Commissioners,

Here are some key points for your review.

Nestle Waters North America never submitted a “new” 1041 permit application. Instead, they sent a letter requesting a 10 year 1041 permit extension. They thought the request would slip right through, under the radar.

Quoting a John Rhoda email to Larry Lawrence, NWNA, September 6, 2019:

    Thank you Larry, You can consider your application submitted. I understand the approach that you are taking and agree that the permit can be renewed now and modified at a later date.

Now NWNA has been sold. Triton Water Holdings/BlueTriton Brands owns all the assets, and equipment, once owned by NWNA. It was a leveraged buyout, loaded up with debt. They issued junk bonds, according to Moody’s, and borrowed billions to acquire the company. They are not a 51% subsidiary of Nestle SA, which gives the
commissioners the legal authority to deny the transfer of the permit to the new entity.

BlueTriton and NWNA are not the same permittee. You can’t just “treat this like a new application” and add new conditions that are not directly tied to adverse impacts of the existing permit. NWNA’s own legal council said so herself.

Quoting Caitlin Quander, 10/20/20 meeting 1:19:00

I want to make sure that it is very clear on the record about when you can impose conditions and what Colorado Law allows around conditions. So, in order to institute a condition, there must be an additional adverse effect. It has to be caused by the project and it really should be, in this circumstance, something that was not properly mitigated in the 2009 permit. There were 44 permit conditions indicated so it really needs to be a reflection of that additional adverse effect that is now determined.

Additionally, Colorado law requires that in order to legally impose a condition, it must be directly related to the impact, or that harm of that project. We often call that the legal Nexus, or Colorado Statute refers to it as the “essential Nexus”.

So you have to make sure you are drawing that relationship between the condition you want to impose and the harm, or the impact, you are attempting to cure.” end quote

Quoting Caitlin Quander again 5/4/2021 2:50:50:

“It may be that you begin to discuss potential conditions, and depending on what those are, we’ll be bound by those as well.” end quote

As attorney John Barth stated, “a new and complete 1041 permit application must be submitted by BlueTriton before the County takes any further action to continue this operation”. A new 1041 application would require starting over, to evaluate each point on the permit, not just to address specific adverse impacts. That is not the same as a review of existing permit conditions for compliance. It would require new reports
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from an ecologist and a hydrologist. It should show alignment with our newly adopted comprehensive plan. It must substantiate a need, which was never done in 2009, and evaluate real benefits vs. losses going forward for the term of the new permit. It would be to subject today’s socioeconomic and and environmental conditions, with full public scrutiny.

That being said, why would you open the door to BlueTriton a private equity firm with a terrible track record, motivated only by their own bottom line? Triton Water Holdings/BlueTriton Brands already has an exit plan. Driven by their new corporate owners’ need to capitalize on their billion dollar investment, they will flip this company in 4-7 years. That’s what private equity does, and what their history tells us.

Deny a transfer to this new entity, and refuse any further extension of this permit, or deny the extension based solely on noncompliance, but do not allow BlueTriton to continue this operation in Chaffee County. You have the authority to just say no to BlueTriton. We trust you will do the right thing.

Francie Bomer, Sent from my iPad
Dear County Commissioners,

I appreciate your work on behalf of Chaffee County. Thank you for considering my comments regarding the Blue Triton 1041 permit.

The acquisition of Nestle Waters North America by One Rock Capital Partners, LLC was not a simple name change, as the Blue Triton (formerly Nestle) representatives contended at the May 4th County Commission meeting. It was a transfer of stock, ownership and leadership. Below is a press release issued by PR Newswire on April 6, 2021:

"The company formerly known as Nestlé Waters North America today announced that it has begun operating under a new corporate name, BlueTriton Brands ("BlueTriton" or the "Company"). This announcement follows the completion of its acquisition by One Rock Capital Partners, LLC ("One Rock"), in partnership with Metropoulos & Co., from Nestlé S.A., on March 31, 2021.

