

## **Eggers, Tomas@Waterboards**

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**From:** Tyler, Courtney@Waterboards  
**Sent:** Thursday, January 18, 2018 4:30 PM  
**To:** Vasquez, Victor@Waterboards  
**Subject:** Nestle Comments  
**Attachments:** FW: Nestle taking our water; RELEASE BOARD REPORT ON NESTLE' IN SB MOUNTAINS

Hi Victor,

I forwarded the attached comments to Sharon Azzimonti on January 10 and asked her to forward them to the appropriate staff and cc me when complete. I haven't seen these sent forward yet and Jeanine and I found your name on a Notice related to Nestle so I'm forwarding these your way. Please let me know if they should be directed elsewhere.

Thank you,  
Courtney

*Courtney Tyler*

State Water Resources Control Board  
Executive Office  
Ph: 916.341.5611  
[courtney.tyler@waterboards.ca.gov](mailto:courtney.tyler@waterboards.ca.gov)



## **Eggers, Tomas@Waterboards**

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**From:** Barajas, Miryam@Waterboards on behalf of WateBoardsPublicAffairs, OPA@Waterboards  
**Sent:** Wednesday, January 10, 2018 3:33 PM  
**To:** commentletters  
**Subject:** FW: Nestle taking our water

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**From:** Chris Gilbert [<mailto:chris@gilbertbiz.com>]  
**Sent:** Sunday, December 31, 2017 3:16 PM  
**To:** WateBoardsPublicAffairs, OPA@Waterboards  
**Subject:** Nestle taking our water

Thank you for researching Nestle's misuse of our water resources. My understanding is that their contract expired in 1988. If this is so, it is only right to cut them off. We need water for our faucets, farms and fish; not for bottled water.

Chris Gilbert

1797 Madera St

Berkeley, CA 94707

## **Eggers, Tomas@Waterboards**

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**From:** Mickey Laws <mlawski220lakeside@gmail.com>  
**Sent:** Wednesday, December 20, 2017 11:54 AM  
**To:** commentletters  
**Cc:** Amanda Frye  
**Subject:** RELEASE BOARD REPORT ON NESTLE' IN SB MOUNTAINS  
**Attachments:** new Nestle RESOLUTION adopted 11\_19\_17 5.docx

The attached document is a resolution in opposition to the Nestle' water extraction in the upper Strawberry Creek region of the San Bernardino National Forest. The resolution was adopted by the California Democratic Party last fall, and forwarded to the Governor and all members of the state legislature.

All concerned parties of Nestle's extraction activity have been anticipating the release of your report. It is now the last day of the fall season, and it is not available. Please live up to the schedule and release it. This issue has been allowed to continue too long, with no appropriate action taken to control the amount of water taken during a drought, and the impact on the residential population and flora and fauna during an historically hazardous wildfire season that is not over yet. Strawberry Creek, when it was flowing, served as a buffer zone, helping control the threat of fire advancing upslope to peoples's homes. It stopped flowing last August while Nestle' continued harvesting water.

It is critical at this time to release the report now, and live up to your laudable mission statement. Be part of the solution to reaching some agreement on how to resolve this egregious situation. Tomorrow is the first day of winter. Don't let another day go without releasing your report.

Sincerely,

Michele Laws, Concerned citizen and full time resident of Lake Arrowhead

## STOP NESTLE'S WATER RAID

**WHEREAS** Nestle' has been withdrawing water by means of boreholes and lateral wells several hundred feet from the Strawberry Creek watershed in the San Bernardino National Forest and recording it with the SB Valley Municipal Water District under the heading of Groundwater Recordation Levels; and, Nestle' markets the water labeled as "Arrowhead Spring Water"; and Nestle' withdrew 36 million gallons in 2016 during a drought when a stream gauge at the bottom of the watershed on June 22, 2016 recorded .23 cubic feet per second, the lowest streamflow in 95 years; and by August 30 of this year, the streambed was dry as Nestle' continued to withdraw water; and

**WHEREAS** extracting water on federal land places it under the jurisdiction of the Food and Drug Administration (FDA) which defines "spring water" as water that flows naturally to the surface"; and, "the location of the spring shall be identified"; and, water extracted through a borehole or tunnel is permissible provided that an appropriate hydraulic connection exists between the natural orifice of the spring and the borehole or tunnel; and a 1999 report forwarded to the FDA stated that they were "unable to affirm" that some springs met the standard of identity for "spring water" since there was no "confirmation of a connection between the borehole and the spring"; and

**WHEREAS** the Forest Service completed a review of documents from the FDA in July 2017, revealing the apparent noncompliance of some of the water sources in a 1999 report; and, Nestle' hired a law firm which now includes the former top food official of the FDA from 1998-2003 who sent a letter stating the company's position; and, within 3 weeks without any further testing, inspection or empirical evidence, the TRUMP administration's FDA reversed their decision on August 21, 2017 based solely upon the information Nestle' lawyers provided; and

**THEREFORE BE IT RESOLVED** that the CDP reject the Trump Administration's decision and seek the Governor's support in reopening an investigation using means at his disposal to determine if due diligence was used to establish that the criteria for labeling Nestle' products "spring water" has accurately been met; and

**BE IT FURTHER RESOLVED** that if an Environmental Impact Report is deemed necessary, that water extraction cease during this process, allow public comments; and further, this resolution shall be forwarded to Senators Kamala Harris, Dianne Feinstein, and Representative Paul Cook.

Author: Michele Laws, Assembly District 33  
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