## Jon Roorda

**From:** dswallow@chaffeecounty.org
**Sent:** Wednesday, May 05, 2021 8:32 AM
**To:** jroorda@chaffeecounty.org; cbarton@chaffeecounty.org
**Subject:** FW: "a change in control of the permitted entity"

Please put this communication in the next BoCC public hearing.

Dan Swallow
Director of Development Services
Chaffee County, CO
(719) 530-5567
dswallow@chaffeecounty.org

**From:** Tom Bomer [redacted]
**Sent:** Tuesday, May 4, 2021 1:06 PM
**To:** Greg Felt <gfelt@chaffeecounty.org>; Rusty Granzella <Rgranzella@chaffeecounty.org>; Keith Baker <kbaker@chaffeecounty.org>
**Cc:** Dan Swallow <dswallow@chaffeecounty.org>
**Subject:** Re: "a change in control of the permitted entity"

Chairman Greg Felt
Commissioner Rusty Granzella
Commissioner Keith Baker
Development Director Dan Swallow

Commissioners, During the December 15th meeting of the Chaffee County Board of County Commissioners, the following statements were made:

@ 2:34:00 Chairman Felt, speaking to County Attorney Jennifer Davis says: "Are you asking if we want to add language that, for example saying that we would not entertain a transfer during the pendency of these hearings?"

Attorney Davis: "That's what you had talked about last week."

Chairman Felt: " Well I know that that's how I feel, and that's how I would vote if we were in that situation. I don't see that changing."

@ 2:35:00 Commissioner Granzella: "I mean if there's a sale, basically, it's in my mind it's almost a start over, so—"

@ 2:37:05 Chairman Felt: "I am not so concerned about the 51% subsidiary, but I'm concerned about a transfer of control, and I would say then accountability and responsibility—"

@ 2:38:00 Commissioner Baker: "When I bought a business once upon a time I had to go back and renegotiate all of my arrangements with all of my vendors and all support structures and everything; it didn't transfer—"

"—we need to be in a position where we see everything and establish the bona fides of the second party, whatever their corporate structure whoever they may be."

"—Everything resets, everything begins anew with a new application and new approval process."

@2:44:45 Commissioners approve a motion affirming " all current limits, requirements, restrictions, etc., continue during this extension period."

It is now undeniable that the Permittee has undergone a "transfer of control."

From this press release:

https://www.prnewswire.com/news-releases/one-rock-capital-partners-and-metropoulos--co-complete-acquisition-of-nestle-waters-north-america-301259838.html

Read this paragraph:

One Rock makes controlling investments in companies with potential for growth and operational improvement using a rigorous approach that utilizes highly experienced Operating Partners to identify, acquire and enhance businesses in select industries.

Note "makes controlling investments—"

You are bound by your oath of office to Invoke Section 4.6 of this Permit. You must refuse any further extension of this Permit, and refuse to transfer it to BlueTriton Brands until they file a new application and go through the rigors of the process.

There are many questions to be answered.

With Regards,
Tom Bomer
Un-Bottle and Protect Chaffee County Water

Going forward, your responsibilities to the citizens of Chaffee County

https://www.investopedia.com/articles/financial-careers/09/private-equity.asp

At this point is is obvious that "a change in control of the permitted entity" has occurred.

tomswift1948@gmail.com
Sent from my iPhone

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dangerous content by **MailScanner**, and is
believed to be clean.

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**Jon Roorda**

**From:** Wano Urbonas [redacted]
**Sent:** Tuesday, May 04, 2021 1:18 PM
**To:** Jon Roorda
**Subject:** Nestle Waters water withdrawal proposal: Public Comment

The recently-submitted Harvey Economics study of Nestle Waters' operations in Chaffee County readily admits to not examining environmental impacts or RMSO activities that 'do not have clear potential for an economic nexus'.
As a result, this study intentionally omits a series of both environmental costs and benefits, which is clearly why comprehensive environmental impact studies are conducted, revised and updated--to determine the cumulative impacts of development activities on our natural and human environment.
Chaffee County 1041 regulations outline the significance of conducting an environmental impact analysis 3-302(3), alongside 1041 Chapter 9 natural resource protection elements.
Specifically, a comprehensive study needs to quantify and qualify the impacts of 2,7771 truck trips per year in terms of not merely landfill costs, but of transportation costs--CO2 emissions, fuel consumption, road impacts, traffic concerns and other development-related items.
We need to perform not only an economic analysis, but a comprehensive environmental impact study that examines the affected environment (land, water, wildlife, habitat, etc), proposed activities, environmental consequences, alternative actions, environmental benefits, potential mitigation strategies and cumulative impacts over 30+ years.
Not including current and future environmental benefits comparing both the status quo and the proposed activity negates the critical importance of community well-being, and without performing a complete analysis of cumulative environmental costs, skews the community discussion towards economics over natural, social and cultural concerns.
Thank you.

--
**Wayne "Wano" Urbonas**
[redacted]
**Buena Vista, CO 81211**
[redacted]

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## Jon Roorda

**From:** dswallow@chaffeecounty.org
**Sent:** Wednesday, May 05, 2021 8:54 AM
**To:** jroorda@chaffeecounty.org; cbarton@chaffeecounty.org
**Subject:** FW: Semantics and 4.6

Same

-----Original Message-----
From: Francie Bomer [redacted]
Sent: Tuesday, May 4, 2021 3:47 PM
To: rgranzella@chaffeecounty.org; Greg Felt <gfelt@chaffeecounty.org>; Keith Baker <kbaker@chaffeecounty.org>
Cc: dswallow@chaffeecounty.org
Subject: Semantics and 4.6

Commissioners,

1) It has now been established that there is a NEW PERMITTEE
2) The new owner is a PRIVATE EQUITY firm (not publicly trained and not transparent not a Nestle subsidiary)
3) The CEO is the only one that matters. He can fire all those below him with the swipe of a pen. Expect many changes
4) Change of CONTROL of the business is everything. Larry Lawrence might not be always be employed by BlueTriton and so can not base this on your comfort level with him, his expertise or his past "partnership".

Contrary to attorneys Davis' statement, the transfer issue is actually very clear. 4.6 has nothing to do with the sale of the company or transfer of shares of stock. It is very clear that 4.6 applies to the permit itself. To start over, add new conditions and oversight you need to DENY the transfer and require a brand new application.

The terms and requirements stated in the original permit do not equate to starting over with a NEW permit. The only way to do that is to deny the transfer and accept a new permit from the NEW PERMITTEE

Francie Bomer, Sent from my iPad

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**Jon Roorda**

**From:** dswallow@chaffeecounty.org
**Sent:** Wednesday, May 05, 2021 8:38 AM
**To:** jroorda@chaffeecounty.org; cbarton@chaffeecounty.org
**Subject:** FW: 1041 Permit

Same

**From:** Nicholas Jackson (Nick) [redacted]
**Sent:** Tuesday, May 4, 2021 4:32 PM
**To:** rgranzella@chaffeecounty.org; gfelt@chaffeecounty.org; kbaker@chaffeecounty.org; dswallow@chaffeecounty.org
**Subject:** 1041 Permit

Nicholas A. (Nick) Jackson
[redacted]
Denver, CO 80230

Dear Commissioners,

I am not a lawyer, a Wall Street private equity fund executive, or a Tokyo industrialist. However, as a son of Chaffee County, I am very concerned about the current and proposed arrangements to continue exporting Chaffee County water through the "Nestle/One Rock/Mitsubishi" permit authority.

I was born and raised in Buena Vista, and my family lived in Buena Vista from 1969 through 2005. My dad was deputy water commissioner in Buena Vista during the 1970s and 1980s, and clearly evidenced his commitment to local ownership and use of his water shares until his passing in 2002. I wanted to make sure that the comments of current residents were not lost in comments from non-residents during the meeting, and I am happy to associate myself strongly with the public concerns especially of current Chaffee County residents Francie Bomer, John McGowan, Jen Swacina, and Tom Bomer.

In line with their comments, you seemed to be hesitant about renewing the permit in case of transferring ownership to a private equity firm at the December 12th meeting. You are correct to be hesitant. The original permit was with a Swiss multinational water and foodservice corporation, though it is a corporation with its own problems concerning powdered milk, child slavery and credible accusations that the executives are breaking their agreements in taking water from people and forests in Flint Michigan, California and elsewhere. This new permit is with a New York-, Maryland- and Tokyo-based private equity fund. The County Commissioners should consider this new situation and whether they can trust a Wall Street private equity fund to extract water as a commodity, especially given that climate change is making such water extraction an attractive commodity for Wall Street speculators.

However, I know that your decision is no less difficult given the power of One Rock, Mitsubishi and Nestle's lawyers to compel acquiescence and make us all believe that under penalty of law apples can be oranges and One Rock can be Nestle. The lawyers of the current entity with claim to the permit deny that this is a transfer, and this should be taken as an additional element of concern about the veracity of the organization.

Nevertheless, you are elected to represent the values and interests of the citizens of Chaffee County. By **denying the renewal of the permit**, you can send a powerful message to Tony W. Lee, Scott Spielvogel, Dean Metropoulos, Mitsubishi CEO Takehiko Kakiuchi and all of the other New York and Tokyo profiteers that Chaffee County is not a cash register, where the life-giving water can be turned into New York and Tokyo wealth.

Sincerely,

Nicholas A. Jackson

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**Jon Roorda**

**From:** Karen Dils [redacted]
**Sent:** Friday, April 30, 2021 10:11 AM
**To:** KEITH BAKER; Rusty Granzella; Greg Felt; Patty Baldwin; Jon Roorda
**Subject:** small correction in Nestle comments in red
**Attachments:** AWS_Surv_Denver_2021.pptx; Untitled attachment 00058.html

I needed to make a few corrections in red, plus the most recent report by Nestle (BlueTriton) for the prestigious Alliance for Water Stewardship certification is attached. The notes at the bottom of some slides have some good information.

I was not very impressed with this presentation or the process. His mic was clear, but the commissioners' mics were not. Brief comments:

- The slideshow could have been sent to all of you ahead of time for viewing and then questions either sent or asked at the hearing. You can read and all he did was read the slides. It could be posted online.

- I did not find either of the presenters as unbiased, e.g. "we TRIED to find some negative things on ….."

- He totally discounted the value of fishing and recreation in the area.

- He also discounted the fact that the amount truck drivers earned are probably some of the highest non-professionl earnings in the valley (if this permit goes forward, I think the requirement for 50% of drivers to live here is unrealistic.)

- He didn't account for the # of people from adjacent counties that shop here

- He was unaware that the donations to the school districts were 1x, with Nestle covering the foundation's managment fee for grant distributions, and that the school districts had control over the % of interest they wanted to spend. The Nestle goal was to have a permanent endowment.

- He did not calculate the amount of money saved by UAWCD because they used Nestle's wells and data to work on their underground storage idea.

- His reference to Nestle having 33% of the market was way too general - That is about the % nationwide and included all plastics. He really needed to drill down to the % of plastic bottle market Nestle has in this county (measure the shelves at WalMart, grocery stores, etc. and calculate the various manufacturers whose product is on the shelf). The Waste Audit did NOTHING to differentiate types of plastic much less brands. Thus the amount he associated with the landfill does not seem accurate.

- He did not give an economic value to the conservation easement, but yet did say this was valued by the results of Envision. Sustainability is more than plastic bottles.

- He intimated that all the water Nestle uses would "go back to UAWCD" if they didn't get the permit which I think is incorrect.

- The entire amount of water they buy from UAWCD ~~to make up for evaporative loss~~ would go back to UAWCD (and UA would lose 20% of their revenue). UAWCD could use that water for more augmentations but it would take an incredible number of those to make up the lost revenue.

- The Ruby Mt. Springs water is actually leased or purchased from SEWCD I think and the permit is for bottling only, so unless someone else came in and did a bottling company, it couldn't be used for an "alternative use." Yes, without a permit that springs water would go into the Arkansas instead of the augmented water Nestle is buying going into the Ark. However, the springs water can only be used once whereas the augmented water is transmountain water and can be reused multiple times (very complicated process that Terry Scanga and Greg understand).

- His calculations for "alternative uses of water" didn't make accurate or economic sense to me due to incorrect calculations about consumptive use and other allowed uses.

- His calculations on use vs. demanded water didn't take into account return flow (and he didn't even differentiate the 2).

- Although Nestle's financial donations to non-profits may seem small to him, they are often VERY significant for our non-profits and much greater than amount any other business has donated in a year (Walmart, City Market and Safeway don't come close - High Country Bank does a better job than those companies).

- I understand we ALL need to do what we can for sustainability, but I don't think denying this permit will be a positive for our county.

- In terms of impact to our community, what happens with the Meadows will have much great impact on the lives of many individuals than Nestle continuing to operate.

I think many of our rules and regs and processes could use some review for common sense and efficiency. These are my comments after listening to the most recent and other hearings and being involved for about 12-13 years. A decision needs to be made by August as planned. You won't please everyone with ANY decision you make - unfortunately! Thanks for reading/listening as it is a very daunting and challenging process. You are fortunate to have Greg's water expertise.

Karen Dils
[redacted]
Buena Vista, CO 81211

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**Jon Roorda**

**From:** Keith Baker <kbaker@chaffeecounty.org>
**Sent:** Tuesday, May 04, 2021 3:05 PM
**To:** JENNIFER DAVIS; Jon Roorda (jroorda@chaffeecounty.org); Christie Barton
**Subject:** Fwd: It's easy, just say no!

I just found this in a junk email box.

Keith Baker
Commander, United States Navy (Retired)
Commissioner, Chaffee County, Colorado
719.963.4164

Begin forwarded message:

**From:** Tom Westrup [redacted]
**Subject: It's easy, just say no!**
**Date:** 29April2021 at 15:27:36 MDT
**To:** gfelt@chaffeecounty.org, kbaker@chaffeecounty.org, rgranzella@chaffeecounty.org

Commissioners,

It is easy, the economic analysis shows little economic value to the County from the Nestle water contract. We are in a drought. These two factors make it easy to say no.

the State of California has stopped Nestle from pumping water due to a drought.

It's easy, just say no!

Tom Westrup
[redacted]

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## Jon Roorda

**From:** Bruce Goforth [redacted]
**Sent:** Wednesday, April 28, 2021 4:11 PM
**To:** Greg Felt; Keith Baker
**Cc:** jroorda@chaffeecounty.org
**Subject:** FW: California orders Nestlé to stop siphoning spring water

**Follow Up Flag:** Follow up
**Flag Status:** Completed

Hello to all, perhaps you folks are aware of this sort of thing with Nestle. I am aware that Nestle North America has pulled up roots in USA --or has it? So, what is the official information and who exactly is Chaffee County dealing with? I would think that the conservation easement Nestle was in the process of consummating with CPW is off the table--which raised the question, how will natural resources at, around and near the Spring site be conserved to protect water, wildlife and other natural resources? And is the land along the river owned by Nestle and planned for a subdivision, to be developed--and if so by whom? Why should Chaffee County be doing business with Nestle and it's surrogate/partner? The ecological consequences of continuing this mining of spring waters here and trucking it to Denver to be shipped all over the US and beyond, is totally irresponsible, especially now and with everything we know about ecological problems with throw away plastic bottles. Yes, as a naturalist, ecologist/wildlife biologist, and citizen of this county, I feel strongly about this issue--and feel that whatever benefits that may accrue to Chaffee County economically as pointed to in the recent economic analysis and extolled by Nestle, pale in comparison to the externalities/negative environmental costs/negative local impacts (in total) of the Nestle enterprise. Please do the right thing by Chaffee County citizens and the environment. Cease doing business with Nestle and it's partners.

-----Original Message-----
From: website@hcn.org <website@hcn.org>
Sent: Wednesday, April 28, 2021 7:41 AM
To: [redacted]
Subject: California orders Nestlé to stop siphoning spring water

This link is sent to you from https://www.hcn.org

You are receiving this mail because someone read a page at High Country News – Know the West and thought it might interest you.

It is sent by [redacted] with the following comment:
"This should be good ammo with the county."

California orders Nestlé to stop siphoning spring water

The world's largest food and beverage company is accused of taking millions more gallons than it is entitled to.

https://www.hcn.org/articles/climate-desk-water-california-orders-nestle-to-stop-siphoning-spring-water
--
High Country News

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**Jon Roorda**

**From:** Work <rgranzella@chaffeecounty.org>
**Sent:** Monday, April 19, 2021 3:16 PM
**To:** 'Jon Roorda'
**Subject:** Fwd: Nestle

Sent from my iPhone

Begin forwarded message:

**From:** Laura Donavan [redacted]
**Date:** April 19, 2021 at 2:51:49 PM MDT
**To:** rgranzella@chaffeecounty.org
**Subject: Nestle**

Dear Commissioner Granzella,

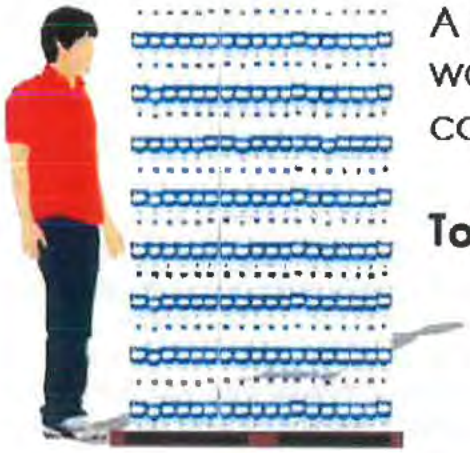
I am unable to attend the 1pm meeting tomorrow regarding Nestle Waters, (One Rock Capital).
https://www.beveragedaily.com/Article/2021/02/17/Nestle-sells-Nestle-Waters-North-America-for-4.3bn
This news in and of itself should be warning enough to deny any permit renewal.
I would think for starters if One Rock wants to increase revenue they will just harvest more water. Especially since Nestle is currently only using a fraction of what they are permitted to withdraw.