Clearly, One Rock Capital and Metropoulos & Co. were not subsidiaries of Nestle Waters at the time that the acquisition of Nestle Waters North America occurred.

The permit question is undoubtedly the most important decision the three of you will make during your time as commissioners. With the change of ownership, I ask that you deny any transfers or extensions of the existing permit.

Thank you.

Dori Denning
Salida
Harvey Economic Analysis Comments

The analysis by Harvey Economics has at best a limited scope. The response from the organization claiming ownership over the permit (Nestle? Blue Triton? One Rock? Mitsubishi?) contains basic proofreading errors in quotes (see slide 13) and seems to have been so hastily constructed that any numbers and claims must be carefully audited for accuracy. In sum, the money would have been much more well spent undertaking an updated independent ecological analysis and a more systematic attitude survey of the residents of Chaffee County. Indeed, the County Commissioners have a much greater understanding of perceptions in Chaffee County than an outside organization conducting a brief review. The economic analysis was further weakened because Edward Harvey and his team started with highly restrictive and questionable assumptions. These assumptions will be familiar to the commissioners, but they cannot simply be treated as assumptions. Rather, they are instead gaps needing to be filled.

“HE did not examine environmental impacts or RMSO activities that did not have the clear potential for an economic nexus.”

This disregard for ample data and impact models makes the report fundamentally flawed in reflecting actual impacts of groundwater extraction, extreme drought and climate crisis. Water isn’t a commodity first, and
Chaffee County should not simply be considered a cash register. Instead, the residents of Chaffee County and I hope the official stewards of Chaffee County water (including Terry Scanga and UAWCD) understand that water is life. Furthermore, though Scanga has often controversially argued that Chaffee County has plenty of water for the next 30 years, and others members of the UAWCD don’t seem to consider the extreme drought situation in the Colorado River to be an issue, climate crisis and southwestern U.S. drought conditions are a real problem that cannot simply be solved by Wall Street private equity funds pricing water. It requires extensive economic and ecological analyses examining the effect of climate crisis on groundwater, surface water, and the water-dependent human and ecological environment in general. The World Economic Forum, a group known for advocating corporate interests and free-market policy, put it this way in a 2009 document written in collaboration with Nestle: “http://s3-us-west-2.amazonaws.com/ucldc-nuxeo-ref-media/60ffe6d3-272a-443b-aa4f-ebedcf741b17b”: “We have depleted stocks of groundwater at the expense of our future water needs. In effect, we have enjoyed a series of regional water ‘bubbles’ to support economic growth over the past 50 years and so, especially in agriculture. We are now on the verge of water bankruptcy in many places with no way of paying the debt back. In fact, a number of these regional water bubbles are now bursting in parts of China, the Middle East, the southwestern US and India; more will follow. The consequences for regional economic and political stability will be serious.”

More systematic work on “hydroeconomics of groundwater use” can be found in this document: https://iopscience.iop.org/article/10.1088/1748-9326/abl45f. This seems to be a glaring gap in the Harvey analysis. By purposefully disregarding these important hydroeconomic analyses, Edward Harvey severely restricts the value of the document and indeed renders it of marginal use for commissioner decision-making. In order to truly understand the impact of turning nonrenewable groundwater into a commodity for multinational corporations, the commissioners must go beyond cash flow accounting and into the more complex and uncertain study of hydroeconomics and climate crisis.

At the very least, the commissioners must require Nestle to fund a truly independent new ecological analysis that takes into account not only the models of climate change within the original report but, as ecologist Delia Malone argues, the actual historical data of the last ten years. “A significant amount of climate change information available in 2009 was based on computer models, but Malone emphasized, ‘Modeled information has been supported by actual data for the past 10 years.’ That data, Malone said, ‘shows warming is dramatically increasing’ in Chaffee County. ‘For the county not to be considering the impacts of a warming climate is really short-sighted.’” (https://heartoftherockiesradio.com/ecologist-nestle-permit-extension/).

