

Jon Roorda

From: Patty Baldwin <pbaldwin@chaffeecounty.org>
Sent: Thursday, October 15, 2020 10:36 AM
To: jroorda@chaffeecounty.org
Subject: FW: Nestle

Patty Baldwin, Administrative Assistant
P.O. Box 699, Salida, CO 81201
719.539.2218

From: Diane Alexander [REDACTED]
Sent: Tuesday, August 18, 2020 9:58 AM
To: Greg Felt; Rgranzella@chaffeecounty.org; Keith Baker; Pbaldwin@chaffeecounty.org
Subject: Nestle

Nestle is requesting a 10-year 1041 permit renewal to suck water from Ruby Springs, and truck it to Denver to be bottled, in plastic, under their Arrowhead brand. We believe that permit should be denied. Here's why:

1. Nestle Waters North America should not be allowed to operate on land of state-wide interest
Chaffee County commissioners can choose to deny Nestle's 1041 permit if they don't find that the "benefits accruing to the county and its citizens from the project outweigh the losses and any natural, agricultural, or recreational resources within the county, or the losses of opportunity to develop such resources." [CC 1041 regulations 3-303 (1)(k)(vi)] Nestle has not met this criteria.

2. Mandatory Philanthropy does not outweigh our loss

Nestle's "community giving" is an attempt to silence opposition from local non-profits and organizations. This multi-billion-dollar company extracts water from Ruby Springs, trucks it to Denver and bottles it under the Arrowhead brand for a huge profit. Over the last decade they have given token amounts to schools, non-profits and other organizations. These donations represent a drop in the bucket for this multi-billion dollar company. We do not think this "benefit" outweighs the loss to Chaffee County.

3. Proliferation of Plastic Pollution

Nestle has donated approximately 292,596 plastic water bottles to the community since their permit was approved in 2009. Plastic pollution has drastically increased over that ten-year term. Nestle has not taken responsibility for the disposal of the plastic waste they create. In fact, they donate single-use plastic water bottles to organizations within our county. That should not be considered an asset, rather an impact, given that the county now subsidizes recycling. We do not want Chaffee County to be participants in the proliferation of plastic waste.

4. NON-COMPLIANCE on hiring locals

Nestle failed to meet the permit requirement to hire at least 50% percent of their truck drivers from Chaffee County, despite relocating some drivers here. The company has employed as many as 13 residents (in 2017) and as few as 5 (in 2019). The economic gains, that the county factored in, from expecting more local hiring when the permit was initially approved, have not materialized.

5. NON-COMPLIANCE on promised Conservation Easement:

As part of the original permit agreement, Nestle volunteered to put their land (located next to what is now Browns Canyon National Monument) into a permanent conservation easement "concurrent with construction of the project." Over ten years have passed, and yet Nestle still has not done this. They did, however, recently trade off the most desirable river-front property, allowing for the Rio Frio Minor subdivision to soon be developed.

Nestle now claims that they will put the remaining land into a conservation easement if their permit renewal is granted, and is floating an arrangement to have Colorado Parks and Wildlife manage it. This is a veiled attempt for Nestle to achieve partial compliance with their permit, retroactively.

Jon Roorda

From: Patty Baldwin <pbaldwin@chaffeeconomy.org>
Sent: Thursday, October 15, 2020 8:14 AM
To: [REDACTED]
Cc: 'Jon Roorda'
Subject: RE: Nestle Water

Ms. Brown,

Thank you for your e-mail. It has been sent to Planning Manager, Jon Roorda, to be added to the public record.

Patty Baldwin, Administrative Assistant
P.O. Box 699, Salida, CO 81201
719.539.2218

-----Original Message-----

From: [REDACTED]
Sent: Wednesday, October 14, 2020 2:22 PM
To: pbaldwin@chaffeeconomy.org
Subject: Nestle Water

Dear Ms. Baldwin: Please do not renew Nestle Waters' permit to truck up to 65 million gallons of water per year for another 10 years.

We are in a drought and no sign of moisture. VOTE NO on Nestle Water.

Thank you,
Jane Brown

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Jon Roorda

From: Work <rgranzella@chaffeecounty.org>
Sent: Monday, October 12, 2020 3:04 PM
To: 'Jon Roorda'
Subject: Fwd: Stop Nestle Waters Permit Renewal

Nestle I think.
Sent from my iPhone

Begin forwarded message:

No Name

From: [REDACTED]
Date: October 11, 2020 at 12:19:31 PM MDT
To: "rgranzella@chaffeecounty.org" <rgranzella@chaffeecounty.org>
Subject: Stop Nestle Waters Permit Renewal
Reply-To: [REDACTED]

Stop Nestle Waters Permit Renewal

As stated in the [Change.org](#) petition:

In 2009, Nestle Waters was permitted to extract up to 200 gallons of water per minute from an aquifer in Chaffee County, Colorado, which is located near Browns Canyon National Monument. The water is trucked 130 miles to Denver, where it is packaged in single-use plastic water bottles and sold as spring water under the Arrowhead brand name.

This multinational company, with an extensive record of environmental and humanitarian abuses world-wide, was permitted to drill their wells in this small, rural community. That was a time of extreme economic recession. Nestle Waters promised local jobs and donations to area schools and non-profit organizations. Ten years later, Nestle has fallen short on their promises by not hiring the required number of local truck drivers, and they have not placed the land into a conservation easement, as their 2009 permit required. In fact, Nestle Waters has "traded" away the most valuable riverfront portion of the property to private citizens who will build on the land.

The people in the community are environmentally-aware, and the impacts of aquifer extraction, plastic waste, and fossil fuel emissions are NOT in line with the locals' values. We do not want to be complicit in the proliferation of the plastic bottle industry. Help us stand up to Nestle Waters.

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Jon Roorda

From: [REDACTED]
Sent: Tuesday, October 13, 2020 11:47 AM
To: jroorda@chaffeecounty.org
Subject: Nestle

Follow Up Flag: Follow up
Flag Status: Flagged

The Nestle water right should be approved as:

Nestleave: Has many objections that are based on emotion

Plastic bottles: We can all agree we should try to curtail plastic bottles. The lightweight material has not been duplicated. Please do not say Bamboo as most people have no idea the caustic chemical use to modify bamboo into straw, clothing, etc. One trade-off for another. Why not remove all plastic bottles from the shelves of Chaffee county stores?