I have made plenty of comments in the past all of them against renewing their permit.
They take water and create garbage. Now garbage and recycling is also a problem for Chaffee County.
Say NO to Nestle.

Thank you
Laura Donavan
[redacted]

# Turning Water to Gar

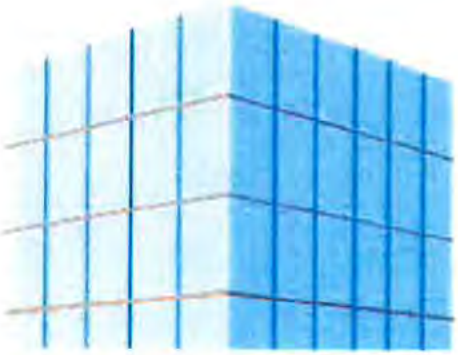
Graphic is based on figures supplied by Nestle for the 20
the company said it extracted 89 acre-feet of water, 5.6
flow measured. An acre-foot is equal to 325,851 gallons.



A pallet of Nestle Spring 16.9 oz pla
water bottles. Cases of 24 stacked
cases to a level 8 levels tall.

**Total of 3,456 plastic bottles**

**103,680 Nestle Spring**
**16.9 oz plastic water bottles**



**1,716,804 MILLION PLASTIC W**
The number of plastic bottle
in **2019** from the Nestle Sprin

**Jon Roorda**

**From:** Francie Bomer [redacted]
**Sent:** Tuesday, March 16, 2021 4:21 PM
**To:** jroorda@chaffeecounty.org; jdavis@chaffeecounty.org; dtom@chaffeecounty.org
**Cc:** Keith Baker; Greg Felt; rgranzella@chaffeecounty.org
**Subject:** Clause 4.6

Ms Davis, This article clearly states that One Rock, and their partners, plan to own and operate Nestle Waters North America as a "stand alone" private company, certainly not as a subsidiary of the parent company, Nestle SA. The 1041 clause 4.6 was put in place for exactly this purpose, and the commissioners must decide if they want to continue with this new private equity operation.

https://www.onerockcapital.com/news/one-rock-capital-partners-and-metropoulos-co-to-acquire-nestle-waters-north-america

Francie Bomer, Sent from my iPad

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## Jon Roorda

**From:** Chaffee Admin <chaffeeadmin@chaffeecounty.org>
**Sent:** Monday, December 14, 2020 8:16 AM
**To:** 'Jon Roorda'
**Subject:** FW: Please DENY Nestle's permit extension to bottle water from Ruby Springs

**From:** Andrea Michel [redacted]
**Sent:** Saturday, December 12, 2020 3:39 PM
**To:** gfelt@chaffeecounty.org; rgranzella@chaffeecounty.org; Kbaker@chaffeecounty.org; pbaldwin@chaffeecounty.org
**Subject:** Please DENY Nestle's permit extension to bottle water from Ruby Springs

Please do the right thing and DENY Nestle Waters of North America..stop them from destroying our beautiful state.

They are a multi-BILLION dollar company who is preying on Colorado and it's beautiful (unreplenishable) natural resources.

PLEASE, especially with this year's already devestating tradegies, stop this nightmare..

Thank you for your consideration,

Andrea Michel, Broker Associate

[redacted]

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# Alliance for Water Stewardship 2020/2021 Activities Update

DENVER FACTORY AND RUBY MOUNTAIN SPRINGS

2021

# BlueTriton Brands

- On March 31, 2021, **Nestlé Waters North America was acquired** by One Rock Capital Partners in partnership with Metropoulos & Co.
- New corporate name: **BlueTriton Brands** (BlueTriton)
- BlueTriton are excited to continue commitments to being at the forefront of **sustainable water management**, advancing **recycling and waste reduction**, working toward **carbon-neutral operations**, and investing in, and partnering with, **local communities** to support a better world

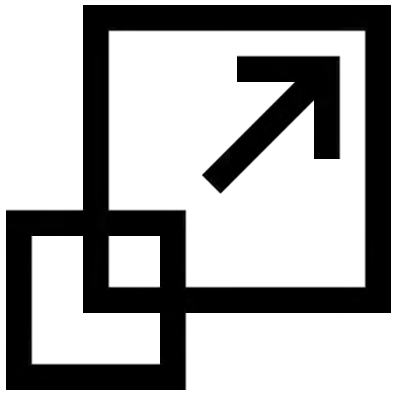
# Water Stewardship

- **Definition**:  The use of water that is **socially** and **culturally equitable**, **environmentally sustainable** and **economically beneficial**, achieved through a stakeholder-inclusive process that involves site- and catchment-based actions

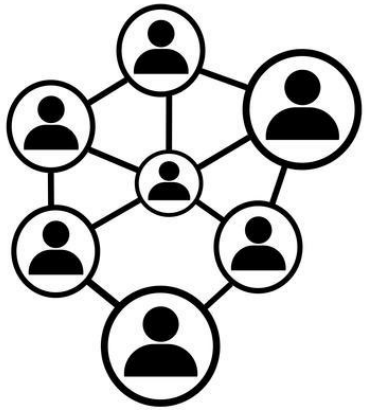
- Good water stewards understand their own water use, catchment context and shared concerns in terms of **water governance**, **water balance**, **water quality**, **Important Water-Related Areas**, and **Water, Sanitation, and Hygiene**, then engage in meaningful individual and collective actions that benefit people, the economy and nature

# Alliance for Water Stewardship (AWS)

# Key Concepts

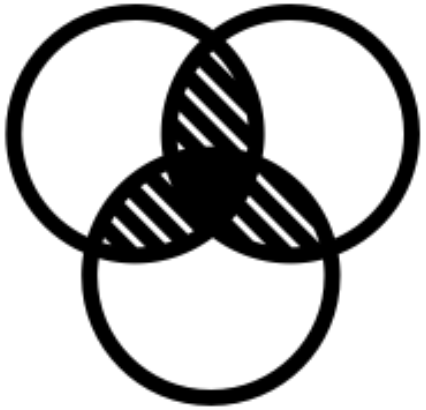


Site v Catchment



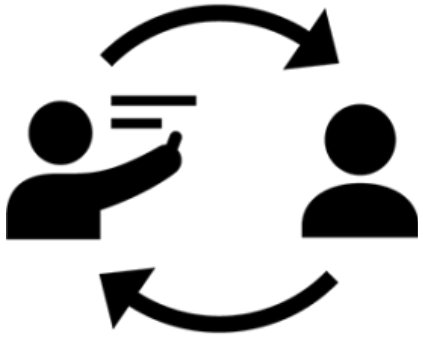
Stakeholder

Important Water-Related Area



Shared Water Challenges

Water Stewardship Plan



Disclose

# AWS Standard

GOOD WATER GOVERNANCE

SUSTAINABLE WATER BALANCE

GOOD WATER QUALITY STATUS

IMPORTANT WATER-RELATED AREAS

SAFE WATER, SANITATION AND HYGIENE FOR ALL (WASH)

**3 LEVELS OF 3RD PARTY CERTIFICATION**

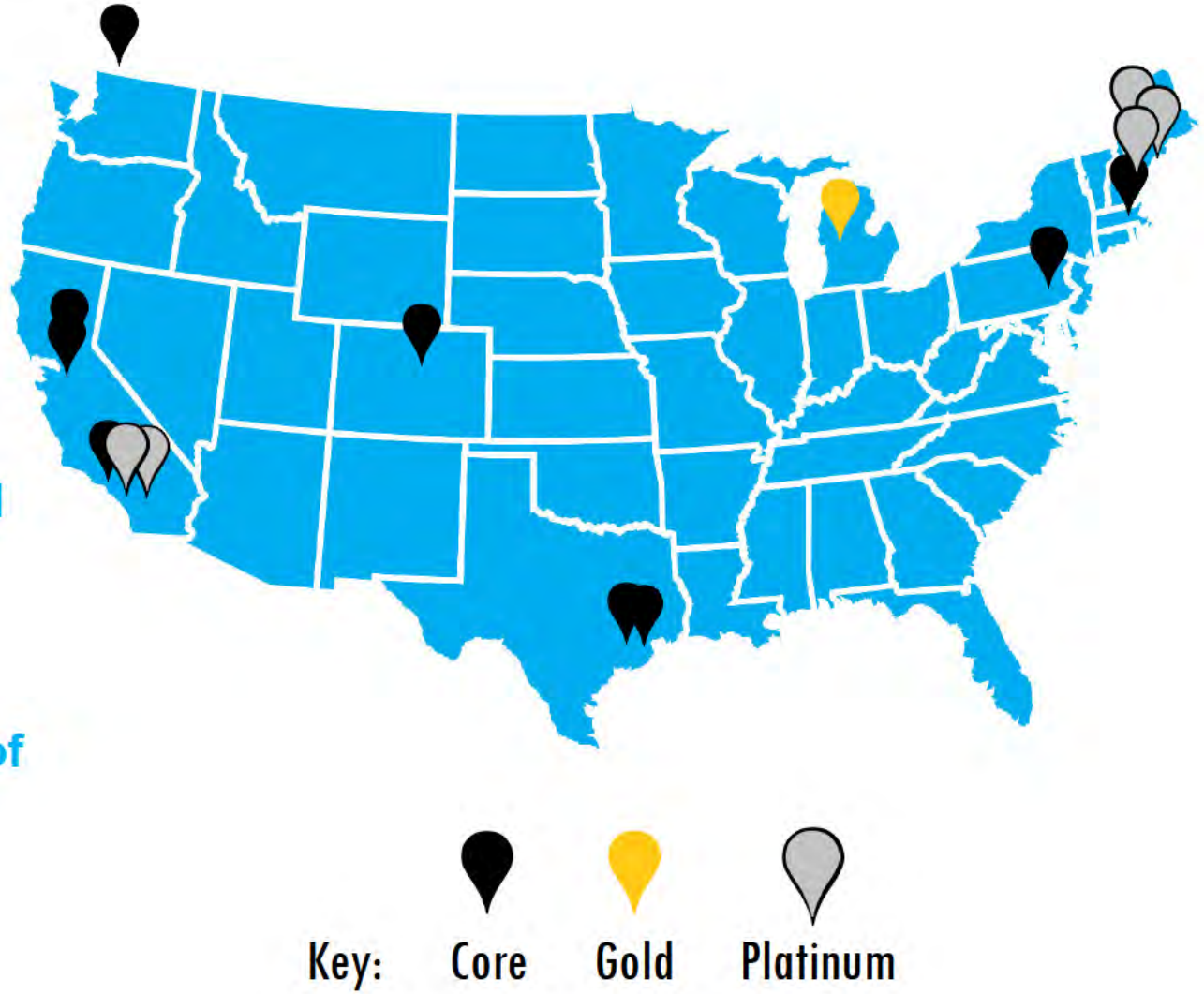
**Core** **Gold** **Platinum**

# BlueTriton AWS Performance

- **15** out of 29 **AWS-certified sites** in United States and Canada

- Accomplishments:
  - **1st AWS-certified site in North America**
  - **1st and only certified site in Colorado**
  - **1st Platinum food & beverage site in world**
  - **Sole AWS-certified water bottling operations in North America**

- In 2018, we committed to **100% certification of all factories worldwide by 2025**

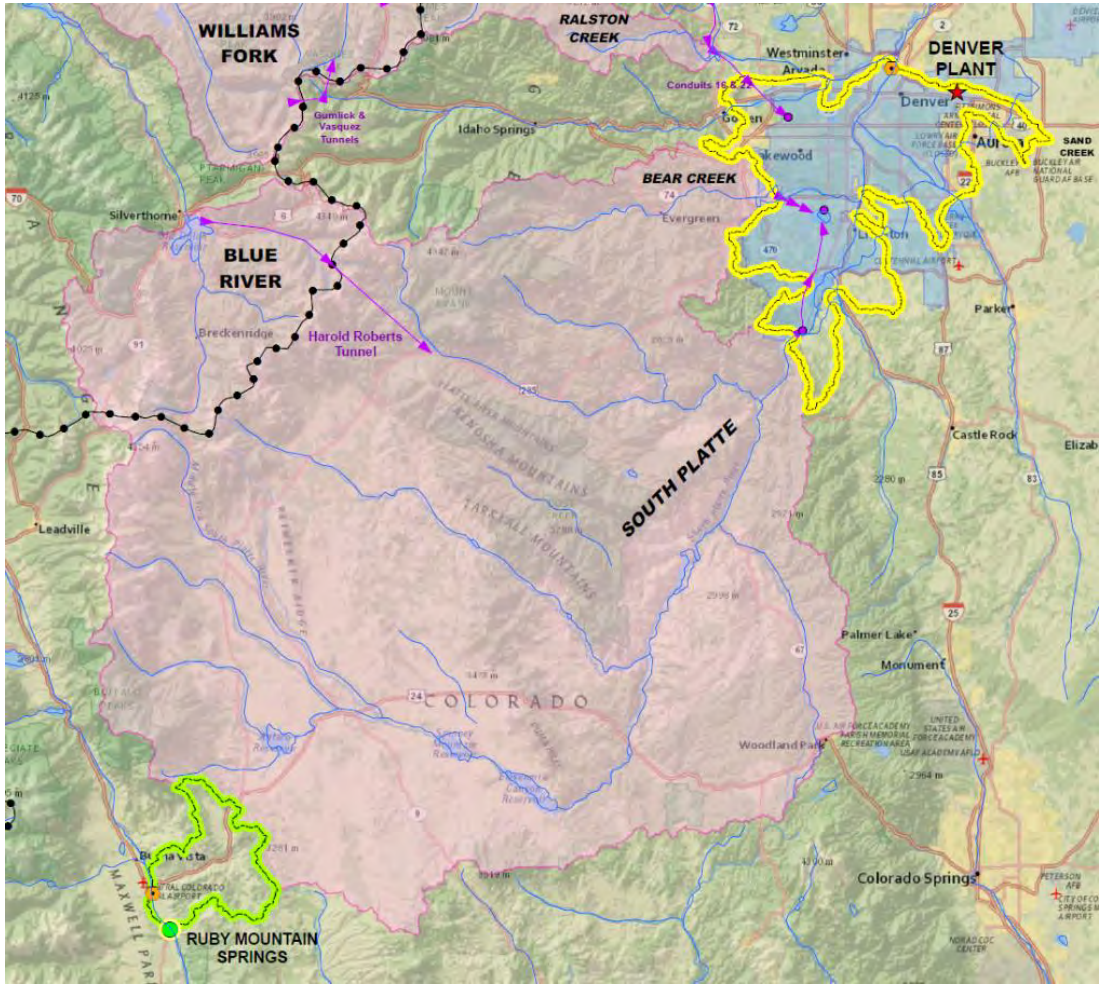


# Physical Scope

- The site's physical scope includes:
  - Operational boundaries
  - Water sources
  - Discharge locations
  - Catchment(s)

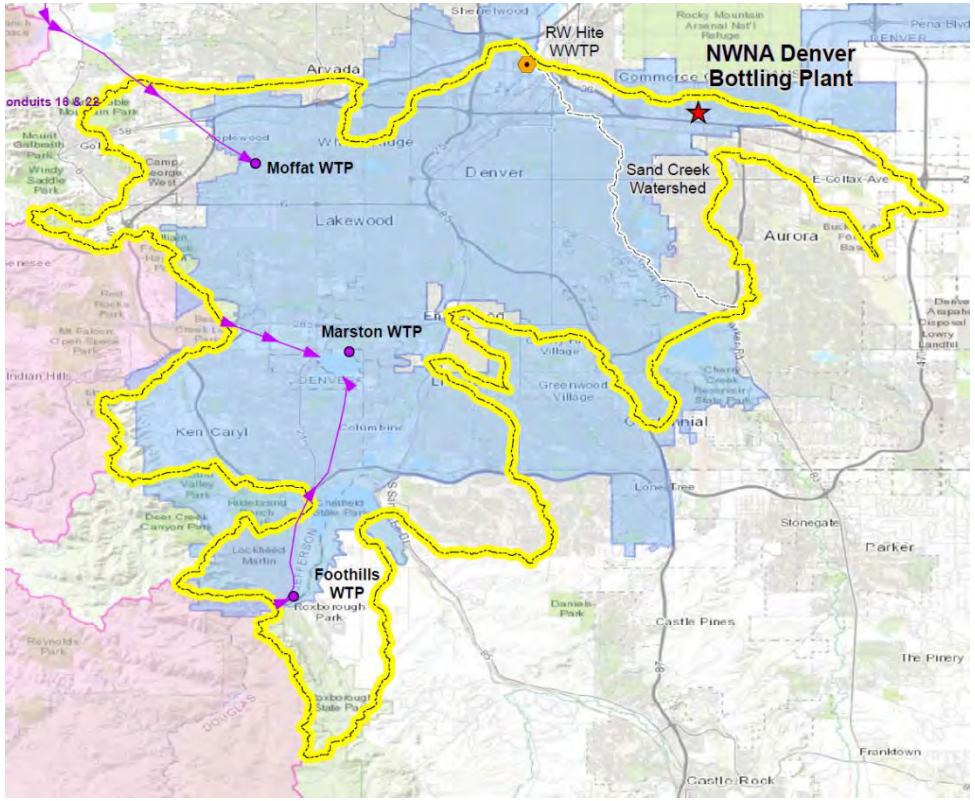
- Denver AWS catchment includes two non-contiguous areas:
  - Denver factory sub-catchment
  - Ruby Mountain Springs sub-catchment