Furthermore, the revised 2009 ecological report was severely undermined by the fact that one of the primary consultants driving the revisions, Professor Hagan, was paid millions of dollars for land later assessed in the $100s of thousands in value (https://qpublic.schneidercorp.com/Application.aspx?AppID=928&LayerID=18090&PageTypeID=4&PageID=8092&KeyValue=R34211400190).

HE interviews of resident opinions are restrictive and slanted

The analysis clearly delimits the scope of perception analysis. “In order to have an economic impact, the perceptions about a business would have to either repell or attract residents or business or have a material effect on expenditure levels to cause an economic impact.” As such, most of the interviews about perceptions seem to have come from economic development and business associations, with some anecdotal reflections about values “at odds” or “incongruous” with “NWNA operations,” particularly around “single-use plastics and sustainability.” A particularly visible gap regards the characteristics of Nestle as a corporate citizen with a long history of grievous behavior. During the permit extension process, Nestle executives were at the same time responding to charges before the U.S. Supreme Court that they at least indirectly profited from child slavery in Africa as well as other news that they paid pennies on the dollar for Michigan water at the same time as people
Chaffee County should not simply be considered a cash register. Instead, the residents of Chaffee County and I hope the official stewards of Chaffee County water (including Terry Scanga and UAWCD) understand that water is life. Furthermore, though Scanga has often controversially argued that Chaffee County has plenty of water for the next 30 years, and other members of the UAWCD don’t seem to consider the extreme drought situation in the Colorado River to be an issue, climate crisis and southwestern U.S. drought conditions are a real problem that cannot simply be solved by Wall Street private equity funds pricing water. It requires extensive economic and ecological analyses examining the effect of climate crisis on groundwater, surface water, and the water-dependent human and ecological environment in general. The World Economic Forum, a group known for advocating corporate interests and free-market policy, put it this way in a 2009 document written in collaboration with Nestle: “http://s3-us-west-2.amazonaws.com/ucldc-nuxeo-ref-media/60ffe6d3-272a-443b-a44f-ebed741b17b7: “We have depleted stocks of groundwater at the expense of our future water needs. In effect, we have enjoyed a series of regional water ‘bubbles’ to support economic growth over the past 50 years or so, especially in agriculture. We are now on the verge of water bankruptcy in many places with no way of paying the debt back. In fact, a number of these regional water bubbles are now bursts in parts of China, the Middle East, the southwestern US and India; more will follow. The consequences for regional economic and political stability will be serious.”

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in Flint, Michigan were experiencing lead poisoning and water shutoffs. This is on top of decades’ long controversies such as then-CEO Peter Brabeck seeming to say that considering water availability as a human right is an “extreme” idea (https://www.huffpost.com/entry/nestle-chairman-peter-brabeck-water_b_3150150). Given that Harvey identified negligible economic benefits of Nestlé’s presence in Chaffee County, the commissioners should distance themselves as quickly as possible from “one of the most hated companies in the world” (https://www.zmescience.com/science/nestle-company-pollution-children/). Furthermore, the commissioners would do well to disregard the Harvey analysis of resident perceptions, and instead rely on public comments and their own readings of the reports that Harvey read. This is unfortunate, given that Nestlé can use their payment for this analysis as evidence of their contribution.

**The economic analysis only covers Chaffee County, even though the project impacts adjoining counties and states (especially the Colorado River) and likely will be impacted by the climate-driven increase in speculation**

Added to the embarrassment inherent in having Nestlé management in Chaffee County, the change of ownership to a private equity fund should have been covered in the economic analysis, especially amid increasing financial speculation around water. Basic economics distinguishes between industries that differ as much as a self-described “food & beverage company” differs from a private equity firm primarily funded by one of the largest heavy industry conglomerates in Japan. There is a significant amount of confidence, even conceit, around the strength of Colorado water law in deterring speculation, protecting aquifers, requiring “beneficial” use, and still allowing for market operations (see, e.g. https://coloradosun.com/2021/01/28/colorado-wall-street-water-buyers/). Harvey Economics’ analysis does little to substantiate that, simply saying that the Colorado Compact and the UAWCD augmentation policies make questions about drought in the Colorado River basin and elsewhere “not relevant.” The machinations around “ownership” in the original Nestlé permit, which management seems confident is a throwaway phrase given that sale to a completely different company arguably doesn’t entail an ownership change even of 51%, provide good indications that multinational leadership teams can use Colorado law including water law in ways that benefit them.