The group's effort and the money that have spent would be best put towards companies who are finding a solution.

Water Rights: Nestle owns this water right and the water is not used for any Chaffee County water needs. A water right is "lose it or use it". The group does not propose how funds should be used to purchase the water right. They have also overlooked that it must be used for a meaningful purpose. Dumping it into the Arkansas River does not qualify as a meaningful purpose.

The group accuses Nestle of not providing enough tradeoff to the county. I believe the commissioners can achieve this if this in fact not the case. They have been evasive on how much money Chaffee does give to the county but I am positive the members would be willing to put their money where their mouth is and make up for the shortfall. We can start with the price Nestle paid for the water right and revenues lost for taxes, payments, etc to the county.

One of the groups, spokesperson, Francie Bomer has stated Nestle makes an enormous profit. Define what is an enormous profit? Ambiguity in statements is often used to persuade without facts.

Another quote was used stating Nestle sold off its prime real estate in Browns Canyon to a developer. When a family buys land and divides into four parcels, each 5-acres a piece for future family members, this is considered a development? Seriously?

Another quote - The Augmenting a water source from another water source is different for the trout. I don't know. This statement is ridiculous under the laws of deductive reasoning as you do not present any facts which say it adversely affects the trout.

I feel the arguments Nestle has are without facts. I honestly do not know whether Nestle is paying enough. I have seen reports Nestle contributes \$250,000 a year exclusive of taxes, plus contributions to the school district. This would be an interesting debate as they have not convinced me on any front why we should not do this. For example, I do not like the use of plastic (who does), I think they make an enormous profit (what is the profit, the rate of return with the infrastructure), I do not like trucks going down the highway (how else would they transport it?)

Until I can see viable, defined arguments instead of emotional, one-sided verbiage, please keep this agreement in tact. Chaffee county could use this money where it not easily replaced. We live in a small community where good jobs are desperately needed. when the average household income is \$60,000.

Barbra Eleano

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Jon Roorda

From: Patty Baldwin <pbaldwin@chaffeeconomy.org>
Sent: Thursday, October 15, 2020 10:36 AM
To: jroorda@chaffeeconomy.org
Subject: FW: Nestle 1041 Permit

Patty Baldwin, Administrative Assistant
P.O. Box 699, Salida, CO 81201
719.539.2218

From: [REDACTED]
Sent: Tuesday, August 18, 2020 11:16 AM
To: Gfelt@chaffeeconomy.org; Rgranzella@chaffeeconomy.org; Kbakker@chaffeeconomy.org; Pbaldwin@chaffeeconomy.org
Subject: Nestle 1041 Permit

Nestle is requesting a 10-year 1041 permit renewal to suck water from Ruby Springs, and truck it to Denver to be bottled, in plastic, under their Arrowhead brand. We believe that permit should be denied. Here's why:

1. Nestle Waters North America should not be allowed to operate on land of state-wide interest
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Nestle now claims that they will put the remaining land into a conservation easement if their permit renewal is granted, and is floating an arrangement to have Colorado Parks and Wildlife manage it. This is a veiled attempt for Nestle to achieve partial compliance with their permit, retroactively.

6. Lack of Evidence of Sustainability

Nestle is currently allowed up to 200 gallons of water per minute, 65 million gallons per year, and up to 25 trucks per day. They have been taking less than half of that, but we can expect the impacts on the aquifer and traffic will double when they take the maximum amounts. Increased production, county development, or climate change have not been factored into a Nestle-provided report determining their operation here is "sustainable"

7. Breach of Trust

Nestle, a Swiss company with a global reputation of humanitarian and environmental abuses, self-monitors and self-reports with little to no review by Chaffee County professionals. The company has requested to do even less future monitoring (technical revision #12). Fortunately, Colorado water law requires Nestle to pay for "augmentation" of the water they extract. But replacing water from the western slope does not mitigate all that is lost from the aquifer. Although the replacement water is deemed "drinkable," it is not equal to the spring water that Nestle sucks and trucks out of the Upper Arkansas River Valley.

8. Need can not be Substantiated

CC 1041 regulations 3-303 (1) (a) Action on Permit Application: 1) the permit authority shall act upon the permit application within 60 days after the public hearing on the application has been concluded. In determining whether to approve, approve with conditions, or disapprove a permit application, the Permit Authority shall take into consideration the following criteria:

(a) To the extent applicants service area is located in, or partially within, the boundaries of the county, the need for the proposed project can be substantiated.

The Nestle Waters service area, for the Arrowhead brand, expands far beyond Chaffee County.

Thanks,
Lauri Gorder
217 E Sackett Ave
Salida, CO 81201

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Jon Roorda

From: Robert Christiansen <bchristianse@chaffeecounty.org>
Sent: Thursday, October 15, 2020 2:17 PM
To: 'Jon Roorda'
Subject: FW: Do NOT renew Nestlé's permit!

From: Edward LeBlanc [REDACTED]
Sent: Thursday, October 15, 2020 2:00 PM
To: Greg Felt; Keith Baker; Rusty Granzella; bchristiansen@chaffeecounty.org; Patty Baldwin
Subject: Do NOT renew Nestlé's permit!

Dear Commissioners Greg Felt, Keith Baker, and Rusty Granzella,
Dear Ms. Baldwin and Mr. Christiansen,

I grew up in Colorado and went hiking with friends from Junior High School and High School in and near Chaffee County on numerous occasions. Later, I worked with Volunteers for Outdoor Colorado on projects all over the state, and in particular one in Chaffee County, although I no longer remember quite where it was.

This is to say that Colorado has a special place in my heart.

I also grew up understanding what it means that Colorado is a semi-arid climate zone. It means that one turns the water off while brushing one's teeth, and it means that one fixes a dripping faucet because a dripping faucet wastes more water than many people from other climates realize. It also means that pumping 65 million gallons of water a year into plastic bottles and shipping it out of the area to people who throw half of it away is a really bad idea. It makes the efforts of individual citizens to conserve water seem like a joke.

It has been many years since I was in Junior High School but Colorado has not gotten any wetter. With chronic drought and relentless heatwaves, Colorado's water needs to stay in Colorado. Chaffee County's water needs to stay in Chaffee County.