- Total area of approximately 279,800 acres



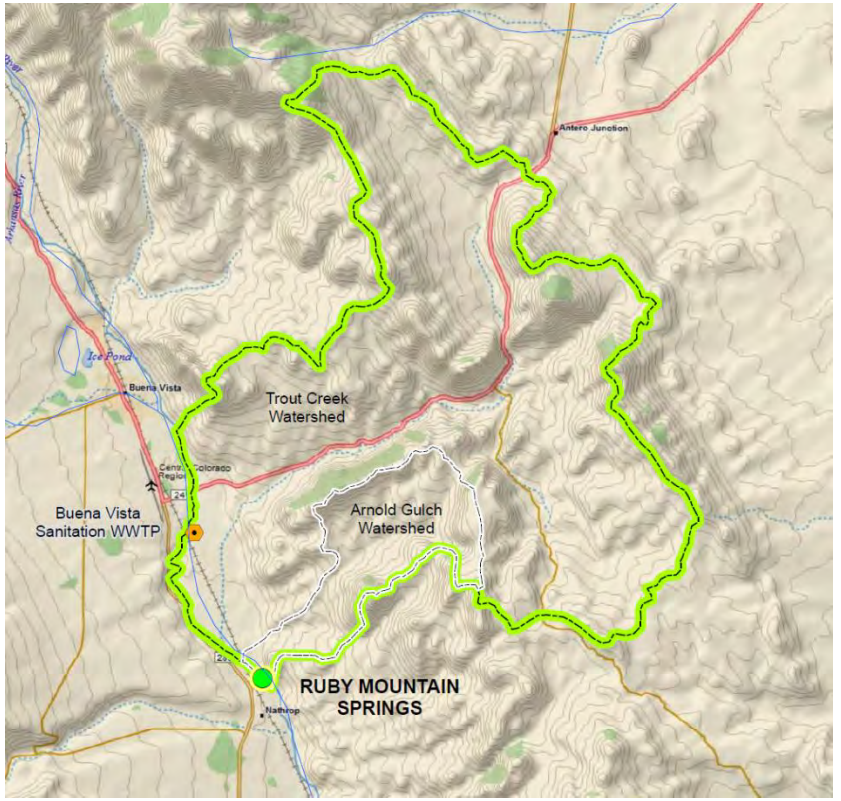
# Denver Factory Sub-Catchment

- Denver factory sub-catchment defined by contiguous subwatersheds containing the:
  - Site
  - Denver Waters' Moffat, Marston, and Foothills Water Treatment Plants
  - Metro Wastewater Reclamation District's Robert W. Hite Wastewater Treatment Plant
- Area of approximately 231,100 acres



# Ruby Mountain Springs Sub-Catchment

- Ruby Mountain Springs sub-catchment defined by contiguous subwatersheds containing the:
  - Ruby Mountain Springs
  - Buena Vista Sanitation Wastewater Treatment Plant
- Area of approximately 48,700 acres



# Important Water-Related Areas (IWRAs)

- The specific water-related areas of a catchment that, if impaired or lost, would adversely impact the environmental, social, cultural or economic benefits derived from the catchment in a significant or disproportionate manner

- Identified IWRAs within catchment:
  - Sand Creek
  - South Platte River
  - Denver Wetlands (39 different areas)
  - Denver Urban Waterways (Harvard Gulch, Weir Gulch, and the South Platte River from 6th to 58th Avenues)
  - High Line Central
  - Ruby Mountain Springs
  - Upper Arkansas River

# Shared Water Challenges and Plan Development

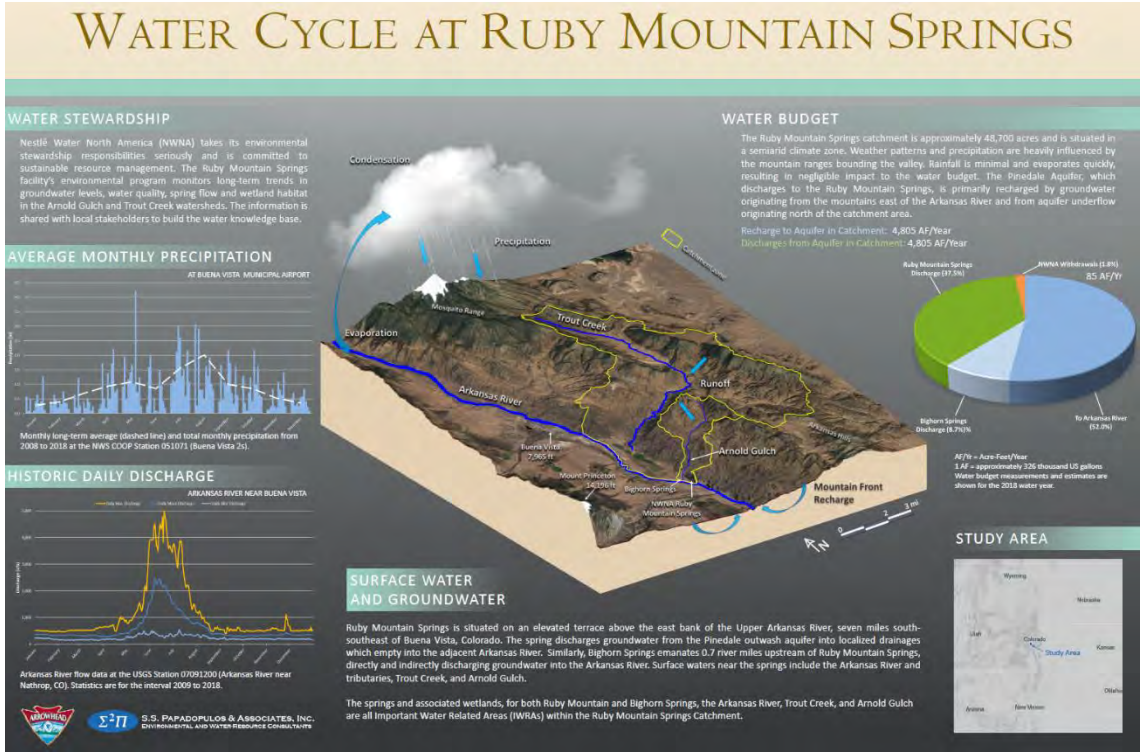
- **Shared Water Challenges (SWCs):**
  - A **water-related issue, concern or threat** shared by the site and one or more stakeholders within the catchment(s)

- **Denver SWCs**:
  1. Education
  2. Water Quantity
  3. Factory Efficiency
  4. Water Quality

- In light of Shared Water Challenges identified under Step 1: Gather & Understand, the **Water Stewardship Plan should address identified risks/opportunities and five AWS Outcomes**

# Evaluation Against the Outcomes of AWS

- **Governance**
  - Met with **key catchment stakeholders** to achieve a better understanding of issues and opportunities (goal of annual meetings)
  - **Publicly-available Annual Report** on Ruby Mountain Springs operations and monitoring (goal of annual update)
- **IWRAs**
  - **Data sharing** effort with Upper Arkansas Water Conservancy District (goal of preserving and improving IWRA health)
  - Continued **monitoring and evaluation of water data** on a daily, weekly, monthly, and annual basis (goal of preserving and improving IWRA health)




SWCs Addressed: Quantity, Quality, and Education

# Evaluation Against the Outcomes of AWS – Balance

- Ended 2020 with water usage intensity of **1.868 L/L** (goal of 1.370 liters per liter)
- Replaced fill valves on all production lines resulting in **annual savings of 1,280,000 gallons** (reduction goal of 5.8 MM gallons)
- Refinement of fill control on Line 2 projected to result in **annual savings of 1,800,000 gallons**
- Implementing **3 step hot caustic sanitation process** to reduce wastewater volume and sanitation chemicals (TBD gallon reduction goal)

# Evaluation Against the Outcomes of AWS

- **WASH**
  - Provided **22,500 blue bottles** to be filled with hand sanitizer by **J&L Distillers**
  - Continued **support for Food Bank of the Rockies** when it needs safe drinking water, especially during the pandemic (goal of WASH access)

- **Quality**
  - Conducted **weekly and annual testing** of all incoming water (goal for values to be within historical ranges and in compliance with applicable standards)
  - Active **management of effluent** discharges (goal of preserving local water quality)

SWCs Addressed: Quality and Education

# Questions/Comments/Concerns?

**Jon Roorda**

**From:** Chaffee Admin <chaffeeadmin@chaffeecounty.org>
**Sent:** Monday, December 14, 2020 8:17 AM
**To:** 'Jon Roorda'
**Subject:** {Disarmed} FW: {Disarmed} Economic input why NO to Nestle repermit

**From:** [redacted]
**Sent:** Saturday, December 12, 2020 8:59 PM
[redacted]
**Subject:** {Disarmed} Economic input why NO to Nestle repermit

**CC: Distinguised Chaffee County Commissioners**

**Dear Joan, Bjorn, Marie, Auden and Ileana (Senator Bennet)**

**Shouldn't the Chaffee County Commissioners provide the Environmental Impact study that they mentioned, which you**
**Fab Five would understand and be able to evaluate the most.**

**The e-mail from the commissioners following the Zoom hearing just mentioned now doing an economic study.**
**Wouldn't protecting Chaffee Country and Colorado from fires to also protect**
**the snow of (drinking water, AG, Ski and Tourism Industries be the real economic bottom line that is clearly a NO to repermitting**
**since it would remove vast quantities of water. Plus scientists say that spring water is 2,000 times healthier than**
**tap water that they want to replace it with. Water is the most important key to health.**

**Most importantly in this '6th Extinction" (Stanford), isn't Australia, the U.S. West Coast and the SW, a preview of coming attractions that can be avoided by keeping**
**the water tables high so the forests don't dry out and become kindling like Nestle continues to do in the S. Cal San Bernardinos, including this year almost taking out Mt Baldy.**

**In January 2020, Australia's Thedbo ski area and Vail Resorts Pariser almost burned.** Kosciuszko and Thredbo residents to evacuate due to bushfires ... www.snowsbest.com/thredbo-evacuate-bushfire.

Unfortunately **the Falls Creek and Victoria Alpine Communities were decimated by "Appoliptic" bushfires. And added to the Covid closures, their 2020 season was cancelled.** **Victoria is now spending $465 million on tourism recovery.**

**Plus the communites are hurting so much that fellow Olympians, Britt Cox a snowboarder and Tess Coady a mogul skier, magnanimously auctioned themselves off to ski with them through the** Victorian Alps Relief Auction, **the industry wide online event to support the alpine communities. See** Go skiing with Britt Cox and snowboarding with Tess Coady.

**In 2011, the horrific Southwest fire stopped right across the street from the Los Alamos Nuclear Lab (the local paper said would have created a nuclear plume) and La Pajarito ski area owned by the scientists. (what's that economic impact?) The scientists appreciated the tribal ceremonies and their online prayer request in solidarity so much, that they had our foundation invite any tribal member in the AZ and NM to ski for almost free there. Few came since most are in dire shape and couldn't afford to travel there.**

**It seem to a non-scientist like me, that while Nestle is chipping in for the schools, the kids not worrying about fires destroying their lives is way more important after two major fires this year. And that's priceless. Can't my namesake, magnificent Chaffee county and Colorado learn from these catastrophic previews if you believe in science?**

**Sincerely,**
**Suzy Chaffee**

-----Original Message-----
From: Joan Seeman [redacted]
To: Chaffee Admin <chaffeeadmin@chaffeecounty.org>
Cc: [redacted]
Sent: Sat, Dec 12, 2020 5:58 pm
Subject: Thanks Bjorn & Fran et all for asking Commissioner Granzella to say NO to Nestle repermit that would hurt Colorado's trees, water, snow & future!

Nestlé 2009 Chaffee County 1041 permit agreement was controversial ...
Oct 10, 2020 — With public hearings upcoming on whether Chaffee County should grant a 10-year extension with Nestle Waters North America (NWNA) of its 1041 permit to pump water from a local aquifer to truck to Denver for bottling as Arrowhead Spring Water, a review of the agreement's history is informative."

https://coloradosun.com/2020/11/18/nestle-chaffee-county-water-bottling-arkansas-river/
Chaffee County's three commissioners want to measure the potential impact of Nestlé's proposal to pump, truck and bottle up to 65 million gallons of water a year

---

*To:*

*Debra Fesenmeyer*

Administrative Assistant

P.O. Box 699, Salida, CO 81201

719.539.2218

Debra ,

Thank you for the update below. Would you provide a brief statement as to why there is a continuation of the meeting to December 15th.

I wasn't able to access any minutes for this meeting to clearly state the December 8 Commissioner conclusions and reason for the continuation of the hearing to December 15th

Are these local news information sources accurate?

https://heartoftherockiesradio.com/nestle-waters-public-hearing-continues-today/

" **POSTED BY: DAN R** DECEMBER 8, 2020
Chaffee County Commissioners will convened as the 1041 Permit Authority Tuesday to continue the public hearing process for Nestle Waters North America's 1041 permit extension request for spring water production.
It is expected that commissioners will vote on conducting an economic impact analysis and extend Nestle's existing permit while awaiting the analysis.
The final draft of the new Chaffee County Comprehensive Plan is ready for review.
Over the last two months, the Planning Commission and County's planning staff have worked with the consultant Cushing Terrell to incorporate feedback heard over the last year and now the county is seeking your feedback prior to the public hearing scheduled for December 15.
While the public hearing will be the final opportunity for public comment, the county is encouraging the community to take advantage of the public comment period prior to the hearing.
Details on how to participate can be found online at chaffeecounty.org."
I'm looking forward to your clarification as to the need for an "**Economic Impact Analysis** (EIA) is a methodology for evaluating the **impacts** of a project, program or policy on the **economy** of a specified region. ... EIA is useful to show **impacts** on jobs, income, operating costs, productivity and competitiveness – and their distribution among industries, regions and over time."
https://heartoftherockiesradio.com/nestle-1041-permit-update/

Chaffee County Commissioners continued the Nestlé Waters North America 1041 permit hearing today and decided to negotiate a contract with Harvey Economics to conduct an economic impact analysis, further delaying a decision to approve or deny the permit extension.
The Commissioners continued the 1041 hearing until 1 p m. Dec. 8 and directed staff to solicit a proposal for the economic analysis from Harvey Economics for consideration at the Dec. 8 meeting.
Assistant County Attorney Daniel Tom said the study could take several months, especially with COVID-19 constraints, and that the analysis would be paid for with money from the reimbursement fund that Nestlé was required to establish under the conditions of the original 1041 permit.
In order to accommodate the timeframe for the analysis, the Commissioners agreed in principle to extend Nestlé's existing 1041 permit once they have a better idea of how long the economic analysis will take to complete.
The Commissioners also agreed that, after the Dec. 8 meeting, the 1041 hearing will be continued to a date that allows sufficient time for all parties to analyze the economic report.
County Commissioners Chairman Greg Felt said the economic report would be subject to a response from Nestlé and to public comments.
**Harvey Economics** is a Denver-based company that "focuses on Water and Wastewater Economics, Environmental/Natural Resource Economics, Tourism/Recreation, Energy and Minerals, Litigation Support, Native American Tribes, NEPA, and Agriculture.

Thank you again. I look forward to your response.
Joan Seeman
[redacted]

1.
https://chaffeecoco.civicclerk.com/Web/Mobile/mobilevideo.aspx?id=243
Board Meeting December 8th meeting

16. **1:00 p.m. - Convene as 1041 Permit Authority**

**Public Hearing - Continued from November 10, 2020 - Applicant:** Nestle Waters North America Inc. **Location:** 12974 Hwy 24/285, Johnson Village, 22565 and TBD CR 300, Nathrop, lying in the S1/2 NE1/4, SE1/4 NW1/4, W1/2 SE1/4, and the SE1/4 SE1/4, all in Section 11, Township 15 South, Range 78 West, 6th P.M. **Zones:** Commercial and Rural **Request:** Ten (10) year extension of an existing 1041 Permit for a spring water production process, and associated transmission pipeline and loading facility.

All documents regarding this hearing may be found on the Chaffee County Public Notice website at http://www.chaffeecounty.org/Public-Notices

2.

http://www.chaffeecounty.org/Public-Notices

Public Notice for Rescheduled Hearing - To consider a request from the Board of Commissioners for an extension of an existing 1041 Permit for **Nestle Waters North America, Inc**.

Extension Request
Annual Report 2009
Annual Reports 2015-2018
Ruby Mt. Springs Projections
Technical Revisions
Wheeler Report 10.02.20
Resolutions
Annual Reports 2010-2014
Annual Report 2019 1 of 3 2 of 3 3 of 3
Nestle Letter April 2
NWNA E-Mails 09.24.20
2000-2003 USGA Hydrogeology Study-Water Quality BV to Salida 09.24.20
SGWMMP 2019 Annual Report Final 09.24.2

Pumping Data July/August 2020 09.24.20
Review Agency Comments

3.

http://www.chaffeecounty.org/EndUserFiles/70712.pdf

Colorado Division of Water Resources

4.