**The analysts “did not perform any type of audit to confirm the accuracy of the provided information”**

Harvey indicates that “we assume that the information NWNA provided presents an honest representation of their operations and expenditures.” This assumption is made despite ample evidence that the permit recipient has knowingly provided inaccurate data repeatedly in furtherance of their own interests. See, for example, this article in the Guardian newspaper about Nestlé in California: https://www.theguardian.com/us-news/2021/apr/27/california-nestle-water-san-bernardino-forest-drought

In conclusion, I strongly recommend canceling the permit or at the very least requiring the New York City-based (and Tokyo-funded) private equity company to file a new permit application and fund new independent ecological and other studies that reflect the very different nature and objectives of the new organization.

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More FYI

From: Daniel Smith
Sent: Tuesday, May 18, 2021 9:15 AM
To: chaffeeadmin@chaffecounty.org; kbaker@chaffecounty.org; cfelt@chaffecounty.org; rgranzella@chaffecounty.org
Subject: Nestle Economic Review/1041 renewal

Nestle statement for public hearing May 18

Dear Commissioners,

I’m sending this comment regarding the 1041 renewal issue for Nestle Waters and their new owners, not as a journalist but simply as Daniel Smith, Chaffee County resident.

When first reporting on this story, I of course hearkened back to the initial decision to grant Nestle the right to pump water from the Ruby Spring aquifer feeding our river in order to sell it to the public in plastic bottles.

It was a hefty controversy in 2009, primarily because much of the public’s response was frustration over feeling the decision was made against their wishes and in favor of a multinational corporation known for profiting from strong-arming agreements with small municipalities to generate large profit from a community resource.

This recent economic profile provided by Harvey Economics generally seemed to ‘be a wash’ as quoted, and some question whether the overall benefit for the community is properly characterized, while noting Nestle has indeed contributed to some community enterprises.

Interesting to note that the economic analysis firm cites that it relied on Nestle for much of its data, without any audit as to its accuracy - relying on an assumption it is honest - can county leaders make the same leap of faith without proof?

Another issue recently raised by opponents is that the County Attorney was working with Nestle on the 1041 renewal, without recusing herself as was apparently done in the original 2009 process. If true, the potential for a conflict of interest is real.

Citizens standing against another ten-year renewal make strong arguments about Nestle having sold its water bottling operations, in large part, to Blue Triton and its equity partners for more than 4 billion dollars. They represent a real unknown as far as their future operational plans and community commitments.

While there are indeed differing opinions over whether Nestle took advantage of the earlier board with a bevy of attorneys making promises and negotiating to self-monitor its operations, those become ‘water under the
bridge’ in our current environment, in my view. That up to 65 million gallons of water can be pumped from the aquifer has always been an issue, and the claim they don’t pump that much currently is a moot point.

Concerns are rising over our continuing extreme drought, increasing local and statewide wildfire threats as well as real damage from plastic pollution, locally to globally, to our warming planet.

The recent predictions that the Colorado River water agreements might be in jeopardy because of lack of enough water to meet the demands of stakeholders and reservoirs downstream should underscore the growing seriousness of this strain on the west’s most precious resource.

The Arkansas Basin Roundtable Basin Implementation Plan, (from 2015, undergoing update), already projects a municipal shortage of some 100 acres feet of water annually. The severe drought in our area will not improve that supply picture.

