of the terms.

- 8) While concerned stakeholders await the Forest Plan Amendment decision on the permit, the League of Women Voters of the San Bernardino Area SUPPORTS local activities that raise public awareness of the consequences of continuing to extract water from the headwaters of Strawberry Creek that is bottled and sold.

*Basis for position: The League of Women Voters US believes that public understanding and cooperation are essential to the responsible and responsive management of our nation's natural resources. The public has a right to know about proposed resource management policies and options. Officials should make a special effort to develop readily understandable procedures for public involvement and to ensure that the public has adequate information to participate effectively.*

- 9) The League of Women Voters of the San Bernardino Area SUPPORTS an alternative to the proposed Nestlé Waters North America Inc. Special Use Permit in San Bernardino National Forest that removes groundwater at the bottom of the watershed with horizontal wells as currently is practiced in the headwaters of the watershed.

Note: The Southern California Native Freshwater Fauna Group points out that there are numerous sites furthest downstream in National Forest property that should be analyzed that appear to pose no environmental impact, but would be easy to manage and monitor.

*Basis for position: The League of Women Voters US supports consideration of the inherent characteristics and carrying capacities of each area's natural resources and mitigation of adverse impacts.*

- 10) If the San Bernardino National Forest Supervisor proposes issuance of a new, 5-year Nestlé Waters North America Inc. Special Use Permit San Bernardino National Forest Project Proposal #7285 (permit) **that fails to address the positions listed above**, the League of Women Voters of the San Bernardino Area OPPOSES the continued occupancy and use of National Forest Service lands for the extraction and transmission of water using the existing improvements and the continued operation and maintenance of the current system that collects water on a year-round basis that infiltrates under the influence of gravity into collection tunnels or horizontal wells for transportation through 4.5 miles of 4" steel water transmission pipes located on National Forest Service lands to storage tanks on private land where from 1947-2015, a total of 4,247,454,000 gallons of spring water has been transported by truck to bottling facilities.

*Basis for position: The League of Women Voters US supports water management policies that promote stewardship of natural resources.*

###



## Save Our Forest Association, Inc.

Post Office Box 126 • Rim Forest, California 92378

02 May 2016

Front Country Ranger District Office  
1209 Lytle Creek Road  
Lytle Creek, CA 92358  
Att: Nestle Waters Permit

The Save Our Forest Association, Inc., (SOFA), is focused on mountain quality of life concerns in the San Bernardino Mountains and has been engaged as the largest grass-roots environmental organization in our mountain communities since 1989. Several of our Board Members attended the April 14, 2016, Nestle Waters Special Use Permit Scoping Meeting, and we welcome the opportunity to comment on this issue.

Nestle Waters North America, Inc., full-page ad in the Los Angeles Times on April 17, 2016, states "There's Magic In These Mountains" and goes on, "...we continue to care for the sources that have provided mountain spring water to generations of Californians." If so, then why has Nestle, with the complicity of the United States Forest Service, continued to extract up to 35 million gallons of water per year with an expired permit for over 28 years without a rigorous, updated, environmental review?

The proposed five-year NEPA study period is reasonable to allow for evidence based determination of the geologic, hydrologic, biologic, archeologic, etc. studies to be completed. What is NOT reasonable is to allow Nestle to have continued water extraction, with no limitations, during the study period. The State of California is experiencing an extended drought period with numerous restrictions in place on agricultural and domestic water use; groundwater depletion and subsidence of large land areas have been documented. Why should continued uncontrolled water extraction be allowed, under an expired permit, when the effects are being studied? The NEPA action should happen first, all threatened and endangered species (both Federal and California listed) identified, and the riparian habitat clarified. The studies, results, and subsequent analysis should be controlled by USFS experts; Nestle should not be in control of contractor selection and work product. The Lake Gregory and East Twin watersheds should be studied for similar effects; however, the East Twin Creek is NOT analogous to Strawberry Creek, not having similar historic stream activity.

Evaluation by the US Army Corps of Engineers and the US Fish & Wildlife Service for potential Section 404 impacts on this federally permitted water extraction should occur. There are ongoing maintenance responsibilities of the wells and pipeline that should also be part of the NEPA review for those specific maintenance actions.

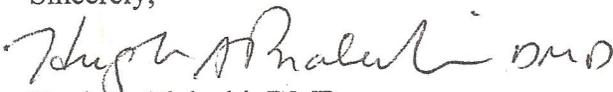
The existing permit needs to be changed, or possibly denied, due to change in threatened and endangered species listings since the 1978 ten year permit, extreme drought conditions, unknown aquifer geology, and increased knowledge of groundwater/surface water relationships. The impacts on mountain aquifers, recharge conditions and watershed recovery have yet to be determined. Water removal from the very top of the mountain reduces how much water is available for recharge, surface flow, sustainability of down slope vegetation, and overall habitat; again, involvement of US Fish & Wildlife Service and State Fish and Wildlife would be an essential component of the NEPA studies.

The 1978 permit was not an unconditional guarantee for Nestle to have unlimited withdrawal forever regardless of impact. The intended NEPA study should be comprehensive and independent to allow for evidence-based conclusions. There must be a NO ACTION alternative and as alternative to capture spring water at the bottom of the watershed instead of at the top. Water collection at the bottom of the canyon would allow for normalized stream flow in the Strawberry Creek Watershed, while collection could be monitored and controlled by the USFS. Natural flows could then be measured, riparian habitat evaluated and the baseline data established; with this information, a determination of any excess flow available for extraction could be made.

We have recently learned through talking with retired Forest Service personnel and literature review, how important healthy, well-watered riparian areas can be to fire suppression and resource and community protection. We, the mountaintop communities sit right above Strawberry Creek. The east-west orientation of Strawberry Creek offer significant fire protection characteristic if the riparian area is lush and healthy. If it is dewatered, the literature, professional opinion and local historical fires bear out the fact that fires will act like it is all upland and roar right through the riparian. A well watered riparian area can slow the fire, allow for more timely and safer suppression and help protect resources and residents. Please stop taking the water that can help save lives.

We appreciate the USFS Front Country Ranger District Office, and the USFS San Bernardino Supervisor's Office, including the Save Our Forest Association, Inc., with all communications and notices regarding this project. Our mailing address is : PO Box 126, Rimforest, California, 92378, Att: Hugh A. Bialecki, DMD.

Sincerely,



Hugh A. Bialecki, DMD  
President, SOFA

cc: USFS San Bernardino National Forest, District Supervisor  
USFS Region 5 Headquarters, Vallejo, CA  
USFS National Headquarters, Washington, DC  
Congressman Paul Cook  
Senator Barbara Boxer  
Senator Dianne Feinstein