Many comments received. A few Examples below:

http://www.chaffeecounty.org/EndUserFiles/70829.pdf

Public comments

http://www.chaffeecounty.org/EndUserFiles/70855.pdf

Public comments

http://www.chaffeecounty.org/EndUserFiles/70854.pdf

Public comments

5.

Harvey Economics to be hired by Chaffee County Commissioners

Our firm focuses on Water and Wastewater Economics, Environmental/Natural Resource Economics, Tourism/Recreation, Energy and Minerals, Litigation Support, Native American Tribes, NEPA, and Agriculture. No matter the area, private and public groups turn to us to help them with Forecasting, Impact Analysis, and Feasibility.

https://www.linkedin.com/company/harvey-economics

"Please excuse the Harvey Economic trumpets, but we are so pleased and proud of a recent success that was particularly gratifying. In a decision handed down in October 2020, a Denver District Court judge sided with our client, the State of Colorado Attorney General's Office of Consumer Fraud in a case against CollegeAmerica, a for-profit higher education institution. This was a multi-year case, requiring extensive research, discovery, and testimony. Harvey Economics was hired by the Consumer Fraud Division due to our strong history of success in addressing complex economic issues. Harvey Economics provided litigation assistance through labor market analyses, survey research, and modeling. We supported trial exhibit preparation and strategy, expert testimony, and cross examination support. Our evidence shed light on the adverse effects the CollegeAmerica students experienced regarding employment opportunities, earnings, and personal finances. In this existential case, we were up against an army of well-financed attorneys and experts. Honestly, our Team's work seemed like a 24/7, all-hands-on deck operation that nearly killed us. But the satisfaction of this victory gives lasting meaning to the work we do.

**MailScanner has detected definite fraud in the website at "lnkd.in". Do *not* trust this website: MailScanner has detected definite fraud in the website at "lnkd.in". Do *not* trust this website: https://lnkd.in/emwvebW**

6. EPA needs to up their review and regulations for major city municipal drinking water regarding detected PFAS. Is Bottled water safer than tap water? It depends on the source.

https://www.post-gazette.com/news/environment/2020/11/23/Forever-chemicals-pose-threat-dupont-3M-rob-bilott-PFAS-Dark-Waters-environment-health/stories/202011200169

“ Rob Bilott says It took decades for the public, regulators and courts to recognize and begin to fix the environmental and public health problems caused by PFAS, a group of man-made chemicals found on nonstick cookware, waterproof jackets, and, increasingly, in air, water, soils and the blood of newborns nationwide.”

https://arkvalleyvoice.com/guest-opinion-chaffees-real-cost-of-extending-the-nestles-1041-permit/

“ 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,

2) The water is purified by additional methods and tested again before being piped to homes and businesses.

“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.”

“ One 2018 study, for example, tested 11 globally sourced brands of bottled water from nine different countries. The researchers found that 93% of the bottles showed some signs of microplastic contamination, and that they contained double the amount present in tap water.

These findings suggest that the contamination is at least partially due to the packaging process itself. Researchers are now starting to investigate the impact of these microplastics on human health.”

7.

https://www.arrowheadwater.com/faq
Is this information accurate?

**Are Arrowhead plastic water bottles bpa free?**
All Arrowhead bottles are made from either PET or rPET plastic and comply with FDA regulations.

New York, NY -- **In** an effort to ease unwarranted consumer fears, the **PET**Resin Association has reiterated that food and beverage containers made from the polyester plastic known as **PET**do **not** contain Bisphenol-A (**BPA**).

Bisphenol-A (**BPA**) is not present in our **bottled water** packaging smaller than three gallons. Our single-serve **bottles** (typically 1.5 liters and smaller) are made from PET plastic (marked with the “1” symbol), which is flexible and lightweight.

8.

https://www.consumerreports.org/water-quality/find-out-whats-in-your-bottled-water-water-quality-reports/

CR assembled a list of water quality reports from more than 120 brands

9. Ask questions about local water treatment plants

Tap water vs bottled water

“Multinational bottling companies benefit from public disinvestment in water infrastructure, as the chairman of Nestlé Waters stated in 2009: “We believe tap infrastructure in the U.S. will continue to decline…. People will turn to filtration and bottled water for pure water needs.”

https://www.foodandwaterwatch.org/about/live-healthy/tap-water-vs-bottled-water

Tap water is not only safe, but it’s often ***better*** than bottled water. Learn about the problems with bottled water and how to check the quality of your tap water:

10.

Frack water is released downstream legally with no regulation on potential contaminants. Trade Secrets.

“ Concerns that fluids from hydraulic fracturing, or "fracking," are contaminating drinking water abound. Now, scientists are bringing to light another angle that adds to the controversy. A new study, appearing in the ACS journal *Environmental Science & Technology*, has found that discharge of fracking wastewaters to rivers, even after passage through wastewater treatment plants, could be putting the drinking water supplies of downstream cities at risk.”

https://www.sciencedaily.com/releases/2014/09/140924113521.htm

Sent from my iPhone

On Dec 12, 2020, at 10:45 AM, Chaffee Admin <chaffeeadmin@chaffeecounty.org> wrote:

Hello All,

The Nestle item is back on the December 15th agenda of the Board of Chaffee County Commissioners regular meeting. You can see the agenda and the supporting documents for the Nestle item on the home page at chaffeecounty.org on the right hand side. Also included in that agenda are the minutes from the December 8th meeting, which included Nestle.

*Debra Fesenmeyer*

Administrative Assistant

P.O. Box 699, Salida, CO 81201

719.539.2218

**From:** Marie Venner [redacted]
**Sent:** Friday, December 11, 2020 4:15 PM
**To:** [redacted]
**Cc:** pbaldwin@chaffeecounty.org; RGranzella@chaffeecounty.org; [redacted]
**Subject:** RE: Thanks Bjorn & Fran et all for asking Commissioner Granzella to say NO to Nestle repermit that would hurt Colorado's trees, water, snow & future!

Yes, many waiting to hear!

Marie Venner

Venner Consulting

**From:** [redacted]>
**Sent:** Friday, December 11, 2020 3:45 PM
**To:** [redacted]
**Cc:** pbaldwin@chaffeecounty.org; RGranzella@chaffeecounty.org; [redacted]
**Subject:** Thanks Bjorn & Fran et all for asking Commissioner Granzella to say NO to Nestle repermit that would hurt Colorado's trees, water, snow & future!

Dear Commissioner Granzella,

As former director of Western Forestry, Bjorn Dahl asked, we are waiting for your wise resolution on saying NO the Nestle permit, given

the overwhelming shocking negative evidence. Colorado ski areas, the Utes and the People want to know.

God bless us all!

Suzy Chaffee

-----Original Message-----
From: [redacted]
To: 'Jesse/Fran Aguirre' [redacted]; pbaldwin@chaffeecounty.org; RGranzella@chaffeecounty.org
Cc: [redacted]
Sent: Fri, Dec 11, 2020 4:16 pm
Subject: RE: Nestle water permit

Hello everyone,

What was the resolution on this issue? How was the voting process outcome?

Thanks, Bjorn

---

**From:** Jesse/Fran Aguirre [redacted]
**Sent:** Monday, December 7, 2020 10:05 PM
**To:** pbaldwin@chaffeecounty.org; RGranzella@chaffeecounty.org
**Cc:** [redacted]
**Subject:** Nestle water permit

## Commissioner Granzella,

**Do not renew the water permit for Nestle at the meeting today.**

## Nestle has made their profits in other states also where they

## use obscene amounts of water to the dis advantage of the populations of all living creatures in the state!

## No permit for Nestle'!

## We also know how much plastic is used for their products that is not recycled adding so much plastic pollution.

## Nestle' is not responsible for this recycling either! No permit for Nestle'!

## All of their trucks carrying water for 200 miles round trip are adding air pollution especially if diesel is used.

# Burning diesel has a by product of benzene which is a carcinogen.  No permit for Nestle'!

## A resident of Denver, Colorado,

**Fran Aguirre**
[redacted]

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This message has been scanned for viruses and dangerous content by **MailScanner**, and is believed to be clean.

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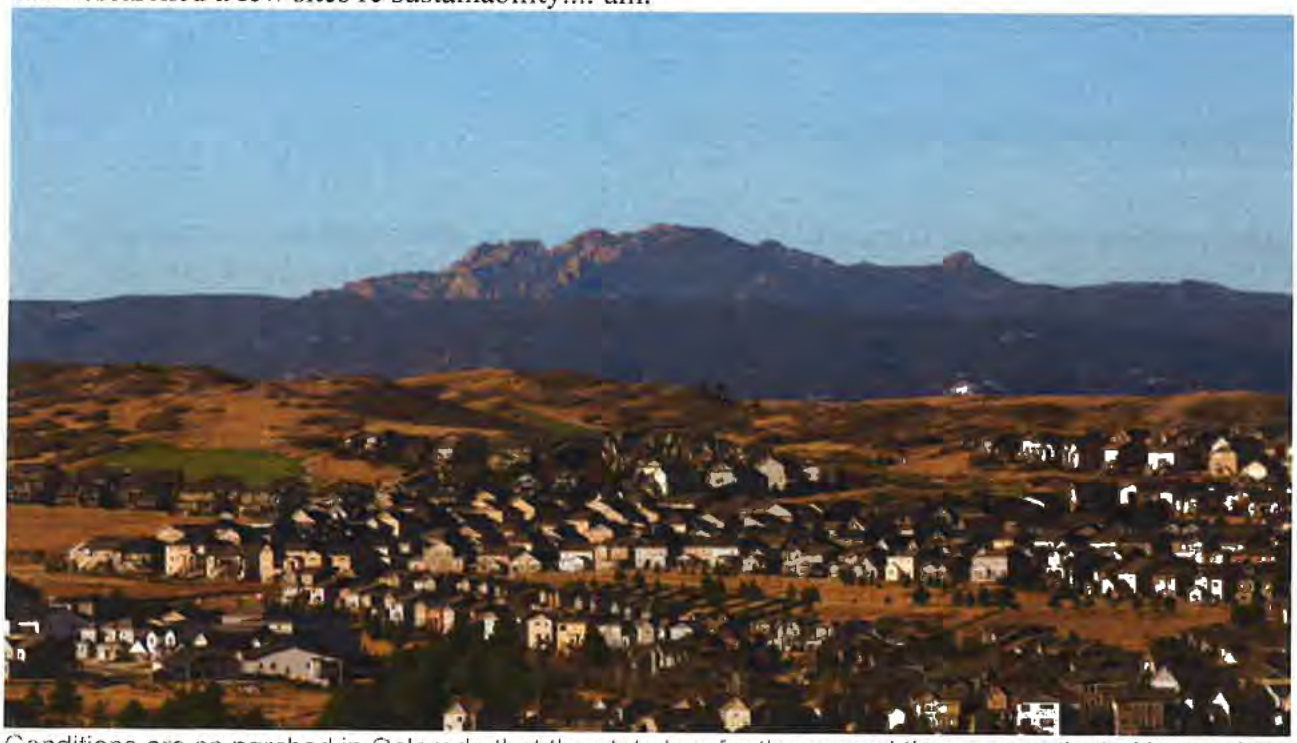
This message has been scanned for viruses and dangerous content by **MailScanner**, and is believed to be clean.

**Jon Roorda**

**From:** Chaffee Admin <chaffeeadmin@chaffeecounty.org>
**Sent:** Monday, December 14, 2020 8:30 AM
**To:** 'Jon Roorda'
**Subject:** {Disarmed} FW: {Disarmed} Current best practice is to consider sustainability impact?

**From:** Joan Seeman [redacted]
**Sent:** Sunday, December 13, 2020 9:21 PM
**To:** Rocky Piro
**Cc:** [redacted]
**Subject:** {Disarmed} Current best practice is to consider sustainability impact?

Thank you Rocky,
Just researched a few sites re sustainability.... um.



Conditions are so parched in Colorado that the state has for the second time ever activated its municipal drought response and cities are preparing for a dangerously dry 2021. (Kevin Mohatt, Special to The Colorado Sun)

https://coloradosun.com/2020/12/10/colorado-drought-response-dangerously-dry/?mc_cid=f0db94e39c&mc_eid=2167f0a5e3&fbclid=IwAR3QFCfZ8i3tbEfgCVKeQ1Zb7TlwWAzNzq0CWavA-RbCrBjTfrAgQzjQNWs

Even with an average snowpack we will still be in drought in the spring," Holcomb said.

Current best practice is to consider sustainability impact?

1.
https://www.chaffeecountytimes.com/community/cccf-invests-nestl-gift-into-waste-study/article_cf95f3c6-5fee-11ea-9663-772505f6ab45.html

The Chaffee County Community Foundation announces it has directed a gift from Nestlé Waters of North America to fund the initial phase of a waste assessment to be led by the Greater Arkansas River Nature Association's Chaffee Green Sustainability Program.

This information will build into a larger request for funds to the Colorado Department of Public Health & Environment to fund a deeper audit to better understand the amount of waste visitors generate in the summer months and to expand GARNA's education and outreach programs focused on waste diversion, including youth education. https://static1.squarespace.com/static/5cf686ea5231190001dcfbb0/t/5e7b464e6298be0e5ae9c9d5/1585137230587/20.2.11_NWNA+PR_FINAL.pdf

2.
https://heartoftherockiesradio.com/nestle-1041-permit-update/

Assistant County Attorney Daniel Tom said the study could take several months, especially with COVID-19 constraints, and that the analysis would be paid for with money from the reimbursement fund that Nestlé was required to establish under the conditions of the original 1041 permit.

3.
https://www.epa.gov/water-research/drought-resilience-and-water-conservation

- U.S. Drought Portal – National Integrated Drought Information System (NIDIS). This portal provides early warning on emerging and anticipated droughts, assimilates quality control data for droughts and models, provides information to agencies and stakeholders on risk and impact of droughts; provides information on past droughts for comparison and to understand current conditions, explains how to plan for and manage impacts of drought, and provides a forum for stakeholders to discuss drought-related issues.

4. Nestle Sustainability project in Arizona
:)
https://actions.sumofus.org/a/don-t-let-nestle-build-a-water-bottling-plant-in-the-middle-of-the-desert
Nestlé wants to build a $35 million water-bottling facility **in sunbaked Phoenix, Arizona in the middle of the Sonoran Desert.**

Phoenix, Arizona, one of the driest cities in the United States, gets its water from the drought-plagued Colorado River. The whole state has been advised to "share in the shortage" to protect the long-term water supply. **But it's about to let Nestlé bottle 35 million gallons for profit.**
https://www.businessinsider.com/nestle-closes-controversial-arizona-plant-2019-2

- **Nestlé is closing a water-bottling factory in Phoenix, Arizona, that was intended to use 35 million gallons of water a year.**
- **The factory sparked controversy when plans to open it were announced in 2016, as many questioned the decision to give Nestlé permission to source water from the drought-stricken state.**
- **As the maker of the largest bottled-water brand in the world, Nestlé Pure Life, Nestlé is increasingly facing bottled-water backlash.**

"We need to be focused on a sustainable economy and a sustainable economy in the Sonoran Desert is one that needs to be focused on less intensive water use," said Bahr.

According to Alix Dunn with Nestlé Waters, this facility is about being more sustainable. Issuing a statement saying in part:

*"Arizona ranks in the top five states for annual bottled water consumption. Bottling water locally decreases the carbon emission footprint of shipping water. In addition, we are able to contribute to Arizona's economy by basing our bottling facilities in the state."*

https://www.abc15.com/news/region-phoenix-metro/south-phoenix/environmentalists-concerned-over-nestle-waters-phoenix-bottling-facility

5. The Nestlé Sustainability Review

https://www.nestle.com/sites/default/files/asset-library/documents/reports/csv%20reports/environmental%20sustainability/sustainability_review_english.pdf

Sent from my iPad

On Dec 13, 2020, at 2:04 PM, Rocky Piro [redacted] wrote:

> Economic impact analysis can be one dimensional.
>
> Current best practice is to consider sustainability impact, which includes an equity lens, health lens, and climate lens - with evaluation of environment as well as economic resiliency.
>
> The so-called triple bottom-line of sustainability analysis actually has its origin in the business community - and requires not only economic benefit, but also demonstrable social benefits and environmental benefits.

One dimensional economic impact analysis - often does not account for the massive costs of negative impacts of an operation.
When negative impacts are priced and included in the analysis - the project may be determined to lack viability.

Sent from my iPhone

On Dec 13, 2020, at 12:13, Joan Seeman [redacted] wrote:

December 15th the Chaffee County Commissioners will approve an "ECONOMIC" Impact Assessment?

Questions:
*Why is there no renewed Nestle application since there were so many amendments to the original 1041? (Swacina Comment)

*Isn't Groundwater an important resource for Chaffee County? No reports? Discussion?

*80% of the Community said NO renewal?

*No County review regarding the Federal Investigation of Nestle? See #17 below

*No County review of groundwater depletion? USGS " United States USGS "The water replaced to streams through augmentation plans is designed to offset stream depletion not prevent ground-water depletion."