I urge you to NOT renew Nestlé's permit for another ten years.

Sincerely,
Edward LeBlanc
531A Dolores St.
Santa Fe, NM 87501

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Jon Roorda

From: Patty Baldwin <pbaldwin@chaffeecounty.org>
Sent: Wednesday, October 14, 2020 7:42 AM
To: 'Jon Roorda'
Subject: FW: DENY Nestle Corporation's 1041 permit application to continue to draw water from Ruby Springs: Sent 13 October, 2020

Patty Baldwin, Administrative Assistant
P.O. Box 699, Salida, CO 81201
719.539.2218

From: Terri Lukas [REDACTED]
Sent: Tuesday, October 13, 2020 4:07 PM
To: Keith Baker; Greg Felt; rgranzella@chaffeecounty.org; Patty Baldwin
Subject: DENY Nestle Corporation's 1041 permit application to continue to draw water from Ruby Springs: Sent 13 October, 2020

Nestle has not met the criteria for renewal of a 1041 permit for the following reasons and the Chaffee County Board of County Commissioners must deny its application:

- 1.) The "benefits accruing to the County and its citizens from the project" do NOT "outweigh the losses and any natural, agricultural, or recreational resources within the County, or the losses of opportunity to develop such resources." [CC 1041 regulations 3-303 (1)(k)(vi)]
- 2.) The so-called benefits of Nestle's "community giving", a donation of just under 300,000 plastic water bottles over the 10 year period, doesn't begin to outweigh the loss to the County of the spring water resources Nestle is extracting for its own profit. At a bare minimum, this "donation" is costing the County to recycle the plastic waste.
- 3.) Nestle promised but failed to meet the permit requirement to hire at least 50% of their truck drivers from Chaffee County. Perhaps if Nestle doubled or tripled their drivers' wages, local residents may have taken these jobs, but this did not happen. It is not sufficient for Nestle to argue that it tried but couldn't find Chaffee residents to take these jobs. Rather, Nestle just found an easy way to back out of this requirement that short-changed the County and its residents. This is the Nestle way of doing business.
- 4.) Ten years ago, Nestle volunteered to put their land, situated next to Brown's Canyon, into a permanent conservation easement. They failed to do this, even though it was a part of their original permit agreement. Nestle's promises have proven time and again not to be worth the paper they are written on. Instead, Nestle traded off the most environmentally valuable portion of the land to development. Now, they are again promising to put the remaining lands into a conservation easement but ONLY IF they are granted another 10 year permit! How many times can Chaffee County Commissioners be fooled by this dishonest, rapacious corporation?
- 5.) Over the past 10 years, Chaffee County's population and own use of water has increased and the climate has become hotter and drier. These trends will continue over the next 10 years. A new

permit will allow Nestle to increase its take of spring water well beyond what it has already extracted, to unsustainable levels given these projections. The depletion or loss of this irreplaceable aquifer represents the true cost to the County of what Nestle is requesting to do. How can the Commissioners, in good conscience, put a price on such a loss and deprive current and future residents of the benefits of this natural resource asset?

6.) Nestle's international reputation has been and continues to be one of abusive behavior, in humanitarian and environmental matters. Its water extraction operations are being aggressively opposed in Canada and elsewhere for these reasons. As a result Nestle is more eager (and desperate) than ever to grab Chaffee's water. Yet despite its documentable reputation, Chaffee County allowed Nestle to self-monitor and self report its extraction operations over the last 10 years. As citizens, we have no idea of the impact of Nestle's past activities in the Valley; we are asked to "trust" what it reports to have done. Now, Nestle is now asking the County to relax even these self-reporting requirements going forward 10 years (see Technical Revision 12). Why would the Board of Commissioners even consider allowing such blatant self-serving behavior to continue?

7.) Requiring Nestle to pay for "augmentation" of the water they extract is NOT an adequate trade for their extracting water from the aquifer: it ignores the County's loss of an irreplaceable asset and the environmental damages done by trucking the water to Denver and bottling it in single use plastic bottles for onward retail sale.

8.) Finally, the service area of Arrowhead brand bottled water lies disproportionately OUTSIDE the boundaries of Chaffee County, i.e., it is (at least) nationwide. This fact, along with the above listed considerations, must lead the Board of County Commissioners to unequivocally DISAPPROVE Nestle's permit application as well as any other similar application that may present itself in the future.

Terri Lukas
22100 CR 196
Nathrop, CO 81236

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Jon Roorda

From: Patty Baldwin <pbaldwin@chaffeecounty.org>
Sent: Thursday, October 15, 2020 10:06 AM
To: 'Craig Nielson'; gfelt@chaffeecounty.org; kbaker@chaffeecounty.org; rgranzella@chaffeecounty.org
Cc: 'Jon Roorda'
Subject: RE: Opposition to renewal of Nestle' 1041 permit

Mr. Nielson,

Thank you for your e-mail. It has been sent to Planning Manager, Jon Roorda, to be added to the public record.

Patty Baldwin, Administrative Assistant
P.O. Box 699, Salida, CO 81201
719.539.2218

From: Craig Nielson [REDACTED]
Sent: Thursday, October 15, 2020 9:22 AM
To: pbaldwin@chaffeecounty.org; gfelt@chaffeecounty.org; kbaker@chaffeecounty.org; rgranzella@chaffeecounty.org
Subject: Opposition to renewal of Nestle' 1041 permit

Dear Chaffee County Commissioners,

First off, thank you for your stewardship and contribution to our County, your service is appreciated. As a 20-year resident of Chaffee County and a local business owner in the design/construction industry, I wish to express my strong opposition to the renewal of the 1041 permit that would allowing Nestle' corporation to continue pumping and selling valuable water resources from our County.

Clean potable water is a valuable resource anywhere in the West and given the rapid pace of growth and development in the County, this resource is needed here more than ever before. By selling our water resource to a face-less and irresponsible multi-national corporation, or to any outside interest for that matter, is simply wrong and is tantamount to selling our future down the river. I believe one of key roles of being a Commissioner is to protect the resources of the County. As per the 1041 permit regulations, I do not believe the benefits accruing the county and citizens outweigh the loss of resources or losses of opportunity to develop resources. Nor do I believe the need for the project can be substantiated.