Independent hydrology assessments, if done properly, might already show the overall flow of the Arkansas River is diminished in volume from levels seen not many years ago. If so, what’s the impact on our valuable water recreation industry and the gold medal fishery? We have no way to measure that impact.

Opponents rightly ask: Why should multinational companies be able to cheaply obtain our most precious public resource for sale as a private wealth enterprise? Communities (in California and Michigan, among others) are also fighting water privatization.

Particularly in light of the change of ownership, and obfuscation surrounding that new owner, simply said, I believe it’s time to safeguard that precious resource for our citizens, to listen to their strong desire to let this agreement expire and preserve our water resources for future generations.

Thank you for the opportunity to comment on this issue.

Daniel Smith

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Dear Commissioner Baker;

I would like to be counted as one more Chaffee County resident who stands with Un-Bottle and Protect Chaffee County Water in their effort to end the extraction of water from Ruby Mountain Springs.

I support them in this effort and respectfully ask that you and the Chaffee County Board of Commissioners:

1. Invoke Section 4.6, and deny the transfer of the Permit to One Rock Capital and Metropoulos & Co, private equity firms doing business as BlueTriton Brands, and

2. Deny any further extension of the Permit.

As a longtime resident in the County and the West, I have seen the many changes — climate, urban and rural growth and sprawl, ranching and livestock, recreation, among many others — that are impacting the sustainable availability of water now and into the future. The outlook is dismal and the impacts and repercussions are not yet even fully realized.

It's madness to continue to allow any entity to commodify our water, regardless of the modest monetary return to the affected communities/region.

You have the legal authority to deny this permit transfer and you must do so now — no more extensions and delays.

Thank you for your consideration.

Respectfully yours,

Holly Bevan
From: Keith Baker <kbaker@chaffeecounty.org>
Sent: Tuesday, May 25, 2021 9:24 AM
To: Chaffee Admin; Jon Roorda
Cc: Cleo Dioletis
Subject: Fwd: NWNA/BlueTriton

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

Begin forwarded message:

From: Cleo Dioletis [REDACTED]
Subject: NWNA/BlueTriton
Date: 24May2021 at 21:08:29 MDT
To: rgranzelela@chaffeecounty.org, kbaker@chaffeecounty.org, qfelt@chaffeecounty.org, admin@chaffeecounty.org

I strongly oppose the transfer/extension of the NWNA/BlueTriton 1041 Permit, which allows water extraction at Ruby Mountain Springs.
I want you to Invoke Section 4.6, and Deny the transfer of the Permit to One Rock Capital, and Metropoulos & Co, private equity firms, doing business as BlueTriton Brands.
2. Deny any further extension of the Permit, period. You have the legal right to do this.

Thank You,

Cleo Dioletis
Thank you Barbara. I’ve copied the other commissioners and members of our legal, admin, and planning teams to ensure your email is included in our official records.

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

On 24May2021, at 07:55, Barbara Ewing wrote:

5/23/21

Dear Commissioner,

I am a 16 year resident of Salida and I am submitting my request that the permit or any further extension of the permit to One Rock Capital and Metropoulos & CO. be denied. I was not in favor of the application years ago and remain steadfastly against it. And now with the sale of Nestle, I do not support a private equity in control of this permit. I question the legality of a simple transfer of the permit.

Furthermore, Nestle has not honored its original agreements.

Please invoke Section 4.6 and deny the transfer of the permit to One Rock Capital and Metropoulos & CO.
This arrangement for removing water to support a bottled water industry does not serve the values of our community.

Thank you for allowing my voice to be heard!

Sincerely,

Barbara Ewing

This message has been scanned for viruses and dangerous content by MailScanner, and is believed to be clean.
Thank you Diane. I’ve copied members of our legal, admin, and planning teams to ensure your email is included in our official records.

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

On 24May2021, at 09:20, Diane Alexander wrote:

To the Chaffee County Commissioners:

1. Invoke Section 4.6, and Deny the transfer of the Permit to One Rock Capital, and Metropoulos & Co, private equity firms, doing business as BlueTriton Brands.