***"In the case of Nestlé depletions, the replacement water does not have to be new trans-basin water and could be replaced out of Pueblo Reservoir, thus bypassing the Upper Arkansas portion of the River." Terry Scanga**
**Pueblo Reservoir? Any comments from the users?**

***...Manager of the Upper Arkansas Water District, Terry Scanga, said the replacement plan relies on water from Turquoise Lake in Leadville, which fully covers any water removed from Chaffee County by Nestlé. Scanga said the district has no plans to contest the permit renewal."**
Turquoise Lake?
Upper Arkansas Water District provides no data regarding Environmental Assessment for water quality for augmentation?

*Shouldn't Chaffee County consider an Environmental Assessment? Has one ever been completed by Nestle or the county?
" **Environmental assessment** can be defined as identifying, estimating, and evaluating the **environmental** impacts of existing

and proposed projects, by conducting **environmental** studies, to mitigate the relevant negative effects prior to making decisions and commitments."

https://unbottle-protect.org/#The_Problem

" **Fortunately, Colorado water law requires Nestle to augment the water they extract. But does the replacement water, which comes from reservoirs and is released into the Arkansas River, mitigate all that is lost from the aquifer where Nestle's wells are located? And although the replacement water is deemed drinkable, is it the same quality as the "spring water" that Nestle sucks and trucks out of the Upper Arkansas River Valley?"**

" An **Augmentation** Plan is a court-approved document which is designed to protect existing **water** rights by replacing **water** depleted in a new project. **Augmentation** Plans are usually required in areas where there is a shortage of **water** during part or all of the year."

**No "water quality" is ever mentioned comparing river water quality vs groundwater quality?**

Comments?
:)
Joan Seeman

"A Chaffee County staff report this month on the Nestlé Waters permit renewal application said the company "has indicated it will be selling Nestlé Waters North America in 2021." "

" Commissioner Greg Felt expressed concern over the possible transfer of the permit should the company sell its North American operations. Calling a potential sale "a much more impactful issue now" than it was a decade ago, Felt worries that a deep-pocketed private equity company could take ownership and elevate profits over agreements with the community."

The Commissioners cannot consider this in the renewal application? Provide this information.

" Swacina proposed that since the original contract had been amended so many times during the last decade, the company should submit an entirely new application for a permit extension beyond the company's one-page request."

" Nestle needed the Chaffee County Commissioners to approve a 1041 Permit that broke down just what they could and could not do. Eventually, even though over 80% of the county population opposed the Permit the then Commissioners unanimously approved it." https://350colorado.org/a-story-of-biblical-dimensions-chaffee-county-citizens-vs-nestle/

" We don't like plastic and we don't believe the benefit to the county is equal to the value of the water Nestlé is taking out," Bomer said.

The conflict comes as bottled water manufacturers across the U.S and Canada face mounting criticism over their use of groundwater. Five states, Maine, Michigan, Montana, Oregon, and Washington, are moving to ban or sharply limit the industry." https://www.watereducationcolorado.org/fresh-water-news/nestle-seeks-more-time-in-chaffee-county-as-locals-ask-to-be-unbottled/

http://www.chaffeecounty.org/EndUserFiles/64559.pdf. Nestle Annual Reports the 2018

https://www.chaffeecountytimes.com/free_content/colorado-water-rights-protections-and-nestl-water-s-ruby-mountain-augmentation/article_226b45b2-0f0b-11eb-b757-57db4fdc31ff.html In the case of Nestlé depletions, the replacement water does not have to be new trans-basin water and could be replaced out of Pueblo Reservoir, thus bypassing the Upper Arkansas portion of the River.

United States USGS "The water replaced to streams through augmentation plans is designed to offset stream depletion not prevent ground-water depletion. Ground-water depletion still can occur in parts of the study area that are distant from recharge areas (losing streams or areas irrigated with surface-water diversions). Ground-water depletion in these areas primarily will be related to the number of wells and pumping rates." https://pubs.usgs.gov/fs/2005/3143/ " In general, pumping by domestic wells likely is sustainable at projected rates; however, ground-water depletion could occur where withdrawals are large and when there is little recharge. Additional ground-water

monitoring may be needed in areas with a high density of domestic wells or where large-capacity wells are used to supply multiple households because increased ground-water withdrawals may cause local depletion of ground-water storage.... Ground water is an important part of the water supply in the arid and semiarid mountains of the Southwestern United States, which is increasingly stressed by continued population growth.

http://www.chaffeecounty.org/EndUserFiles/70707.pdf Hydrogeology and Quality of Ground Water in the Upper Arkansas River Basin from Buena Vista to Salida, Colorado, 2000–2003

https://coyotegulch.blog/2020/09/10/nestle-seeks-more-time-in-chaffee-county-as-locals-ask-to-be-unbottled-wateredco/ "Manager of the Upper Arkansas Water District, Terry Scanga, said the replacement plan relies on water from Turquoise Lake in Leadville, which fully covers any water removed from Chaffee County by Nestlé. Scanga said the district has no plans to contest the permit renewal."

Continued Research articles:

1.

Nestlé also purchased the onetime fish hatchery property from Harold and Mary Hagen on the site of the Ruby Mountain Spring. This is the spring that Nestlé now taps for the water it takes from Chaffee County

2.

Nestlé established a pumping station at Johnson Village, the pumping station with large storage tanks built on the site, connected by miles of pipeline from the Ruby Mountain Springs pump house.

3.

State water law requires use permits to include replacement (augmentation) of the water they extract, under complex rules

mindful of numerous water rights, especially of those with senior water rights downstream on the Arkansas River.

Terry Scanga, head of the Upper Arkansas Water Conservancy District, explained that while the district didn't agree then to lease the company water for its replacement, it was able to strike an agreement for the water with the City of Aurora. That agreement ended at some point; the district now does lease the replacement water to Nestlé, contingent on it being placed into the river upstream of its spring site.
(Why did the City of Aurora agreement end? What is the lease agreement state? Arkansas Water Conservancy? Senior water rights?)

4.

At the pumping station, up to 25 large tanker trucks per day (Nestle says currently only eight to 10 are running) are allowed to fill up with the water collected in a 30,000-gallon storage tank on-site, and then drive up U.S. Hwy 285 about 130 miles to the Denver bottling plant

5.

Scanga, who has dealt with water law and water issues for decades, said from his perspective Nestlé has met the requirements of their 1041 permit regarding the water regulations.

6.

Opposition groups, including Unbottle and Protect Chaffee County Water and the long-established environmental group 350 Central Coloradodisagree and point to other permit conditions such as hiring local truck drivers, they say have not been met.

They are also critical of what they term is a lack of real oversight of the operation by the county.

...community benefits are relatively minor in comparison to the profits the company garners from its bottled water sales and the loss of county water as a resource.

7.

Lax water laws?
https://www.bloomberg.com/news/features/2017-09-21/nestl-makes-billions-bottling-water-it-pays-nearly-nothing-for?src=longreads&fbclid=IwAR16DFrFtPFSgn9lUVmUfOsfRWO_SHVRrtx0NBdKNiPjGB708WsRRRTsTQw

The company's operation in Michigan reveals how it's dominated the industry by going into economically depressed areas with lax water laws.

8.

A recent Michigan State University study predictsthat more than a third of Americans might not be able to afford their water bills in five years,

https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0169488
As a variety of pressures on urban water systems from climate change, suburbanization, shrinking populations in deindustrialized cities, and rising costs of infrastructure grow, a range of actors (governments, utilities, and consumers) will need to work together to solve a growing affordability problem. Water is a fundamental right for all humans.

9.

"The county's population is booming. Drought is ravaging the state. Plastic is polluting the planet. Nestlé Waters has been targeted by conservation groups across the country as it expands its water bottling operations. And Nestlé is about to sell its North American water brands."

10.

A Chaffee County staff report this month on the Nestlé Waters permit renewal application said the company "has indicated it will be selling Nestlé Waters North America in 2021."

https://coloradosun.com/2020/10/26/nestle-waters-permit-arrowhead-colorado/

11.

The looming sale comes as Nestlé Waters faces increasing scrutiny over its water-mining operations in the U.S., where it has 25 bottling plants.

https://coloradosun.com/2020/10/26/nestle-waters-permit-arrowhead-colorado/

12.

From 2009 to 2014, Nestlé Waters augmented the water it drew from the aquifer with water purchased from the City of Aurora — which stores water in the Upper Arkansas River Valley.

13.

Since 2014, Nestlé Waters has augmented the river through a deal with the Upper Arkansas River Water Conservancy District. That deal included an amendment to the 2009 permit that capped diversion at 16.6 acre-feet per month or 196 acre-feet a year. The company last year paid the district more than $152,000

https://coloradosun.com/2020/10/26/nestle-waters-permit-arrowhead-colorado/

14.

"I don't believe we have a water problem in Chaffee County. We have enough water," Scanga said on Tuesday, describing how the district stores roughly two to three years of water supply for the valley. "That doesn't mean we should be asleep at the wheel, so to say. I think we should be working on storage. Conservation in and of itself is not enough ... we have to have that storage."

15.

Commissioner Greg Felt expressed concern over the possible transfer of the permit should the company sell its North American operations. Calling a potential sale "a much more impactful issue now" than it was a decade ago, Felt worries that a deep-pocketed private equity company could take ownership and elevate profits over agreements with the community.

"The relationship we do have now is based on the fact that this agreement was developed ... in partnership," Felt said. "So it's a different type of investment and relationship, potentially, with someone else."

16.

Bomer also pointed to the fact that almost all of Colorado is locked in a drought for the first time since 2013and the Upper Arkansas River Conservancy District secures water for its deal with Nestlé from parched Western Slope. Swacina proposed that since the original contract had been amended so many times during the last decade, the company should submit an entirely new application for a permit extension beyond the company's one-page request.

"This contract has failed the citizens of Chaffee County," Bomer said.

17.

US Congress investigates Nestle

Nestle profiting from selling groundwater, low cost no cost permits,

Nestles Pure Life? Plastics in bottles health risk! 10,000 plastic pieces per liter of water? Bottled water self regulating

Industries contribution to pollution and climate change, Nestles largest producer of plastics, 700 species affected by plastics pollution

Emissions from plastics production and incineration the amount of 295 coal plants carbon dioxide

https://oversight.house.gov/sites/democrats.oversight.house.gov/files/2020-03-03.Rouda%20Tlaib%20to%20Merce-Nestle%20re%20Bottled%20Water%20FINAL.pdf

18.

Major bottled water provider Nestlé has come under scrutiny this month from some of the highest powers in the country for its controversial use of natural resources.

Though bottled water operations have drawn controversy around the country, Michigan and California are two states where constituents seem particularly unhappy with Nestlé.

"In California, Nestlé has been criticized for extracting water for commercial purposes during periods of droughts when Californians were ordered to reduce their water use."

https://www.wateronline.com/doc/u-s-representatives-investigating-nestle-bottled-water-operations-0001

19. Lawmakers Open Groundwater Fight Against Bottled Water Companies.

""I was jolted to the core to realize the depth and breadth and magnitude of how they have lawyered up in these small towns to take advantage of water rights," the Democrat said. "The fact that we have incredibly loose, if virtually nonexistent, policy guidelines around this is shocking and a categorical failure.""

20.

"Every company is seeing that it doesn't make sense to ship water. [It] is very heavy. By hooking up to a water main, using existing tap water, and filtering it, companies like Coke, Pepsi, and Nestlé can make their beverages uniform around the world," he says, anticipating a marketplace where they're competing on flavors, enhancements, and so forth." https://www.fastcompany.com/90371888/bottled-waters-next-trick-is-making-the-bottle-disappear

21.

In 2013, reports came that thousands of Pakistanis in the Bhati Diwan village were getting sick by being forced to drink sludge **water**, as **Nestle** drained their **water supply** for their **bottled water**. Dirty drinking **water** causes malaria, even death. https://themuslimvibe.com/muslim-current-affairs-news/heres-how-

nestle-is-leaving-millions-pakistan-nigeria-and-flint-without-clean-water Jan 17, 2018

22.

Sent from my iPhone

On Dec 12, 2020, at 8:58 PM, [redacted] wrote:

**CC: Distinguised Chaffee County Commissioners**

**Dear Joan, Bjorn, Marie, Auden and Ileana (Senator Bennet)**

**Shouldn't the Chaffee County Commissioners provide the Environmental Impact study that they mentioned, which you**
**Fab Five would understand and be able to evaluate the most.**

**The e-mail from the commissioners following the Zoom hearing just mentioned now doing an economic study. Wouldn't protecting Chaffee Country and Colorado from fires to also protect**
**the snow of (drinking water, AG, Ski and Tourism Industries be the real economic bottom line that is clearly a NO to repermitting**
**since it would remove vast quantities of water. Plus scientists say that spring water is 2,000 times healthier than**
**tap water that they want to replace it with. Water is the most important key to health.**

**Most importantly in this '6th Extinction" (Stanford), isn't Australia, the U.S. West Coast and the SW, a preview of coming attractions that can be avoided by keeping**

**the water tables high so the forests don't dry out and become kindling like Nestle continues to do in the S. Cal**

**San Bernardinos, including this year almost taking out Mt Baldy.**

**In January 2020, Australia's Thedbo ski area and Vail Resorts Pariser almost burned.** Kosciuszko and Thredbo residents to evacuate due to bushfires ...

www.snowsbest.com/thredbo-evacuate-bushfire.

Unfortunately **the Falls Creek and Victoria Alpine Communities were decimated by "Appoliptic" bushfires. And added to the**

**Covid closures, their 2020 season was cancelled. Victoria is now spending $465 million on tourism recovery.**

**Plus the communites are hurting so much that fellow Olympians, Britt Cox a snowboarder and Tess Coady a mogul skier, magnanimously auctioned themselves off to ski with them through the Victorian Alps Relief Auction, the industry wide online event to support the alpine communities.**

**See** Go skiing with Britt Cox and snowboarding with Tess Coady.

**In 2011, the horrific Southwest fire stopped right across the street**

**from the Los Alamos Nuclear Lab (the local paper said would have created a nuclear plume) and La**

**Pajarito ski area owned by the scientists. (what's that economic impact?)**

**The scientists appreciated the tribal ceremonies and their online prayer request in solidarity so much,**

**that they had our foundation invite any tribal member in the AZ and NM to ski for almost free there. Few came**

**since most are in dire shape and couldn't afford to travel there.**

**It seem to a non-scientist like me, that while Nestle is chipping in for the schools, the kids not worrying about fires destroying their**

**lives is way more important after two major fires this year. And that's priceless. Can't my**

**namesake, magnificent Chaffee county and Colorado learn from these catastrophic previews if you**

**believe in science?**

**Sincerely,**

**Suzy Chaffee**

-----Original Message-----
From: Joan Seeman [redacted]
To: Chaffee Admin <chaffeeadmin@chaffeecounty.org>
Cc: [redacted]

Sent: Sat, Dec 12, 2020 5:58 pm
Subject: Thanks Bjorn & Fran et all for asking Commissioner Granzella to say NO to Nestle repermit that would hurt Colorado's trees, water, snow & future!

Nestlé 2009 Chaffee County 1041 permit agreement was controversial ...
Oct 10, 2020 — With public hearings upcoming on whether Chaffee County should grant a 10-year extension with Nestle Waters North America (NWNA) of its 1041 permit to pump water from a local aquifer to truck to Denver for bottling as Arrowhead Spring Water, a review of the agreement's history is informative."

https://coloradosun.com/2020/11/18/nestle-chaffee-county-water-bottling-arkansas-river/
Chaffee County's three commissioners want to measure the potential impact of Nestlé's proposal to pump, truck and bottle up to 65 million gallons of water a year

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*To:*

*Debra Fesenmeyer*

Administrative Assistant

P.O. Box 699, Salida, CO 81201

719.539.2218

Debra ,

Thank you for the update below. Would you provide a brief statement as to why there is a continuation of the meeting to December 15th.

I wasn't able to access any minutes for this meeting to clearly state the December 8 Commissioner conclusions and reason for the continuation of the hearing to December 15th

Are these local news information sources accurate?

https://heartoftherockiesradio.com/nestle-waters-public-hearing-continues-today/

" **POSTED BY: DAN R** DECEMBER 8, 2020
Chaffee County Commissioners will convened as the 1041 Permit Authority Tuesday to continue the public hearing process for Nestle Waters North America's 1041 permit extension request for spring water production.
It is expected that commissioners will vote on conducting an economic impact analysis and extend Nestle's existing permit while awaiting the analysis.
The final draft of the new Chaffee County Comprehensive Plan is ready for review.
Over the last two months, the Planning Commission and County's planning staff have worked with the consultant Cushing Terrell to incorporate feedback heard over the last year and now the county is seeking your feedback prior to the public hearing scheduled for December 15.
While the public hearing will be the final opportunity for public comment, the county is encouraging the community to take advantage of the public comment period prior to the hearing.
Details on how to participate can be found online at chaffeecounty.org."
I'm looking forward to your clarification as to the need for an "**Economic Impact Analysis** (EIA) is a methodology for evaluating the **impacts** of a project, program or policy on the **economy** of a specified region. ... EIA is useful to show **impacts** on jobs, income, operating costs, productivity and competitiveness – and their distribution among industries, regions and over time."
https://heartoftherockiesradio.com/nestle-1041-permit-update/
Chaffee County Commissioners continued the Nestlé Waters North America 1041 permit hearing today and decided to negotiate a contract with Harvey Economics to conduct an economic impact analysis, further delaying a decision to approve or deny the permit extension.
The Commissioners continued the 1041 hearing until 1 p.m. Dec. 8 and directed staff to solicit a proposal for the economic analysis from Harvey Economics for consideration at the Dec. 8 meeting.
Assistant County Attorney Daniel Tom said the study could take several months, especially with COVID-19 constraints, and that the analysis would be paid for with money from the reimbursement fund that Nestlé was required to establish under the conditions of the original 1041 permit.
In order to accommodate the timeframe for the analysis, the Commissioners agreed in principle to extend Nestlé's existing 1041 permit once they have a better idea of how long the economic analysis will take to complete.
The Commissioners also agreed that, after the Dec. 8 meeting, the 1041 hearing will be continued to a date that allows sufficient time for all parties to analyze the economic report.
County Commissioners Chairman Greg Felt said the economic report would be subject to a response from Nestlé and to public comments.
**Harvey Economics** is a Denver-based company that "focuses on Water and Wastewater Economics, Environmental/Natural Resource Economics, Tourism/Recreation, Energy and Minerals, Litigation Support, Native American Tribes, NEPA, and Agriculture.