I can attest to the growth in development and construction in Chaffee County over the past 10 years, with no apparent end in sight, even during the recent pandemic. I receive new calls every week from front range property owners who are planning to build and relocate here. This development, despite its impacts on local and county

infrastructure, is a significant source of revenue and wealth for the County and, like it or not, is the future of our economic engine here.

All this development needs water to sustain itself and we all know water is a finite resource and once it's gone, it's gone. Science and common sense tell us that our climate is changing, and with those changes, less precipitation is forecasted; the very precipitation that drives our recreation-based tourist economy and recharges our aquifers. Selling more water to Nestle', coupled with climate change is a perfect storm of short-term profit for Nestle', long-term economic decline for Chaffee County, and an environmental plastics disaster for our planet.

I urge you to vote no on the Nestle 1041 permit renewal, and yes to a better tomorrow for all Chaffee County residents.

Sincerely,

Craig Nielson

20-year Chaffee County resident

Owner, Green Edge Design, LLC

407 East 3rd Street

Salida, CO 81201

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Jon Roorda

From: Patty Baldwin <pbaldwin@chaffeecounty.org>
Sent: Thursday, October 15, 2020 2:30 PM
To: 'Jon Roorda'
Subject: FW: Please do not allow the extension of the Nestle Waters 1041 Permit for another ten years.

Patty Baldwin, Administrative Assistant
P.O. Box 699, Salida, CO 81201
719.539.2218

-----Original Message-----

From: [REDACTED]
Sent: Wednesday, October 14, 2020 4:14 PM
To: pbaldwin@chaffeecounty.org
Subject: Please do not allow the extension of the Nestle Waters 1041 Permit for another ten years.

Dear Ms. Baldwin,

Governor Polis, Congresswoman DeGette, Colorado State Senator Donovan, Commissioners Baker, Felt and Granzella and Ms. Baldwin:

Please do not allow the extension of the Nestle Waters 1041 Permit for another ten years. As the Chaffee County, Colorado Resolution NO.2009-42 states: "Whereas Nestle Waters North America, Inc. ("Permittee") has applied for a 1041 Permit for the Nestle Waters North America Chaffee County Spring Water Project (the "Project") which is an industrial water project and is located within an area containing natural Resources of statewide importance," we agree that yes, this is of "statewide importance."

"They are predators, water hunters looking for the last pure water in the world." (Bottled Life – The Truth about Nestle's Business with Water) Ruby Mountain Spring in Chaffee County, Colorado is some of this rare, "pure water." For Nestle obtaining it until the end of time or until the spring runs dry is simply a trophy for the Nestle pure water wall.

Your decision whether to continue allowing Nestle to pump up to one billion, three hundred million (1,300,000,000) gallons of water out of Chaffee County and truck it to Denver to fill up to four billion, eight hundred forty eight million (4,848,000,000) plastic 16.9 ounce bottles of water over the next ten years is a statewide issue. Please do not grant these permits.

We have been advised that the 1041 Permit for the Nestle Waters North America Chaffee County Spring Water Project is "an area containing natural resources of statewide importance." Sending these billions of plastic bottles to be tossed away throughout the incredible lands of Colorado does indeed make extending this Permit an act of "statewide importance."

Now we have also learned that for every plastic bottle of water created at the bottling plant in north Denver one and a half gallons of Denver water is used.

Statewide, water is precious. Colorado has been designated as being in a mega-drought, with areas of the state in extreme drought conditions. If you decide to renew the extension, your decision will unnecessarily use up to seven billion, two hundred seventy two million (7,272,000,000) gallons of Denver water. All of this water leaving Colorado and all of this toxic plastic waste generated should be avoided. Furthermore, we do not believe a multi-billion dollar foreign company should so easily intimidate a small rural county into, in effect, gifting them the means for many millions of dollars of their profit.

This ever so rare pure spring water must belong to the ecosystem from which it flows in our State of Colorado and not be transported globally.

Please do not continue allowing Nestle to pump this water for another ten years. Then there will be another ten years and then another – until there is no more pure spring water for them to take. Please prioritize protecting our local resources, preserving Colorado's water resources for generations to come.

Sincerely,

Mr. Lee O'Brien

2021 Bingham Ln Fort Collins, CO 80521-2059

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Jon Roorda

From: Wendy <[REDACTED]>
Sent: Tuesday, October 13, 2020 12:33 PM
To: gfelt@chaffeecounty.org; rgranzella@chaffeecounty.org; Kbaker@chaffeecounty.org; pbaldwin@chaffeecounty.org; jroorda@chaffeecounty.org
Subject: Please DENY Nestle Permit

Follow Up Flag: Follow up
Flag Status: Flagged

All the free bottles of water Nestle has provided over the years sure are convenient. All an organization has to do is ask and cases of water appear. Those very bottles are destroying our waterways and oceans. By providing those bottles, Nestle is reinforcing and rewarding those who don't bring a reusable bottle. Over the course of 11 years (the permit is a full year past due), they've saddled Chaffee County with over a hundred thousand bottles to manage.

They're not even giving out our water! Instead, they provide their cheap tap-water bottles.

Recent studies show that every brand of water bottled in plastic contains microplastic in the water itself. Nestle is encouraging people to eat plastic. Rivers, lakes and the oceans themselves are also now filled with tiny plastic bits. Maybe it's harmless. Until we know for sure, we, the citizens of Chaffee County should not be complicit in this experiment.

Denying the permit will decrease the amount of plastic we here in the county drink. I know I bring my own reusable bottle, and find a way to refill it, when there aren't stacks of free disposable bottles available.

Chaffee County is about to have increased issues with recycling. Chaffee County Waste has performed single-stream recycling for all of its customers since they started operating here 10+ years ago. They recently announced a planned cessation of their recycling services. Instead, they will charge customers an additional \$15.00 per month for a dedicated recycle route and bin. I know I can't afford an additional \$180.00 / year for curbside recycling. I have the resources (time, energy, fuel) to take my recycling to the pick-up centers. Many people in this county don't. Which means even more Nestle bottles will go straight to the landfill.

When the original permit was approved, one of the factors that gained community support was the promise of annual donations to our schools. I failed to thoroughly investigate that promise at the time. Now, I understand that Nestle made a one-time contribution of \$500,000 to set up an endowment. They do not make additional annual contributions to those endowment funds. Therefore, the schools do not lose out if Nestle leaves the county. The endowment remains.