2. Deny any further extension of the Permit, period. They have the legal right to do this!

Last day to submit written comments, or technical data, is 5:00 PM May 27th, 2021.

Thank you,
Diane Alexander
Buena Vista

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

I have followed the Nestle Water Bottling permit process for the last eleven years, including Zoom meetings this past year.

I support the research of Un-Bottle and Protect Chaffee County and urge you to make the right decision to benefit Chaffee County:

Invoke Section 4.6, and Deny the transfer of the Permit to One Rock Capital, and Metropoulos & Co, private equity firms, doing business as BlueTriton Brands.
Deny any further extension of the Permit, period. You have the legal right to do this!

I continue to believe that the right thing for Chaffee County is to deny the transfer and deny any further extension of the Permit.

Sincerely,
Linda Erickson
Good morning Cami,

Your letter has been received for consideration.

Thank you!

-Debbie Fesenmeyer

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Cami Renfrow
Sent: Monday, May 24, 2021 11:16 PM
To: rgranzella@chaffeecounty.org; kbaker@chaffeecounty.org; gfelt@chaffeecounty.org; chaffeeadmin@chaffeecounty.org
Subject: NWNA/ Blue Triton - reject transfer/extension

Hi to Chaffee's 2021 commissioners,

I'm a local resident writing to urge you to reject Nestle / Blue Triton's extension and transfer of the 1041 permit drawing on local waters.

With the wisdom of time, my kids' generation will be grateful for the foresight of today's commission in resisting the strong-arming of a notoriously corrupt and manipulative multinational, and rejecting corporate exploitation of local Colorado waters and community trust. We can be among the communities throughout the world who are increasingly winning the fights to keep local waters in local control.
The permit extension should be denied, Nestle's failure to uphold their requirements has been well detailed. The further complication of permit transfer to *private equity firms* One Rock Capital and Metropoulos & Co (Blue Triton) makes this an easy NO.

Thanks for thinking beyond ourselves and our generation,
Cami Renfrow

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Thank you Mr. Tucker, it is received!

-Debbie Fesenmeyer

Debbie Fesenmeyer
Chaffee County Government
Administrative Assistant
Office: 719.539.2218
chaffeeadmin@chaffecounty.org
www.chaffecounty.org
https://chaffeesgotheart.org/#spreadtheword

Just wanted to make sure you received my email. Sorry, I used the wrong email address for you before.

Bill Tucker

------ Forwarded Message ------
From: "Bill Tucker" [redacted]
To: "Keith Baker (kbaker@chaffecounty.org)" <kbaker@chaffecounty.org>; "Greg Felt (gfelt@chaffecounty.org)" <gfelt@chaffecounty.org>; "Rusty Granzella (rgranzella@chaffecounty.org)" <rgranzella@chaffecounty.org>
Cc: "admin@chaffecounty.org" <admin@chaffecounty.org>
Sent: 5/25/2021 7:25:47 AM
Subject: NWNA/BlueTriton
First, please allow me to thank all of you for your continued service to the residents of Chaffee County. Your hard work to keep our best interests in mind are greatly appreciated!

I want to give you my feedback on the possible transfer of the Chaffee County water extraction permit from Nestle Waters North America to One Rock Capital and Metropoulos and Company.

Given the growth in county population (projected to continue for the foreseeable future) and a macro trend towards a warmer and dryer climate, I believe allowing this level of corporate water removal from the county is a large mistake. A previous group of County Commissioners ignored community feedback by allowing this extraction permit, kicking the can down the road and leaving all of you with a large problem. I hope you can find the courage to keep the interests of your fellow residents in mind and do not allow this to happen again.

As others have stated, I also completely support the research of Un-Bottle and Protect Chaffee County. Their data- and fact-driven information is eye-opening, to say the least. I also support the Envision Chaffee County Plan, which outlines the community's wishes to protect our county's natural resources. This business operation does nothing to help us achieve the vision we have for our county.