Thank you again. I look forward to your response.
Joan Seeman

303-916-9244

1.
https://chaffeecoco.civicclerk.com/Web/Mobile/mobilevideo.aspx?id=243
Board Meeting December 8th meeting

16. **1:00 p.m. - Convene as 1041 Permit Authority**

**Public Hearing - Continued from November 10, 2020 - Applicant:** Nestle Waters North America Inc. **Location:** 12974 Hwy 24/285, Johnson Village, 22565 and TBD CR 300, Nathrop, lying in the S1/2 NE1/4, SE1/4 NW1/4, W1/2 SE1/4, and the SE1/4 SE1/4, all in Section 11, Township 15 South, Range 78 West, 6th P.M. **Zones:** Commercial and Rural **Request:** Ten (10) year extension of an existing 1041 Permit for a spring water production process, and associated transmission pipeline and loading facility.

All documents regarding this hearing may be found on the Chaffee County Public Notice website at http://www.chaffeecounty.org/Public-Notices

2.

http://www.chaffeecounty.org/Public-Notices

Public Notice for Rescheduled Hearing - To consider a request from the Board of Commissioners for an extension of an existing 1041 Permit for **Nestle Waters North America, Inc**.

Extension Request
Annual Report 2009
2010-2014
Annual Reports 2015-2018
2019 1 of 3 2 of 3 3 of 3
Ruby Mt. Springs Projections
2
Technical Revisions
09.24.20
Wheeler Report 10.02.20
2000-2003 USGA Hydrogeology Study-Water Quality BV to Salida
09.24.20
SGWMMP 2019 Annual Report Final 09.24.2

Resolutions
Annual Reports

Annual Report

Nestle Letter April

NWNA E-Mails

Pumping Data July/August 2020 09.24.20
Review Agency Comments

3.

http://www.chaffeecounty.org/EndUserFiles/70712.pdf

Colorado Division of Water Resources

4.

Many comments received. A few Examples below:

http://www.chaffeecounty.org/EndUserFiles/70829.pdf

Public comments

http://www.chaffeecounty.org/EndUserFiles/70855.pdf

Public comments

http://www.chaffeecounty.org/EndUserFiles/70854.pdf

Public comments

5.

Harvey Economics to be hired by Chaffee County Commissioners

Our firm focuses on Water and Wastewater Economics, Environmental/Natural Resource Economics, Tourism/Recreation, Energy and Minerals, Litigation Support, Native American Tribes, NEPA, and Agriculture. No matter the area, private and public groups turn to us to help them with Forecasting, Impact Analysis, and Feasibility.

https://www.linkedin.com/company/harvey-economics

"Please excuse the Harvey Economic trumpets, but we are so pleased and proud of a recent success that was particularly gratifying. In a decision handed down in October 2020, a Denver District Court judge sided with our client, the State of Colorado Attorney General's Office of Consumer Fraud in a case against CollegeAmerica, a for-profit higher education institution. This was a multi-year case, requiring extensive research, discovery, and testimony. Harvey Economics was hired by the Consumer Fraud Division due to our strong history of success in addressing complex economic issues. Harvey Economics provided litigation assistance through labor market analyses, survey research, and modeling. We supported trial exhibit preparation and strategy, expert testimony, and cross examination support. Our evidence shed light on the adverse effects the CollegeAmerica students experienced regarding employment opportunities, earnings, and personal finances. In this existential case, we were up against an army of well-financed attorneys and experts. Honestly, our Team's work seemed like a 24/7, all-hands-on deck operation that nearly killed us. But the satisfaction of this victory gives lasting meaning to the work we do.

**MailScanner has detected definite fraud in the website at "lnkd.in". Do *not* trust this website: MailScanner has detected definite fraud in the website at "lnkd.in". Do *not* trust this website: https://lnkd.in/emwvebW**

6. EPA needs to up their review and regulations for major city municipal drinking water regarding detected PFAS. Is Bottled water safer than tap water? It depends on the source.

https://www.post-gazette.com/news/environment/2020/11/23/Forever-chemicals-pose-threat-dupont-3M-rob-bilott-PFAS-Dark-Waters-environment-health/stories/202011200169

" Rob Bilott says It took decades for the public, regulators and courts to recognize and begin to fix the environmental and public health problems caused by PFAS, a group of man-made chemicals found on nonstick cookware, waterproof jackets, and, increasingly, in air, water, soils and the blood of newborns nationwide."

https://arkvalleyvoice.com/guest-opinion-chaffees-real-cost-of-extending-the-nestles-1041-permit/

" 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,

2) The water is purified by additional methods and tested again before being piped to homes and businesses.

"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."

" One 2018 study, for example, tested 11 globally sourced brands of bottled water from nine different countries. The researchers found that 93% of the bottles showed some signs of microplastic contamination, and that they contained double the amount present in tap water.

These findings suggest that the contamination is at least partially due to the packaging process itself. Researchers are now starting to investigate the impact of these microplastics on human health."

7.

https://www.arrowheadwater.com/faq

Is this information accurate?

**Are Arrowhead plastic water bottles bpa free?**
All Arrowhead bottles are made from either PET or rPET plastic and comply with FDA regulations.

New York, NY -- **In** an effort to ease unwarranted consumer fears, the **PET**Resin Association has reiterated that food and beverage containers made from the polyester plastic known as **PET**do **not** contain Bisphenol-A (**BPA**).

Bisphenol-A (**BPA**) is not present in our **bottled water** packaging smaller than three gallons. Our single-serve **bottles** (typically 1.5 liters and smaller) are made from PET plastic (marked with the "1" symbol), which is flexible and lightweight.

8.

https://www.consumerreports.org/water-quality/find-out-whats-in-your-bottled-water-water-quality-reports/

CR assembled a list of water quality reports from more than 120 brands

9. Ask questions about local water treatment plants

Tap water vs bottled water

"Multinational bottling companies benefit from public disinvestment in water infrastructure, as the chairman of Nestlé Waters stated in 2009: "We believe tap infrastructure in the U.S. will continue to decline.... People will turn to filtration and bottled water for pure water needs."

https://www.foodandwaterwatch.org/about/live-healthy/tap-water-vs-bottled-water

Tap water is not only safe, but it's often ***better*** than bottled water. Learn about the problems with bottled water and how to check the quality of your tap water:

10.
Frack water is released downstream legally with no regulation on potential contaminants. Trade Secrets. " Concerns that fluids from hydraulic fracturing, or "fracking," are contaminating drinking water abound. Now, scientists are bringing to light another angle that adds to the controversy. A new study, appearing in the ACS journal *Environmental Science & Technology*, has found that discharge of fracking wastewaters to rivers, even after passage through wastewater treatment plants, could be putting the drinking water supplies of downstream cities at risk."

https://www.sciencedaily.com/releases/2014/09/140924113521.htm

Sent from my iPhone

On Dec 12, 2020, at 10:45 AM, Chaffee Admin <chaffeeadmin@chaffeecounty.org> wrote:

Hello All,

The Nestle item is back on the December 15th agenda of the Board of Chaffee County Commissioners regular meeting. You can see the agenda and the supporting documents for the Nestle item on the home page at chaffeecounty.org on the right hand side. Also included in that agenda are the minutes from the December 8th meeting, which included Nestle.

*Debra Fesenmeyer*

Administrative Assistant

P.O. Box 699, Salida, CO 81201

719.539.2218

**From:** Marie Venner [redacted]
**Sent:** Friday, December 11, 2020 4:15 PM
**To:** [redacted]
**Cc:** pbaldwin@chaffeecounty.org; RGranzella@chaffeecounty.org; [redacted]
**Subject:** RE: Thanks Bjorn & Fran et all for asking Commissioner Granzella to say NO to Nestle repermit that would hurt Colorado's trees, water, snow & future!

Yes, many waiting to hear!

Marie Venner

Venner Consulting

**From:** [redacted]
**Sent:** Friday, December 11, 2020 3:45 PM
**To:** [redacted]
**Cc:** pbaldwin@chaffeecounty.org; RGranzella@chaffeecounty.org; [redacted]
**Subject:** Thanks Bjorn & Fran et all for asking Commissioner Granzella to say NO to Nestle repermit that would hurt Colorado's trees, water, snow & future!

Dear Commissioner Granzella,

As former director of Western Forestry, Bjorn Dahl asked, we are waiting for your wise resolution on saying NO the Nestle permit, given

the overwhelming shocking negative evidence. Colorado ski areas, the Utes and the People want to know.

God bless us all!

Suzy Chaffee

-----Original Message-----
From: [redacted]

To: 'Jesse/Fran Aguirre' [redacted]
pbaldwin@chaffeecounty.org; RGranzella@chaffeecounty.org
Cc: [redacted]
Sent: Fri, Dec 11, 2020 4:16 pm
Subject: RE: Nestle water permit

Hello everyone,

What was the resolution on this issue? How was the voting process outcome?

Thanks, Bjorn

**From:** Jesse/Fran Aguirre [redacted]
**Sent:** Monday, December 7, 2020 10:05 PM
**To:** pbaldwin@chaffeecounty.org; RGranzella@chaffeecounty.org
[redacted]
**Subject:** Nestle water permit

## Commissioner Granzella,

**Do not renew the water permit for Nestle at the meeting today.**

## Nestle has made their profits in other states also where they

## use obscene amounts of water to the dis advantage of the populations of all living creatures in the state!

## No permit for Nestle'!

## We also know how much plastic is used for their products that is not recycled adding so much plastic pollution.

**Nestle' is not responsible for this recycling either! No permit for Nestle'!**

**All of their trucks carrying water for 200 miles round trip are adding air pollution especially if diesel is used.**

**Burning diesel has a by product of benzene which is a carcinogen. No permit for Nestle'!**

**A resident of Denver, Colorado,**
**Fran Aguirre**
**303-477-5928**

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## Jon Roorda

**From:** Chaffee Admin <chaffeeadmin@chaffeecounty.org>
**Sent:** Monday, December 14, 2020 8:24 AM
**To:** 'Keith Baker'; 'Jon Roorda'
**Subject:** {Disarmed} FW: {Disarmed} More reasons why NO to Nestle re-permit

**From:** Marie Venner [redacted]
**Sent:** Sunday, December 13, 2020 2:15 PM
**To:** pbaldwin@chaffeecounty.org; RGranzella@chaffeecounty.org; gfelt@chaffeecounty.org; Rocky Piro; Joan Seeman [redacted]
**Subject:** {Disarmed} More reasons why NO to Nestle re-permit

Keith, Rusty, and Greg,

I did not include these excellent points in my testimony but I speak for business and faith community folks from multiple networks who want to echo them! I hope you will re-read them a few times and think of us all!

- 80% of the Community said NO renewal!!!
- Current best practice is to consider sustainability impact, which includes an equity lens, health lens, and climate lens - with evaluation of environment as well as economic resiliency. The so-called triple bottom-line of sustainability analysis actually has its origin in the business community - and requires not only economic benefit, but also demonstrable social benefits and environmental benefits. One dimensional economic impact analysis - often does not account for the massive costs of negative impacts of an operation. When negative impacts are priced and included in the analysis - the project may be determined to lack viability.

- Why is there no renewed Nestle application since there were so many amendments to the original 1041? (Swacina Comment)

- Isn't Groundwater an important resource for Chaffee County? No reports? Discussion? How are impending drought impacts taken into account in evaluation of impacts to this invaluable resource?

- No County review regarding the Federal Investigation of Nestle?

- No County review of groundwater depletion? USGS " United States USGS "The water replaced to streams through augmentation plans is designed to offset stream depletion not prevent ground-water depletion."

- **"In the case of Nestlé depletions, the replacement water does not have to be new trans-basin water and could be replaced out of Pueblo Reservoir, thus bypassing the Upper Arkansas portion of the River." Terry Scanga Pueblo Reservoir? Any comments from the users?**

- **...Manager of the Upper Arkansas Water District, Terry Scanga, said the replacement plan relies on water from Turquoise Lake in Leadville, which fully covers any water removed from Chaffee County by Nestlé. Scanga said the district has no plans to contest the permit renewal."** Turquoise Lake? Upper Arkansas Water District provides no data regarding Environmental Assessment for water quality for augmentation?

- https://unbottle-protect.org/#The_Problem " **Fortunately, Colorado water law requires Nestle to augment the water they extract. But does the replacement water, which comes from reservoirs and is released into the Arkansas River, mitigate all that is lost from the aquifer where Nestle's wells are located? And although the replacement water is deemed drinkable, is it the same quality as the "spring water" that Nestle sucks and trucks out of the Upper Arkansas River Valley?" NO!** " An **Augmentation** Plan is a court-approved document which is designed to protect existing **water** rights by replacing **water** depleted in a new project. **Augmentation** Plans are usually required in areas where there is a shortage of **water** during part or all of the year."

- **No "water quality" is ever mentioned comparing river water quality vs groundwater quality?**

- "A Chaffee County staff report this month on the Nestlé Waters permit renewal application said the company "has indicated it will be selling Nestlé Waters North America in 2021." " " Commissioner Greg Felt expressed concern over the possible transfer of the permit should the company sell its North American operations. Calling a potential sale "a much more impactful issue now" than it was a decade ago, Felt worries that **a deep-pocketed private equity company could take ownership and elevate profits over agreements with the community**."

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- "We don't like plastic and we don't believe the benefit to the county is equal to the value of the water Nestlé is taking out," Bomer said. The conflict comes as bottled water manufacturers across the U.S and Canada face mounting criticism over their use of groundwater. Five states, Maine, Michigan, Montana, Oregon, and Washington, are moving to ban or sharply limit the industry." https://www.watereducationcolorado.org/fresh-water-news/nestle-seeks-more-time-in-chaffee-county-as-locals-ask-to-be-unbottled/

Thank you!

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Nestlé also purchased the onetime fish hatchery property from Harold and Mary Hagen on the site of the Ruby Mountain Spring. This is the spring that Nestlé now taps for the water it takes from Chaffee County

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State water law requires use permits to include replacement (augmentation) of the water they extract, under complex rules mindful of numerous water rights, especially of those with senior water rights downstream on the Arkansas River.

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(Why did the City of Aurora agreement end? What is the lease agreement state? Arkansas Water Conservancy? Senior water rights?)

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Scanga, who has dealt with water law and water issues for decades, said from his perspective Nestlé has met the requirements of their 1041 permit regarding the water regulations.

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Opposition groups, including Unbottle and Protect Chaffee County Water and the long-established environmental group 350 Central Coloradodisagree and point to other permit conditions such as hiring local truck drivers, they say have not been met.

They are also critical of what they term is a lack of real oversight of the operation by the county.

...community benefits are relatively minor in comparison to the profits the company garners from its bottled water sales and the loss of county water as a resource.

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Lax water laws?
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As a variety of pressures on urban water systems from climate change, suburbanization, shrinking populations in deindustrialized cities, and rising costs of infrastructure grow, a range of actors (governments, utilities, and consumers) will need to work together to solve a growing affordability problem. Water is a fundamental right for all humans.

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"The county's population is booming. Drought is ravaging the state. Plastic is polluting the planet. Nestlé Waters has been targeted by conservation groups across the country as it expands its water bottling operations. And Nestlé is about to sell its North American water brands."

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A Chaffee County staff report this month on the Nestlé Waters permit renewal application said the company "has indicated it will be selling Nestlé Waters North America in 2021."

https://coloradosun.com/2020/10/26/nestle-waters-permit-arrowhead-colorado/

11.

The looming sale comes as Nestlé Waters faces increasing scrutiny over its water-mining operations in the U.S., where it has 25 bottling plants.

https://coloradosun.com/2020/10/26/nestle-waters-permit-arrowhead-colorado/

12.

From 2009 to 2014, Nestlé Waters augmented the water it drew from the aquifer with water purchased from the City of Aurora — which stores water in the Upper Arkansas River Valley.

13.

Since 2014, Nestlé Waters has augmented the river through a deal with the Upper Arkansas River Water Conservancy District. That deal included an amendment to the 2009 permit that capped diversion at 16.6 acre-feet per month or 196 acre-feet a year. The company last year paid the district more than $152,000

https://coloradosun.com/2020/10/26/nestle-waters-permit-arrowhead-colorado/

14.