They do make small donations to some of our area non-profits, for instance, \$1,000 to Boys & Girls Clubs of Chaffee, according to the Nwana 2019 annual report. Yes, \$1,000 is helpful. But it really isn't a make-it or break-it amount for any of the organizations they list. The small amount of cash they leave in the county is negligible compared to the great environmental harm they do here.

Our natural resource is making a multi-national corporation even richer. Yes, I understand they own the water rights, and the Colorado Water court approved the trans-basin diversion of the millions of gallons of water hauled by truck. That water is lost to this basin forever. The augmentation does not bring more water into the valley. It just moves it between reservoirs on a schedule dictated by Nestle.

Being legal does not make it moral, ethical, or environmentally sound. Please protect the future of Chaffee County by denying Nestle's permit to take our water.

Thank you.
Wendy Oliver
29513 Pinon Lane
Buena Vista, CO 81211
Chaffee County resident

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Jon Roorda

From: Patty Baldwin <pbaldwin@chaffeeconomy.org>
Sent: Monday, October 12, 2020 3:52 PM
To: 'Cindy Parker'; gfelt@chaffeeconomy.org; kbaker@chaffeeconomy.org;
rgranzella@chaffeeconomy.org
Cc: 'Jon Roorda'
Subject: RE: I urge you to vote NO on the Nestle extension

Ms. Parker,

Thank you for your e-mail. It has been sent to Planning Manager, Jon Roorda, to be added to the public record.

Patty Baldwin, Administrative Assistant
P.O. Box 699, Salida, CO 81201
719.539.2218

From: Cindy Parker [REDACTED]
Sent: Monday, October 12, 2020 2:57 PM
To: gfelt@chaffeeconomy.org; kbaker@chaffeeconomy.org; rgranzella@chaffeeconomy.org; pbaldwin@chaffeeconomy.org
Subject: I urge you to vote NO on the Nestle extension

Dear Commissioner Felt, Commissioner Baker, Commissioner Granzella, and Ms. Baldwin,

The cost to Chaffee County and the state of extending Nestle's 1041 permit greatly outweighs the benefits to residents. The international consumption giant Nestle should not be granted a 10-year extension on the 1041 permit. Bottled water, which is generally not any safer than municipal water, results in less water in aquifers and watersheds where it is needed to help us adapt to the changing climate; wastes water and petroleum resources; causes air, water, and plastic pollution; and provides no useful service to residents.

Humans rely on adequate supplies of clean water, free of disease-causing chemicals and germs, to be healthy. Local municipal water systems are stringently regulated by the Environmental Protection Agency (EPA) and closely monitored by the state Public Health and Environment department, requiring that: 1) The water source must be frequently and rigorously tested for a wide variety of chemicals and germs, and 2) The water is purified by additional methods and tested again before being piped to homes and businesses.

Bottled water, regulated by the Food and Drug Administration (FDA) as a food, is generally safe: most bottled water is tap water with some additives. However, bottled water labeled as sourced from "artesian well water," "spring water," "well water," or "mineral water" is not guaranteed to be free of a common parasite called cryptosporidium, which can cause severe stomach upset and can be very dangerous for people with compromised immune systems. (https://www.cdc.gov/parasites/crypto/gen_info/bottled.html;
<https://www.cdc.gov/healthywater/drinking/bottled/index.html>)

Moreover, test results for municipal water systems are freely available on water manager websites and typically sent to users annually. Municipal water supplies for Buena Vista and Salida meet or exceed all regulation requirements. (<https://cityofsalida.com/departments/water/>;

http://www.chaffee-county-times.com/legals/buena-vista-town-of-2020-drinking-water-quality-report-covering-data-for-the-calendar-year/pdf_2b2ccc66-ac0f-11ea-990b-073b8d2e2f78.html

Projections for changes from climate change were not included in the assessments performed 10 years ago. Average temperatures in Colorado have already increased by 2.5°F in past 50 years; 2°F in the past 30 years, with a mid-range projection of another 2°F expected by 2050. Overall, in the past 20 years, Colorado has received less precipitation than usual, which is compounded by the need for additional moisture to offset higher temperatures. For the projected 4°F rise by 2050, we need at least 10% more precipitation than historical amounts to maintain adequate moisture levels for plants and animals. While year to year variability in overall precipitation and snowpack is likely, research projects overall decreases in streamflows for all of Colorado's rivers and increasing droughts requiring water managers and land use decision-makers to plan accordingly. Drought leads to more beetle-killed trees, which leads to more wildfires, which leads to less water held in the soil and more water lost to runoff, which leads to greater drought conditions. Moreover, climate change not only leads to more forest fires, but also inhibits the survival and growth of new trees after a fire. (<https://onlinelibrary.wiley.com/doi/abs/10.1111/geb.13174>) Higher temperatures and less spring snowpack will push this vicious cycle even further.

The environmental cost of producing this bottled water is irrationally high. Nestle legally pumps up to 64 million gallons per year, filling about 500 million 16.9 oz plastic bottles. Stretched end to end, the bottles filled from Ruby Mountain Spring could wrap the Earth almost 3 times *every year!!* Sadly, less than a third of the bottles are effectively recycled. (<https://www.recyclingtoday.com/article/2018-plastic-bottle-recycling-rate-declines/>) Moreover, for a 16.9 oz bottle, it takes at least twice as much water (<https://foodprint.org/blog/plastic-water-bottle/>) and ½ cup of petroleum to produce the plastic bottle. That is about 2000 times the energy required to produce the same amount of tap water. (https://www.researchgate.net/publication/231011212_Energy_Implications_of_Bottled_Water) Climate change is threatening our local water supplies while Americans contributed to climate change by emitting 24.5 million tons of carbon dioxide from our collective bottled water consumption in 2019 alone! (<https://www.epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references>)

In conclusion, everything that affects our environment, affects our health. We cannot be healthy people if we live in an unhealthy environment. Bottled water is not needed in Colorado. Bottled water is not safer than tap water. Bottled water takes far more resources than tap water, including water and energy, harms our health by putting more plastic into our environment, contributes to more climate change, and reduces our ability to adapt to the changing environment.