As a means to end this activity, I ask you to either invoke Section 4.6 of the permit conditions and disapprove the transfer the extraction permit to One Rock Capital and Metropoulos & Co private equity firms, dba BlueTriton Brands, or to simply deny any further extension of the permit. Now is the time to do the right thing. Please Commissioners, let's not kick the can down the road again.

Sincerely,

Bill Tucker

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This message has been scanned for viruses and dangerous content by MailScanner, and is believed to be clean.
Dear Chaffee County Commissioners Granzella, Baker and Felt,

It is my opinion that Nestle/Blue Triton is a very critical, damaging issue for Chaffee County, the United States of America and our world.

I care about Chaffee County playing a huge role in the global initiative to protect communities, the environment and the thrashing and trashing of our-world.

Please consider the following when making your decision regarding granting a permit to a company taking a scarce and precious resource from our area, trucking it on already overused roads, bottling it in plastic bottles which, as you are well aware, are damaging our planet in more ways than I will go into here.

1. Nestle has been sold and I do not want Private Equity in control of this Permit.
2. Nestle has not been in compliance with local jobs promised, or grazing and land management requirements.
3. Nestle has failed to place land in a Conservation Easement as they promised 11 years ago.
4. Financial benefits to the county do not outweigh the loses.
5. I agree with Un-Bottle and Protect Chaffee County Water.

I request that you:

1. Invoke Section 4.6 and deny the transfer of the Permit to One Rock Capital and Metropoulos & Co.
2. Deny any further extension of the Permit!!!!

Many thanks,
Brenda Sebern
Salida CO

cc: Dan Swallow

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

Thank you for your e-mail. It has been received by myself and the Commissioners and will be considered.

-Debbie Fesenmeyer

Debbie Fesenmeyer  
Chaffee County Government  
Administrative Assistant  
Office: 719.539.2218  
chaffeeadmin@chaffecounty.org  
www.chaffecounty.org  
https://chaffeesgotheart.org/#spreadtheword

---Original Message---

Good Afternoon!

I am wanting to personally convey and send another message in regards to the transfer of permit (denying the transfer of permit, denying further extensions of the permit in any way, shape or form!) to One Rock Capital & Metropoulos & Company (private equity firms) from allowing to do business as BlueTriton Brands. I believe it is invoking Section 4.6.

I have written at length other emails in regards to this issue of Nestle Waters, of the transferring of permit and permit usage and how it can be highly detrimental to the well being of flora, fauna, recreation & tourism, sustainability of livelihoods for the human and non-human populations in the area and surrounding Chaffee County. Should you need me to forward them to you once again, I will happily do so, should it need to be re-documented.
Please take this email and the other emails I have sent into consideration as well as the high level of importance this has not only upon myself, yet many, many numerous other individuals that may not even be aware of the current situation, or are unable to communicate in such a degree to send you their own personal messages of disapproval. In hopefulness in considering the situation and pleas of denying and removing extensions of this (or any other similar) permit.

Thank you for taking our lives, our community and our county seriously!

Regards,

Moe S.

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

I urge you to vote no on the permit renewal. By now you have heard all the arguments so I only have this to add.

A forest has no economic value unless it's cut down. Under Colorado water law, water that is not put to beneficial use (economic use) is wasted and has no value. So, in that case, if the water is just allowed to flow down the river it is wasted. Just like a forest is wasted if it is not harvested.

But I would argue the forest and the river are of extreme value just because they exist and not managed by humans. They offer life to a myriad of species, including our own. They are far more valuable left to their natural patterns, the natural ecosystem. I know that they are replacing the water stolen from the Arkansas river ecosystem with water stolen from a different ecosystem but when does it stop?

Stop the steal. It's the right thing to do.