"I don't believe we have a water problem in Chaffee County. We have enough water," Scanga said on Tuesday, describing how the district stores roughly two to three years of water supply for the valley. "That doesn't mean we should be asleep at the wheel, so to say. I think we should be working on storage. Conservation in and of itself is not enough ... we have to have that storage."

15.

Commissioner Greg Felt expressed concern over the possible transfer of the permit should the company sell its North American operations. Calling a potential sale "a much more impactful issue now" than it was a decade ago, Felt worries that a deep-pocketed private equity company could take ownership and elevate profits over agreements with the community.

"The relationship we do have now is based on the fact that this agreement was developed … in partnership," Felt said. "So it's a different type of investment and relationship, potentially, with someone else."

16.

Bomer also pointed to the fact that almost all of Colorado is locked in a drought for the first time since 2013and the Upper Arkansas River Conservancy District secures water for its deal with Nestlé from parched Western Slope. Swacina proposed that since the original contract had been amended so many times during the last

decade, the company should submit an entirely new application for a permit extension beyond the company's one-page request.

"This contract has failed the citizens of Chaffee County," Bomer said.

17.

US Congress investigates Nestle

Nestle profiting from selling groundwater, low cost no cost permits,

Nestles Pure Life? Plastics in bottles health risk! 10,000 plastic pieces per liter of water? Bottled water self regulating

Industries contribution to pollution and climate change, Nestles largest producer of plastics, 700 species affected by plastics pollution

Emissions from plastics production and incineration the amount of 295 coal plants carbon dioxide

https://oversight.house.gov/sites/democrats.oversight.house.gov/files/2020-03-03.Rouda%20Tlaib%20to%20Merce-Nestle%20re%20Bottled%20Water%20FINAL.pdf

18.

Major bottled water provider Nestlé has come under scrutiny this month from some of the highest powers in the country for its controversial use of natural resources.

Though bottled water operations have drawn controversy around the country, Michigan and California are two states where constituents seem particularly unhappy with Nestlé.

"In California, Nestlé has been criticized for extracting water for commercial purposes during periods of droughts when Californians were ordered to reduce their water use."

https://www.wateronline.com/doc/u-s-representatives-investigating-nestle-bottled-water-operations-0001

19. Lawmakers Open Groundwater Fight Against Bottled Water Companies.

""I was jolted to the core to realize the depth and breadth and magnitude of how they have lawyered up in these small towns to take advantage of water rights," the Democrat said. "The fact that we have incredibly loose, if virtually nonexistent, policy guidelines around this is shocking and a categorical failure.""

20.

"Every company is seeing that it doesn't make sense to ship water. [It] is very heavy. By hooking up to a water main, using existing tap water, and filtering it, companies like Coke, Pepsi, and Nestlé can make their beverages uniform around the world," he says, anticipating a marketplace where they're competing on flavors, enhancements, and so forth." https://www.fastcompany.com/90371888/bottled-waters-next-trick-is-making-the-bottle-disappear

21.

In 2013, reports came that thousands of Pakistanis in the Bhati Diwan village were getting sick by being forced to drink sludge **water**, as **Nestle** drained their **water supply** for their **bottled water**. Dirty drinking **water** causes malaria, even death.**MailScanner has detected a possible fraud attempt from "themuslimvibe.com" claiming to be** https://themuslimvibe.com/muslim-current-affairs-news/heres-how-nestle-is-leaving-millions-pakistan-nigeria-and-flint-without-clean-water Jan 17, 2018

22.

Sent from my iPhone

On Dec 12, 2020, at 8:58 PM, [redacted] wrote:

**CC: Distinguised Chaffee County Commissioners**

**Dear Joan, Bjorn, Marie, Auden and Ileana (Senator Bennet)**

**Shouldn't the Chaffee County Commissioners provide the Environmental Impact study that they mentioned, which you**
**Fab Five would understand and be able to evaluate the most.**

**The e-mail from the commissioners following the Zoom hearing just mentioned now doing an economic study. Wouldn't protecting Chaffee Country and Colorado from fires to also protect**
**the snow of (drinking water, AG, Ski and Tourism Industries be the real economic bottom line that is clearly a NO to repermitting**
**since it would remove vast quantities of water. Plus scientists say that spring water is 2,000 times healthier than tap water that they want to replace it with. Water is the most important key to health.**

**Most importantly in this '6th Extinction" (Stanford), isn't Australia, the U.S. West Coast and the SW, a preview of coming attractions that can be avoided by keeping**

**the water tables high so the forests don't dry out and become kindling like Nestle continues to do in the S. Cal**

**San Bernardinos, including this year almost taking out Mt Baldy.**

**In January 2020, Australia's Thedbo ski area and Vail Resorts Pariser almost burned.** Kosciuszko and Thredbo residents to evacuate due to bushfires ...

www.snowsbest.com/thredbo-evacuate-bushfire.

Unfortunately **the Falls Creek and Victoria Alpine Communities were decimated by "Appoliptic" bushfires. And added to the**

**Covid closures, their 2020 season was cancelled. Victoria is now spending $465 million on tourism recovery.**

**Plus the communites are hurting so much that fellow Olympians, Britt Cox a snowboarder and Tess Coady a mogul skier, magnanimously auctioned themselves off to ski with them through the Victorian Alps Relief Auction, the industry wide online event to support the alpine communities.**

**See Go skiing with Britt Cox and snowboarding with Tess Coady.**

**In 2011, the horrific Southwest fire stopped right across the street**

**from the Los Alamos Nuclear Lab (the local paper said would have created a nuclear plume) and La**

**Pajarito ski area owned by the scientists. (what's that economic impact?)**

**The scientists appreciated the tribal ceremonies and their online prayer request in solidarity so much,**

**that they had our foundation invite any tribal member in the AZ and NM to ski for almost free there. Few came**

**since most are in dire shape and couldn't afford to travel there.**

**It seem to a non-scientist like me, that while Nestle is chipping in for the schools, the kids not worrying about fires destroying their**

**lives is way more important after two major fires this year. And that's priceless. Can't my**

**namesake, magnificent Chaffee county and Colorado learn from these catastrophic previews if you**

**believe in science?**

**Sincerely,**

**Suzy Chaffee**

-----Original Message-----
From: Joan Seeman [redacted]
To: Chaffee Admin <chaffeeadmin@chaffeecounty.org>
Cc: [redacted]

[redacted]

[redacted]

Sent: Sat, Dec 12, 2020 5:58 pm
Subject: Thanks Bjorn & Fran et all for asking Commissioner Granzella to say NO to Nestle repermit that would hurt Colorado's trees, water, snow & future!

Nestlé 2009 Chaffee County 1041 permit agreement was controversial ...
Oct 10, 2020 — With public hearings upcoming on whether Chaffee County should grant a 10-year extension with Nestle Waters North America (NWNA) of its 1041 permit to pump water from a local aquifer to truck to Denver for bottling as Arrowhead Spring Water, a review of the agreement's history is informative."

https://coloradosun.com/2020/11/18/nestle-chaffee-county-water-bottling-arkansas-river/
Chaffee County's three commissioners want to measure the potential impact of Nestlé's proposal to pump, truck and bottle up to 65 million gallons of water a year

———————————————————

**To:**

**Debra Fesenmeyer**

Administrative Assistant

P.O. Box 699, Salida, CO 81201

719.539.2218

Debra ,

Thank you for the update below. Would you provide a brief statement as to why there is a continuation of the meeting to December 15th.

I wasn't able to access any minutes for this meeting to clearly state the December 8 Commissioner conclusions and reason for the continuation of the hearing to December 15th

Are these local news information sources accurate?

https://heartoftherockiesradio.com/nestle-waters-public-hearing-continues-today/

" **POSTED BY: DAN R** DECEMBER 8, 2020
Chaffee County Commissioners will convened as the 1041 Permit Authority Tuesday to continue the public hearing process for Nestle Waters North America's 1041 permit extension request for spring water production.
It is expected that commissioners will vote on conducting an economic impact analysis and extend Nestle's existing permit while awaiting the analysis.
The final draft of the new Chaffee County Comprehensive Plan is ready for review.

Over the last two months, the Planning Commission and County's planning staff have worked with the consultant Cushing Terrell to incorporate feedback heard over the last year and now the county is seeking your feedback prior to the public hearing scheduled for December 15.
While the public hearing will be the final opportunity for public comment, the county is encouraging the community to take advantage of the public comment period prior to the hearing.
Details on how to participate can be found online at chaffeecounty.org."
I'm looking forward to your clarification as to the need for an "**Economic Impact Analysis** (EIA) is a methodology for evaluating the **impacts** of a project, program or policy on the **economy** of a specified region. ... EIA is useful to show **impacts** on jobs, income, operating costs, productivity and competitiveness – and their distribution among industries, regions and over time."
https://heartoftherockiesradio.com/nestle-1041-permit-update/
Chaffee County Commissioners continued the Nestlé Waters North America 1041 permit hearing today and decided to negotiate a contract with Harvey Economics to conduct an economic impact analysis, further delaying a decision to approve or deny the permit extension.
The Commissioners continued the 1041 hearing until 1 p.m. Dec. 8 and directed staff to solicit a proposal for the economic analysis from Harvey Economics for consideration at the Dec. 8 meeting.
Assistant County Attorney Daniel Tom said the study could take several months, especially with COVID-19 constraints, and that the analysis would be paid for with money from the reimbursement fund that Nestlé was required to establish under the conditions of the original 1041 permit.
In order to accommodate the timeframe for the analysis, the Commissioners agreed in principle to extend Nestlé's existing 1041 permit once they have a better idea of how long the economic analysis will take to complete.
The Commissioners also agreed that, after the Dec. 8 meeting, the 1041 hearing will be continued to a date that allows sufficient time for all parties to analyze the economic report.
County Commissioners Chairman Greg Felt said the economic report would be subject to a response from Nestlé and to public comments.
**Harvey Economics** is a Denver-based company that "focuses on Water and Wastewater Economics, Environmental/Natural Resource Economics, Tourism/Recreation, Energy and Minerals, Litigation Support, Native American Tribes, NEPA, and Agriculture.

Thank you again. I look forward to your response.
Joan Seeman
303-916-9244

1.
https://chaffeecoco.civicclerk.com/Web/Mobile/mobilevideo.aspx?id=243
Board Meeting December 8th meeting

- 16. **1:00 p.m. - Convene as 1041 Permit Authority**

**From:** Rocky Piro [redacted]
**Sent:** Sunday, December 13, 2020 2:04 PM
**To:** Joan Seeman [redacted]
**Cc:** [redacted]

**Subject:** Re: Economic input why NO to Nestle repermit

Economic impact analysis can be one dimensional.

Current best practice is to consider sustainability impact, which includes an equity lens, health lens, and climate lens - with evaluation of environment as well as economic resiliency.

The so-called triple bottom-line of sustainability analysis actually has its origin in the business community - and requires not only economic benefit, but also demonstrable social benefits and environmental benefits.

One dimensional economic impact analysis - often does not account for the massive costs of negative impacts of an operation.
When negative impacts are priced and included in the analysis - the project may be determined to lack viability.

Sent from my iPhone

On Dec 13, 2020, at 12:13, Joan Seeman [redacted] wrote:

December 15th the Chaffee County Commissioners will approve an "ECONOMIC" Impact Assessment?

Questions:
*Why is there no renewed Nestle application since there were so many amendments to the original 1041? (Swacina Comment)

*Isn't Groundwater an important resource for Chaffee County? No reports? Discussion?

*80% of the Community said NO renewal?

*No County review regarding the Federal Investigation of Nestle? See #17 below

*No County review of groundwater depletion? USGS " United States USGS "The water replaced to streams through augmentation plans is designed to offset stream depletion not prevent ground-water depletion."

***"In the case of Nestlé depletions, the replacement water does not have to be new trans-basin water and could be replaced out of Pueblo Reservoir, thus bypassing the Upper Arkansas portion of the River." Terry Scanga**
**Pueblo Reservoir? Any comments from the users?**

***...Manager of the Upper Arkansas Water District, Terry Scanga, said the replacement plan relies on water from Turquoise Lake in Leadville, which fully covers any water removed from Chaffee County by Nestlé. Scanga said the district has no plans to contest the permit renewal."**
Turquoise Lake?
Upper Arkansas Water District provides no data regarding Environmental Assessment for water quality for augmentation?

*Shouldn't Chaffee County consider an Environmental Assessment? Has one ever been completed by Nestle or the county?

" **Environmental assessment** can be defined as identifying, estimating, and evaluating the **environmental** impacts of existing and proposed projects, by conducting **environmental** studies, to mitigate the relevant negative effects prior to making decisions and commitments."

https://unbottle-protect.org/#The_Problem

" **Fortunately, Colorado water law requires Nestle to augment the water they extract. But does the replacement water, which comes from reservoirs and is released into the Arkansas River, mitigate all that is lost from the aquifer where Nestle's wells are located? And although the replacement water is deemed drinkable, is it the same quality as the "spring water" that Nestle sucks and trucks out of the Upper Arkansas River Valley?"**

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Comments?
:)
Joan Seeman

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" Commissioner Greg Felt expressed concern over the possible transfer of the permit should the company sell its North American operations. Calling a potential sale "a much more impactful issue now" than it was a decade ago, Felt worries that a deep-pocketed private equity company could take ownership and elevate profits over agreements with the community."

The Commissioners cannot consider this in the renewal application? Provide this information.

" Swacina proposed that since the original contract had been amended so many times during the last decade, the company should submit an entirely new application for a permit extension beyond the company's one-page request."

" Nestle needed the Chaffee County Commissioners to approve a 1041 Permit that broke down just what they could and could not do. Eventually, even though over 80% of the county population opposed the Permit the then Commissioners unanimously approved it." https://350colorado.org/a-story-of-biblical-dimensions-chaffee-county-citizens-vs-nestle/

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A Chaffee County staff report this month on the Nestlé Waters permit renewal application said the company "has indicated it will be selling Nestlé Waters North America in 2021."

https://coloradosun.com/2020/10/26/nestle-waters-permit-arrowhead-colorado/

11.

The looming sale comes as Nestlé Waters faces increasing scrutiny over its water-mining operations in the U.S., where it has 25 bottling plants.

https://coloradosun.com/2020/10/26/nestle-waters-permit-arrowhead-colorado/

12.

From 2009 to 2014, Nestlé Waters augmented the water it drew from the aquifer with water purchased from the City of Aurora — which stores water in the Upper Arkansas River Valley.

13.

Since 2014, Nestlé Waters has augmented the river through a deal with the Upper Arkansas River Water Conservancy District. That deal included an amendment to the 2009 permit that capped diversion at 16.6 acre-feet per month or 196 acre-feet a year. The company last year paid the district more than $152,000

https://coloradosun.com/2020/10/26/nestle-waters-permit-arrowhead-colorado/

14.

"I don't believe we have a water problem in Chaffee County. We have enough water," Scanga said on Tuesday, describing how the district stores roughly two to three years of water supply for the valley. "That doesn't mean we should be asleep at the wheel, so to say. I think we should be working on storage. Conservation in and of itself is not enough ... we have to have that storage."

15.

Commissioner Greg Felt expressed concern over the possible transfer of the permit should the company sell its North American operations. Calling a potential sale "a much more impactful issue now" than it was a decade ago, Felt worries that a deep-pocketed private equity company could take ownership and elevate profits over agreements with the community.

"The relationship we do have now is based on the fact that this agreement was developed ... in partnership," Felt said. "So it's a different type of investment and relationship, potentially, with someone else."

16.

Bomer also pointed to the fact that almost all of Colorado is locked in a drought for the first time since 2013and the Upper Arkansas River Conservancy District secures water for its deal with Nestlé from parched Western Slope. Swacina proposed that since the original contract had been amended so many times during the last decade, the company should submit an entirely new application for a permit extension beyond the company's one-page request.

"This contract has failed the citizens of Chaffee County," Bomer said.

17.

US Congress investigates Nestle

Nestle profiting from selling groundwater, low cost no cost permits,

Nestles Pure Life? Plastics in bottles health risk! 10,000 plastic pieces per liter of water? Bottled water self regulating

Industries contribution to pollution and climate change, Nestles largest producer of plastics, 700 species affected by plastics pollution

Emissions from plastics production and incineration the amount of 295 coal plants carbon dioxide

https://oversight.house.gov/sites/democrats.oversight.house.gov/files/2020-03-03.Rouda%20Tlaib%20to%20Merce-Nestle%20re%20Bottled%20Water%20FINAL.pdf

18.

Major bottled water provider Nestlé has come under scrutiny this month from some of the highest powers in the country for its controversial use of natural resources.

Though bottled water operations have drawn controversy around the country, Michigan and California are two states where constituents seem particularly unhappy with Nestlé.

"In California, Nestlé has been criticized for extracting water for commercial purposes during periods of droughts when Californians were ordered to reduce their water use."

https://www.wateronline.com/doc/u-s-representatives-investigating-nestle-bottled-water-operations-0001

19. Lawmakers Open Groundwater Fight Against Bottled Water Companies.

""I was jolted to the core to realize the depth and breadth and magnitude of how they have lawyered up in these small towns to take advantage of water rights," the Democrat said. "The fact that we have incredibly loose, if virtually nonexistent, policy guidelines around this is shocking and a categorical failure.""

20.