It is clear why we need to be increasingly protective of existing water in our watershed. Residents, ranchers, farmers, recreation industry members, all need adequate supplies of clean water to survive and to adapt to climate change. Giving our water away to a predatory industry that is not necessary, requires large amounts of petroleum and additional water to exist, and removes the water from our watershed, is only harming our chances of successful adaptation.

Less rain and higher temperatures mean farmers and ranchers need to rely more heavily on ground water for crop production, and we may need to rely on aquifers like this one for municipal water when other sources we use do not recharge as they have historically.

For our communities' health, I strongly urge all three of you to vote "NO" on the 10-year permit extension for Nestle.

Please contact me if you have any questions or concerns about anything I wrote.

Respectfully,
Cindy L Parker MD
Salida permanent resident

In case you are wondering why I feel qualified to make the statements I did, here is a bit about me:
I am a physician recently retired from Johns Hopkins University where I held joint faculty appointments in the Department of Environmental Health and Engineering in the Bloomberg School of Public Health, and in the Department of Earth and Planetary Sciences in the Krieger School of Arts and Sciences. I co-directed the Program on Global Sustainability and Health and was the Associate Director of the university-wide, interdisciplinary, Environment, Energy, Sustainability and Health Institute. I am board certified in Public Health and General Preventive Medicine. I was the lead author of the first book about the health impacts of climate change written for a lay audience, Parker C. and Shapiro S. *Climate Chaos: Your Health at Risk: What You Can Do to Protect Yourself and Your Family*. Praeger: Westport, CT. 2008.



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Jon Roorda

From: Patty Baldwin <pbaldwin@chaffeecounty.org>
Sent: Thursday, October 15, 2020 8:15 AM
To: 'JIM and BARBARA REES'
Cc: gfelt@chaffeecounty.org; kbaker@chaffeecounty.org; rgranzella@chaffeecounty.org;
'Jon Roorda'
Subject: RE: Nestle renewal permit

Mr. and Ms. Rees,

Thank you for your e-mail. It has been sent to Planning Manager, Jon Roorda, to be added to the public record.

Patty Baldwin, Administrative Assistant
P.O. Box 699, Salida, CO 81201
719.539.2218

From: JIM and BARBARA REES [REDACTED]
Sent: Wednesday, October 14, 2020 4:54 PM
To: pbaldwin@chaffeecounty.org
Cc: gfelt@chaffeecounty.org; kbaker@chaffeecounty.org; rgranzella@chaffeecounty.org
Subject: Nestle renewal permit

Ms. Baldwin and County Commissioners:

We are sending this email to go on record that we **oppose** the renewal of Nestlé's 1041 permit and urge you to **vote against the renewal**.

Nestlé's corporate environmental record is a "laundry list" of environmental disregard! The nearly 300,000 plastic water bottles Nestle donates to our community are not a "plus" for them!! Nestle does nothing to dispose of the waste they create. Corporately and locally They ignore any responsibility for their plastic waste. If, and that might be a big "if" those bottles are recycled, the expense of that recycling falls upon us, Chaffee County and our tax-payers. As a county we should be doing as much as we can to reduce plastic waste, not create more of it!

Nestle tries to take our minds off of these truly negative results by giving money to local organizations and non-profits in order to "buy" their silence and try to convince the community of their "good-will". That is the extremely small price this multi-billion dollar world-wide company pays to "buy us off!" Part of the original agreement with Nestle was their volunteering to put their land into a permanent conservation easement. After ten years they have done this!

Keep in mind that Nestle is currently removing less than half of the water we have unwisely permitted them to take. When they take the maximum amounts we can surely

expect significant impacts for our county and our residents' lives. Currently Nestle sends up to 25 trucks per day up to Denver. I frequently drive on US 285 and I have encountered the traffic slow downs and the exhaust-pollution those tanker trucks create as they crawl up the three mountain passes to Denver. To imagine doubling or more than doubling that is very disturbing. Another concern about Nestle taking the entire amount of water they are permitted to take under the agreement is the effect on the aquifer when Nestle, not Chaffee County, decides to take the maximum amount we have permitted them in this agreement. As increased production occurs, county development increases, and climate change variables impact Chaffee County the decision to renew the agreement with Nestle is neither prudent or wise!

Yet another failure of Nestle to meet the current permit requirement is their absolute failure to hire at least 50% of their truck drivers from Chaffee County. The economic gains the county had factored in gaining from the original permit never came anywhere near being realized!

Nestle is a Swiss company that has a world-wide reputation of both humanitarian and environmental abuses. It self-monitors and self-reports with little or no review locally. And now Nestle has requested of Chaffee County to do even less monitoring. Colorado law requires Nestle to augment the water they extract from Chaffee County. Replacing it with "drinkable" water from the western slope is not nearly the same quality as the spring water from the Arkansas River valley.

As a final item; the regulations on Permit Application include taking into consideration the "extent of the applicant's service area is located in, or partially within the boundaries of the county, the need for the proposed project can be substantiated." The Nestle Waters service area, for the Arrowhead brand, expands well beyond that of Chaffee County.

We ask that you consider all of these issues as you make your decision on Nestle. Consider all the issues and follow the facts. Do what is best for the environment and at the same time what is best for Chaffee County.

Jim and Barbara Rees
11675 County Road 251
Salida, CO 81201

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Trey Rogers
22630 CR 300
Nathrop, CO 81236

October 14, 2020

Commissioner Greg Felt (gfelt@chaffeecounty.org)
Commissioner Keith Baker (kbaker@chaffeecounty.org)
Commissioner Rusty Granzella (rgranzella@chaffeecounty.org)

Re: Support of Nestlé Waters North America's Application for Permit Renewal

Dear Commissioners,

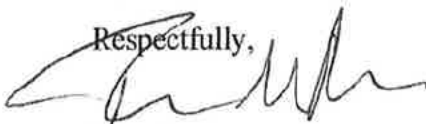
I am writing in support of Nestlé Waters North America's ("NWNA") application to renew its Chaffee County 1041 and Special Land Use Permits for an additional ten years. I've listened to the arguments on both sides and it seems renewal is warranted.

My home on CR 300 is about a quarter mile from NWNA's Ruby Mountain Springs property. The buildings there are unobtrusive and generate minimal traffic—I occasionally see a single truck on the property. I understand that the company has complied with its reporting and other obligations under the permits over the last ten years. Moreover, I understand that the company has an adjudicated water right and that its operations create no net water loss to the Arkansas due to an augmentation plan. In other words, I see no negative impact from NWNA's operations in Chaffee County.

On the other hand, the Nestle fishing easement provides a nice amenity, especially after the company restored and beautified the land along the river. The completion of the proposed conservation easement on the property will create a permanent benefit once completed. I understand that the company has made a substantial financial commitment to the County's schools and a number of local nonprofit organizations over the last ten years and that that commitment will continue over the permit term. These benefits are in addition to the tax revenue and other spending the operation contributes to the local economy.

It seems that NWNA is a beneficial contributor to Chaffee County. Please vote to renew its permits. Thank you for your public service and for your consideration.

Respectfully,



Trey Rogers

Jon Roorda

From: Bill Tucker <[REDACTED]>
Sent: Monday, September 21, 2020 12:10 PM
To: jroorda@chaffeecounty.org
Subject: Fw: Nestle Water Permit Renewal

Mr. Roorda, I understand you are unable to find previous emails sent to the County Commissioners and Patty Baldwin regarding the upcoming permit renewal for Nestle Waters.

Below is what I sent on March 14th. I very much would like our County Commissioners to consider my comments and for them to be a part of the record, as well as the correspondence of others, in considering this renewal.

Bill Tucker
Salida, Colorado
[REDACTED]

----- Forwarded Message -----

From: "Bill Tucker" <[REDACTED]>
To: "gfelt@chaffeecounty.org" <gfelt@chaffeecounty.org>; "kbaker@chaffeecounty.org" <kbaker@chaffeecounty.org>; "rgranzella@chaffeecounty.org" <rgranzella@chaffeecounty.org>
Cc: "pbaldwin@chaffeeccounty.org" <pbaldwin@chaffeeccounty.org>
Sent: 3/14/2020 5:25:03 PM
Subject: Nestle Water Permit Renewal

Greetings Mr. Felt, Baker and Granzella, and Ms. Baldwin.

First off, I want to thank you for your service to the residents of Chaffee County. Your tireless efforts to achieve positive outcomes for us are visible and greatly appreciated.

I wanted to take this opportunity to give you my perspective and feedback on the Nestle Waters' permit renewal.

Ten years ago I attended the public meetings with Nestle Waters and the Chaffee County Commissioners. I was against the harvesting and removal of county water then, and I have remained against it. In fact, I have grown even more opposed to renewal now than ever. Why do I say this?

As a Chaffee County rural resident living on acreage, I rely on my own water well, drilled to 600 feet into the river-level water table, to provide us the water essential to my family's lives and well being. About 6-7 years ago, we were forced to install a 1,700-gallon cistern between our well and the house. This was due to the well production dropping off and periodically going dry, unable to supply the

water we needed. We do not water anything outside, this is strictly water used for household purposes. Some of my other neighbors have experienced similar difficulties with their wells. The reasons behind the water table dropping are either due to the supply diminishing or the demand increasing, or both. I suspect both are at play here -- supply via drought and demand via county-wide population growth and corporate extraction activities. So with that current reality, is the Nestle extraction of 65 million gallons per year from their wells along the Arkansas River contributing to a drop in the water table? I don't think we know for sure, but we do know it certainly is not helping this situation. So does it make any sense to watch this continue happening to residents while we allow a multinational corporation to extract and remove large quantities of water for profit? This water resource is essential to the livelihood of the residents here. It is not to Nestle.

While we know the water is being augmented, exactly how does it help our situation to use a nearby water supply for this?

As my family and I continue taking trips back and forth to Denver along Hwy 285, I can't even begin to estimate how many times I've been stuck behind one of Nestle's 25 tanker trucks per day winding their way to Denver. Quite often, particularly through the canyon just east of Johnson Village, I've wound my way behind Nestle trucks, along with 20-30 other vehicles at 20-25mph for miles. Not once in those 10 years have I seen a Nestle driver pulling over to allow others to pass. Inevitably, drivers become impatient and frustrated and pass in less-than-safe areas. Their tanker activities jeopardize the safety of residents and travelers alike along this corridor. And while I remember Nestle staff committing to making sure their drivers pull over when a relatively small number of cars are stuck behind their tankers, this commitment has visibly been ignored. Many times I've seen as many as 45-50 vehicles stuck behind them.

Nestle also told us at the original meeting they would hire at least 50% of the drivers locally. Then in 2018, they requested and were granted approval to hire less than 50% locally. Another broken commitment now lies in their wake.

It is my understanding that Nestle's commitment of a conservation land easement has not happened to date, but that they are now putting some 11th-hour effort into doing this. This indicates yet another unfulfilled commitment. Breaking commitments they've made to communities and causing irreparable damage is not unusual for Nestle Waters. A recent Internet search I did quickly produced dozens of such stories.

So after 10 years, we've ended up with a drop in the water table, thousands of dollars at least some residents must spend to maintain their water supply, more unsafe and slower driving conditions to Denver and a series of broken commitments by Nestle. Clearly, this has been a zero-sum exercise, where Nestle has won through higher profits and the residents of Chaffee County have lost some of our quality of life. As a result, I ask that you vote on April 21st to not renew Nestle's permit for continued water extraction.

Bill Tucker

6005 Archery Circle
Salida

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Jon Roorda

From: Patty Baldwin <pbaldwin@chaffeecounty.org>
Sent: Tuesday, October 13, 2020 8:27 AM
To: 'Anna Ward'; gfelt@chaffeecounty.org; kbaker@chaffeecounty.org;
rgranzella@chaffeecounty.org
Cc: 'Jon Roorda'
Subject: RE: Protect Chaffee County Water

Ms. Ward,

Thank you for your e-mail. It has been sent to Planning Manager, Jon Roorda, to be added to the public record.

Patty Baldwin, Administrative Assistant
P.O. Box 699, Salida, CO 81201
719.539.2218

From: Anna Ward [REDACTED]
Sent: Monday, October 12, 2020 3:14 PM
To: pbaldwin@chaffeecounty.org; gfelt@chaffeecounty.org; kbaker@chaffeecounty.org; rgranzella@chaffeecounty.org
Subject: Protect Chaffee County Water

Greetings,

I am writing to each of you today to express my view that I oppose renewing Nestle Water's permit in Chaffee County.