"Every company is seeing that it doesn't make sense to ship water. [It] is very heavy. By hooking up to a water main, using existing tap water, and filtering it, companies like Coke, Pepsi, and Nestlé can make their beverages uniform around the world," he says, anticipating a marketplace where they're competing on flavors, enhancements, and so forth." https://www.fastcompany.com/90371888/bottled-waters-next-trick-is-making-the-bottle-disappear

21.

In 2013, reports came that thousands of Pakistanis in the Bhati Diwan village were getting sick by being forced to drink sludge **water**, as **Nestle** drained their **water supply** for their **bottled water**. Dirty drinking **water** causes malaria, even death.**MailScanner has detected a possible fraud attempt from "themuslimvibe.com" claiming to be** https://themuslimvibe.com/muslim-current-affairs-news/heres-how-nestle-is-leaving-millions-pakistan-nigeria-and-flint-without-clean-water Jan 17, 2018

22.

Sent from my iPhone

On Dec 12, 2020, at 8:58 PM, [redacted] wrote:

**CC: Distinguised Chaffee County Commissioners**

**Dear Joan, Bjorn, Marie, Auden and Ileana (Senator Bennet)**

**Shouldn't the Chaffee County Commissioners provide the Environmental Impact study that they mentioned, which you**
**Fab Five would understand and be able to evaluate the most.**

**The e-mail from the commissioners following the Zoom hearing just mentioned now doing an economic study.**
**Wouldn't protecting Chaffee Country and Colorado from fires to also protect**
**the snow of (drinking water, AG, Ski and Tourism Industries be the real economic bottom line that is clearly a NO to repermitting**
**since it would remove vast quantities of water. Plus scientists say that spring water is 2,000 times healthier than**
**tap water that they want to replace it with. Water is the most important key to health.**

**Most importantly in this '6th Extinction" (Stanford), isn't Australia, the U.S. West Coast and the SW, a preview of coming attractions that can be avoided by keeping**

**the water tables high so the forests don't dry out and become kindling like Nestle continues to do in the S. Cal**

**San Bernardinos, including this year almost taking out Mt Baldy.**

**In January 2020, Australia's Thedbo ski area and Vail Resorts Pariser almost burned.** Kosciuszko and Thredbo residents to evacuate due to bushfires ...

www.snowsbest.com/thredbo-evacuate-bushfire.

Unfortunately **the Falls Creek and Victoria Alpine Communities were decimated by "Appoliptic" bushfires. And added to the**

**Covid closures, their 2020 season was cancelled. Victoria is now spending $465 million on tourism recovery.**

**Plus the communites are hurting so much that fellow Olympians, Britt Cox a snowboarder and Tess Coady a mogul skier, magnanimously auctioned themselves off to ski with them through the** Victorian Alps Relief Auction, **the industry wide online event to support the alpine communities.**

**See** Go skiing with Britt Cox and snowboarding with Tess Coady.

**In 2011, the horrific Southwest fire stopped right across the street**

**from the Los Alamos Nuclear Lab (the local paper said would have created a nuclear plume) and La**

**Pajarito ski area owned by the scientists. (what's that economic impact?)**

**The scientists appreciated the tribal ceremonies and their online prayer request in solidarity so much,**

**that they had our foundation invite any tribal member in the AZ and NM to ski for almost free there. Few came**

**since most are in dire shape and couldn't afford to travel there.**

**It seem to a non-scientist like me, that while Nestle is chipping in for the schools, the kids not worrying about fires destroying their**

**lives is way more important after two major fires this year. And that's priceless. Can't my**

**namesake, magnificent Chaffee county and Colorado learn from these catastrophic previews if you**

**believe in science?**

**Sincerely,**

**Suzy Chaffee**

-----Original Message-----
From: Joan Seeman [redacted]
To: Chaffee Admin <chaffeeadmin@chaffeecounty.org>
Cc: Marie Venner [redacted]

[redacted]

[redacted]

Sent: Sat, Dec 12, 2020 5:58 pm
Subject: Thanks Bjorn & Fran et all for asking Commissioner Granzella to say NO to Nestle repermit that would hurt Colorado's trees, water, snow & future!

Nestlé 2009 Chaffee County 1041 permit agreement was controversial ...
Oct 10, 2020 — With public hearings upcoming on whether Chaffee County should grant a 10-year extension with Nestle Waters North America (NWNA) of its 1041 permit to pump water from a local aquifer to truck to Denver for bottling as Arrowhead Spring Water, a review of the agreement's history is informative."

https://coloradosun.com/2020/11/18/nestle-chaffee-county-water-bottling-arkansas-river/
Chaffee County's three commissioners want to measure the potential impact of Nestlé's proposal to pump, truck and bottle up to 65 million gallons of water a year

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**To:**

**Debra Fesenmeyer**

Administrative Assistant

P.O. Box 699, Salida, CO 81201

719.539.2218

Debra ,

Thank you for the update below. Would you provide a brief statement as to why there is a continuation of the meeting to December 15th.

I wasn't able to access any minutes for this meeting to clearly state the December 8 Commissioner conclusions and reason for the continuation of the hearing to December 15th

Are these local news information sources accurate?

https://heartoftherockiesradio.com/nestle-waters-public-hearing-continues-today/

" **POSTED BY: DAN R** DECEMBER 8, 2020
Chaffee County Commissioners will convened as the 1041 Permit Authority Tuesday to continue the public hearing process for Nestle Waters North America's 1041 permit extension request for spring water production.
It is expected that commissioners will vote on conducting an economic impact analysis and extend Nestle's existing permit while awaiting the analysis.

The final draft of the new Chaffee County Comprehensive Plan is ready for review.
Over the last two months, the Planning Commission and County's planning staff have worked with the consultant Cushing Terrell to incorporate feedback heard over the last year and now the county is seeking your feedback prior to the public hearing scheduled for December 15.
While the public hearing will be the final opportunity for public comment, the county is encouraging the community to take advantage of the public comment period prior to the hearing.
Details on how to participate can be found online at chaffeecounty.org."
I'm looking forward to your clarification as to the need for an "**Economic Impact Analysis** (EIA) is a methodology for evaluating the **impacts** of a project, program or policy on the **economy** of a specified region. ... EIA is useful to show **impacts** on jobs, income, operating costs, productivity and competitiveness – and their distribution among industries, regions and over time."
https://heartoftherockiesradio.com/nestle-1041-permit-update/
Chaffee County Commissioners continued the Nestlé Waters North America 1041 permit hearing today and decided to negotiate a contract with Harvey Economics to conduct an economic impact analysis, further delaying a decision to approve or deny the permit extension.
The Commissioners continued the 1041 hearing until 1 p.m. Dec. 8 and directed staff to solicit a proposal for the economic analysis from Harvey Economics for consideration at the Dec. 8 meeting.
Assistant County Attorney Daniel Tom said the study could take several months, especially with COVID-19 constraints, and that the analysis would be paid for with money from the reimbursement fund that Nestlé was required to establish under the conditions of the original 1041 permit.
In order to accommodate the timeframe for the analysis, the Commissioners agreed in principle to extend Nestlé's existing 1041 permit once they have a better idea of how long the economic analysis will take to complete.
The Commissioners also agreed that, after the Dec. 8 meeting, the 1041 hearing will be continued to a date that allows sufficient time for all parties to analyze the economic report.
County Commissioners Chairman Greg Felt said the economic report would be subject to a response from Nestlé and to public comments.
**Harvey Economics** is a Denver-based company that "focuses on Water and Wastewater Economics, Environmental/Natural Resource Economics, Tourism/Recreation, Energy and Minerals, Litigation Support, Native American Tribes, NEPA, and Agriculture.

Thank you again. I look forward to your response.
Joan Seeman
303-916-9244

1.
https://chaffeecoco.civicclerk.com/Web/Mobile/mobilevideo.aspx?id=243
Board Meeting December 8th meeting

16. **1:00 p.m. - Convene as 1041 Permit Authority**

**Public Hearing - Continued from November 10, 2020 - Applicant:** Nestle Waters North America Inc. **Location:** 12974 Hwy 24/285, Johnson Village, 22565 and TBD CR 300, Nathrop, lying in the S1/2 NE1/4, SE1/4 NW1/4, W1/2 SE1/4, and the SE1/4 SE1/4, all in Section 11, Township 15 South, Range 78 West, 6th P.M. **Zones:** Commercial and Rural **Request:** Ten (10) year extension of an existing 1041 Permit for a spring water production process, and associated transmission pipeline and loading facility.

All documents regarding this hearing may be found on the Chaffee County Public Notice website at http://www.chaffeecounty.org/Public-Notices

2.

http://www.chaffeecounty.org/Public-Notices

Public Notice for Rescheduled Hearing - To consider a request from the Board of Commissioners for an extension of an existing 1041 Permit for **Nestle Waters North America, Inc.**

Extension Request
Annual Report 2009
2014
Annual Reports 2015-2018
3 2 of 3 3 of 3
Ruby Mt. Springs Projections
Technical Revisions
09.24.20
Wheeler Report 10.02.20
2000-2003 USGA Hydrogeology Study-Water Quality BV to Salida 09.24.20
SGWMMP 2019 Annual Report Final 09.24.2

Resolutions
Annual Reports 2010-

Annual Report 2019 1 of

Nestle Letter April 2
NWNA E-Mails

Pumping Data July/August 2020 09.24.20
Review Agency Comments

3.

http://www.chaffeecounty.org/EndUserFiles/70712.pdf

Colorado Division of Water Resources

4.

Many comments received. A few Examples below:

http://www.chaffeecounty.org/EndUserFiles/70829.pdf

Public comments

http://www.chaffeecounty.org/EndUserFiles/70855.pdf

Public comments

http://www.chaffeecounty.org/EndUserFiles/70854.pdf

Public comments

5.

Harvey Economics to be hired by Chaffee County Commissioners

Our firm focuses on Water and Wastewater Economics, Environmental/Natural Resource Economics, Tourism/Recreation, Energy and Minerals, Litigation Support, Native American Tribes, NEPA, and Agriculture. No matter the area, private and public groups turn to us to help them with Forecasting, Impact Analysis, and Feasibility.

https://www.linkedin.com/company/harvey-economics

"Please excuse the Harvey Economic trumpets, but we are so pleased and proud of a recent success that was particularly gratifying. In a decision handed down in October 2020, a Denver District Court judge sided with our client, the State of Colorado Attorney General's Office of Consumer Fraud in a case against CollegeAmerica, a for-profit higher education institution. This was a multi-year case, requiring extensive research, discovery, and testimony. Harvey Economics was hired by the Consumer Fraud Division due to our strong history of success in addressing complex economic issues. Harvey Economics provided litigation assistance through labor market analyses, survey research, and modeling. We supported trial exhibit preparation and strategy, expert testimony, and cross examination support. Our evidence shed light on the adverse effects the CollegeAmerica students experienced regarding employment opportunities, earnings, and personal finances. In this existential case, we were up against an army of well-financed attorneys and experts. Honestly, our Team's work seemed like a 24/7, all-hands-on deck operation that nearly killed us. But the satisfaction of this victory gives lasting meaning to the work we do.

**MailScanner has detected definite fraud in the website at "lnkd.in". Do *not* trust this website: MailScanner has detected definite fraud in the website at "lnkd.in". Do *not* trust this website: https://lnkd.in/emwvebW**

6. EPA needs to up their review and regulations for major city municipal drinking water regarding detected PFAS. Is Bottled water safer than tap water? It depends on the source.

https://www.post-gazette.com/news/environment/2020/11/23/Forever-chemicals-pose-threat-dupont-3M-rob-bilott-PFAS-Dark-Waters-environment-health/stories/202011200169

" Rob Bilott says It took decades for the public, regulators and courts to recognize and begin to fix the environmental and public health problems caused by PFAS, a group of man-made chemicals found on nonstick cookware, waterproof jackets, and, increasingly, in air, water, soils and the blood of newborns nationwide."

https://arkvalleyvoice.com/guest-opinion-chaffees-real-cost-of-extending-the-nestles-1041-permit/

" 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,

2) The water is purified by additional methods and tested again before being piped to homes and businesses.

"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."

" One 2018 study, for example, tested 11 globally sourced brands of bottled water from nine different countries. The researchers found that 93% of the bottles showed some signs of microplastic contamination, and that they contained double the amount present in tap water.

These findings suggest that the contamination is at least partially due to the packaging process itself. Researchers are now starting to investigate the impact of these microplastics on human health."

7.

https://www.arrowheadwater.com/faq
Is this information accurate?

**Are Arrowhead plastic water bottles bpa free?**
All Arrowhead bottles are made from either PET or rPET plastic and comply with FDA regulations.

New York, NY -- **In** an effort to ease unwarranted consumer fears, the **PET**Resin Association has reiterated that food and beverage containers made from the polyester plastic known as **PET**do **not** contain Bisphenol-A (**BPA**).

Bisphenol-A (**BPA**) is not present in our **bottled water** packaging smaller than three gallons. Our single-serve **bottles** (typically 1.5 liters and smaller) are made from PET plastic (marked with the "1" symbol), which is flexible and lightweight.

8.

https://www.consumerreports.org/water-quality/find-out-whats-in-your-bottled-water-water-quality-reports/

CR assembled a list of water quality reports from more than 120 brands

9. Ask questions about local water treatment plants
Tap water vs bottled water
"Multinational bottling companies benefit from public disinvestment in water infrastructure, as the chairman of Nestlé Waters stated in 2009: "We believe tap infrastructure in the U.S. will continue to decline.... People will turn to filtration and bottled water for pure water
needs."

https://www.foodandwaterwatch.org/about/live-healthy/tap-water-vs-bottled-water

Tap water is not only safe, but it's often ***better*** than bottled water. Learn about the problems with bottled water and how to check the quality of your tap water:

10.
Frack water is released downstream legally with no regulation on potential contaminants. Trade Secrets.
" Concerns that fluids from hydraulic fracturing, or "fracking," are contaminating drinking water abound. Now, scientists are bringing to light another angle that adds to the controversy. A new study, appearing in the ACS journal *Environmental Science & Technology*, has found that discharge of fracking wastewaters to rivers, even after passage through wastewater treatment plants, could be putting the drinking water supplies of downstream cities at risk."

https://www.sciencedaily.com/releases/2014/09/140924113521.htm

Sent from my iPhone

> On Dec 12, 2020, at 10:45 AM, Chaffee Admin <chaffeeadmin@chaffeecounty.org> wrote:

Hello All,

The Nestle item is back on the December 15th agenda of the Board of Chaffee County Commissioners regular meeting. You can see the agenda and the supporting documents for the Nestle item on the home page at chaffeecounty.org on the right hand side. Also included in that agenda are the minutes from the December 8th meeting, which included Nestle.

**Debra Fesenmeyer**

Administrative Assistant

P.O. Box 699, Salida, CO 81201

719.539.2218

**From:** Marie Venner [MailScanner has detected a possible fraud attempt from "vennerconsulting.com" claiming to be MailScanner has detected a possible fraud attempt from "vennerconsulting.com" claiming to be [redacted]
**Sent:** Friday, December 11, 2020 4:15 PM
**To:** [redacted]
**Cc:** pbaldwin@chaffeecounty.org; RGranzella@chaffeecounty.org; [redacted]
**Subject:** RE: Thanks Bjorn & Fran et all for asking Commissioner Granzella to say NO to Nestle repermit that would hurt Colorado's trees, water, snow & future!

Yes, many waiting to hear!

Marie Venner

Venner Consulting

**From:** [redacted]
**Sent:** Friday, December 11, 2020 3:45 PM
**To:** bdahl@dahlservices.com

**Cc:** pbaldwin@chaffeecounty.org; RGranzella@chaffeecounty.org; [redacted]

**Subject:** Thanks Bjorn & Fran et all for asking Commissioner Granzella to say NO to Nestle repermit that would hurt Colorado's trees, water, snow & future!

Dear Commissioner Granzella,

As former director of Western Forestry, Bjorn Dahl asked, we are waiting for your wise resolution on saying NO the Nestle permit, given

the overwhelming shocking negative evidence. Colorado ski areas, the Utes and the People want to know.

God bless us all!

Suzy Chaffee

-----Original Message-----
From: [redacted]
To: 'Jesse/Fran Aguirre' [redacted] pbaldwin@chaffeecounty.org; RGranzella@chaffeecounty.org
[redacted]
Sent: Fri, Dec 11, 2020 4:16 pm
Subject: RE: Nestle water permit

Hello everyone,

What was the resolution on this issue? How was the voting process outcome?

Thanks, Bjorn

**From:** Jesse/Fran Aguirre [redacted]
**Sent:** Monday, December 7, 2020 10:05 PM

**To:** pbaldwin@chaffeecounty.org; RGranzella@chaffeecounty.org

[redacted]

**Subject:** Nestle water permit

**Commissioner Granzella,**

**Do not renew the water permit for Nestle at the meeting today.**

**Nestle has made their profits in other states also where they**

**use obscene amounts of water to the dis advantage of the populations of all living creatures in the state!**

**No permit for Nestle'!**

**We also know how much plastic is used for their products that is not recycled adding so much plastic pollution.**

**Nestle' is not responsible for this recycling either! No permit for Nestle'!**

**All of their trucks carrying water for 200 miles round trip are adding air pollution especially if diesel is used.**

**Burning diesel has a by product of benzene which is a carcinogen. No permit for Nestle'!**

**A resident of Denver, Colorado,**
**Fran Aguirre**
[redacted]

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