We have to work toward more sustainable solutions for the future of our county, country and world.

I do not think transporting water is a good idea unless there are no other alternatives. I would rather see Nestle invest in water purification systems that do not require transport in harvesting. I also believe that we need to let waterways run free for the health of watersheds.

I would like you to take my opinion on this matter into consideration.

Thank you for your service to our community.

Anna Ward
(970)946-1253
507 Ouray Ave
Poncha Springs

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Jon Roorda

From: Patty Baldwin <pbaldwin@chaffeecounty.org>
Sent: Wednesday, October 14, 2020 7:42 AM
To: 'Jon Roorda'
Subject: FW: Vote no to Nestle!

Patty Baldwin, Administrative Assistant
P.O. Box 699, Salida, CO 81201
719.539.2218

-----Original Message-----

From: John Michael Wickett [REDACTED]
Sent: Tuesday, October 13, 2020 10:14 PM
To: pbaldwin@chaffeecounty.org; gfelt@chaffeecounty.org; kbaker@chaffeecounty.org; rgranzella@chaffeecounty.org
Subject: Vote no to Nestle!

Hello Chaffee County Commissioners,

I would like to voice my concern about the renewal of Nestle's bottled water operation permit.

I understand that they must be paying the county extremely well. I hope that it's extremely well, because moving water from one watershed to another is an extremely bad idea. That water will never make it back to this watershed. You are all familiar with the saying "that you don't miss your water until your well runs dry." At that point, what could people do? Not much, except leave!

No amount of money can replace the water that Nestle is currently allowed to remove. If there's no water in the county, then there's no people and there's definitely no economy. I know that sounds like an extreme idea, yet it has happened other places.

Desertification is a real phenomenon and with the climate changing, the mountains of Colorado have been received less snow and rain. There's a lot of local businesses that depend on recreational tourism. Please put the county and it's citizens needs before the profits of a multi national corporation with little to no connection to Chaffee County.

Thank you for your considerations
John Wickett

Sent from my iPhone

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Jon Roorda

From: Patty Baldwin <pbaldwin@chaffeeconomy.org>
Sent: Thursday, October 15, 2020 8:14 AM
To: 'Jon Roorda'
Subject: FW: Opposition to extending Nestle permit for water removal

Patty Baldwin, Administrative Assistant
P.O. Box 699, Salida, CO 81201
719.539.2218

From: Kent Wood [REDACTED]
Sent: Wednesday, October 14, 2020 1:28 PM
To: gfelt@chaffeeconomy.org; kbaker@chaffeeconomy.org; rgranzella@chaffeeconomy.org; pbaldwin@chaffeeconomy.org
Subject: Opposition to extending Nestle permit for water removal

Chaffee County Commissioners and Ms. P. Baldwin

Dear Sirs and Madam:

I am writing to add my voice to those opposing the renewal of the Nestle 1041 permit for water extraction at Ruby Springs. The benefits from this extraction are illusory and the loss is substantial in a number of ways. They are extracting our water, of undoubted value to our arid region, while making negligible contributions to the county in exchange for receiving this valuable resource. The resource itself could decline over time from climate change effects. **It is hard to understand how such an awful arrangement was ever approved, but part of it consisted of expectations that Nestle would keep promises that were never kept**, such as creating a conservation easement (they had ten years and didn't do it; they sold off part of the land that would have been in the easement), hiring locally for their trucking crews (not done to promised level), and minimally complying with mandatory requirements for other local benefits.

Removing our water is injury enough, but **it is an additional injury to the planet that they bottle our water in plastic that presents an increasingly-unmanageable environmental hazard**. We have trouble processing plastic right here in Chaffee but we are at least not creating large volumes of it that eventually contribute to the burden plastic is presenting to the Earth's oceans, after the water is consumed and the bottle is discarded. Amazingly, — one might say “jaw-droppingly,” — one reads where Nestle even made a substantial donation of plastic to the county on the pretext that it would have recycle value. It does not, the market for recycled plastic has largely evaporated, and it seems to have gone to our landfill. In other words we incurred an effective expense from their alleged generosity. Nestle must have had a good laugh at our expense on that one.

It is yet another injury to the local region that **their trucks place an additional use burden on the highways from here to the Front Range**. Highway 285 is sufficiently full of driving hazards without adding to them with a fleet of trucks consuming carbon-based fuel to accomplish something contrary to our interest.

Next, let us just think about this from an environmentally-blind dollars and cents standpoint. **While a few families realized considerable monetary benefit in the initial phase ten years ago, that did not benefit the public generally**. Those families did not use their profits to contribute charitably to the public good. Other economic benefits promised the public by Nestle were never remotely commensurate with the value of the public resource being tapped extracted (possibly excepting the hypothetical easement — on which Nestle defaulted, so it does not matter). **Setting aside benefits to families that realized cash benefits, anyone of politically-conservative inclination would be totally justified in blasting extension of this permit as “the worst deal ever.”** Might there have been some connection from the parties in Colorado who did benefit to those who executed the approval? Maybe that point is being explored or registered somewhere. One would hope so. **Another point: the families that benefited ten years ago have their cash and are not going to get any more money now. Even if one is totally in favor of families being able to cash out assets with complete disregard for public interest, that issue is history. The remaining issue is the public interest of county citizens, and in 2020 the public is ill-served by continuation of the permit. Nestle has had enough profit and they have defaulted on promises that, had they been kept, might have brought Chaffee County partial compensation. To belabor this point, the**

cash payouts a decade ago bought ten years of water with no certainty of continuation beyond ten years, and with a clear legal basis for disapproving continuation. That legal option of discontinuation needs to be exercised and there is nothing unfair about doing so. All totalled, it is costing us to extend the permission to extract our natural resources to this company.

Our experience is actually typical. The infamous reputation of Nestle internationally is well-documented. Other places such as Canada have made them unwelcome. We should follow that example and withdraw their welcome here.

Please do not renew the permit. If it is renewed, then citizens should have a long memory for who signed off on that renewal, and should inquire closely into why they did so.

Sincerely,

Kent Wood
Nathrop CO

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