Doug Welch

---

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From: Becky Leonard
Sent: Wednesday, May 26, 2021 6:23 AM
To: rgranzella@chaffeecounty.org; kbaker@chaffeecounty.org; gfelt@chaffeecounty.org
Cc: chaffeeadmin@chaffeecounty.org
Subject: Please deny NWNA/BlueTriton permit transfer/extension

Dear Chaffee County Commissioners,

I am writing to add my voice to the current evaluation of the NWNA/Blue Triton extension request. I stand with the Unbottle & Protect Chaffee County Water efforts to request denying this transfer/extension. Therefore, I am requesting that you invoke Section 4.6, and deny the transfer of the Permit to One Rock Capital, and Metropoulos & Co, private equity firms, doing business as BlueTriton Brands. Please also deny any further extension of the Permit. This Permit is not in the best interests of Chaffee County.

Thank you.
Becky Leonard

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This message has been scanned for viruses and dangerous content by MailScanner, and is believed to be clean.
Dear Chaffee County Commissioners Granzella, Baker and Felt,

It is my opinion that Nestle/Blue Triton is a very critical, damaging issue for Chaffee County, the United States of America and our world.

I care about Chaffee County playing a huge role in the global initiative to protect communities, the environment and the thrashing and trashing of our world.

Please consider the following when making your decision regarding granting a permit to a company taking a scarce and precious resource from our area, trucking it on already overused roads, bottling it in plastic bottles which, as you are well aware, are damaging our planet in more ways than I will go into here.

1. Nestle has been sold and I do not want Private Equity in control of this Permit.
2. Nestle has not been in compliance with local jobs promised, or grazing and land management requirements.
3. Nestle has failed to place land in a Conservation Easement as they promised 11 years ago.
4. Financial benefits to the county do not outweigh the loses.
5. I agree with Un-Bottle and Protect Chaffee County Water.

I request that you:
1. Invoke Section 4.6 and deny the transfer of the Permit to One Rock Capital and Metropoulos & Co.
2. Deny any further extension of the Permit!!!
David Sebern
Salida CO

cc: Dan Swallow

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

From: Bob Wight
Sent: Wednesday, May 26, 2021 8:28 AM
To: kbaker@chaffeecounty.org; gfelt@chaffeecounty.org; rgranzella@chaffeecounty.org
Cc: chaffeeadmin@chaffeecounty.org
Subject: NWNA/BlueTriton 1041 Permit

As a Chaffee County resident, I request that you

1. Invoke Section 4.6, and Deny the transfer of the Permit to One Rock Capital, and Metropoulos & Co, private equity firms, doing business as BlueTriton Brands.
2. Deny any further extension of the Permit, period.

Thank you.

Bob Wight

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

I stand with Unbottle and Protect Chaffee County Water on their position on this application. I urge you to vote NO.

Jill Welch

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FYI

From: James Spehler
Sent: Wednesday, May 26, 2021 11:05 AM
To: chaffeeadmin@chaffecounty.org
Subject: Nestle Water Permit

Hello, please vote No. Thank you, James Spehler of Nathrop, Co

--
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This message has been scanned for viruses and dangerous content by MailScanner, and is believed to be clean.
Hello Mr. Monahan,

We thank you for your comments and will take them into consideration.

-Debbie Fesenmeyer

Debbie Fesenmeyer
Chaffee County Government
Administrative Assistant
Office: 719.539.2218
chaffeadmin@chaffecounty.org
www.chaffecounty.org
https://chaffeesgotheart.org/#spreadtheword

-----Original Message-----
From: Brian Monahan <bmonahan@chaffecounty.org>
Sent: Wednesday, May 26, 2021 2:56 PM
To: rgranella@chaffecounty.org; kbaker@chaffecounty.org; gfelt@chaffecounty.org
Cc: chaffeadmin@chaffecounty.org
Subject: Nestle Permit

To: Chaffee County Commissioners
RE: Water Permits/Sale of local resources

I am writing this to ask that you deny the permit to sell our water to private equity funds. Water is a finite commodity, and here in the County we are experiencing rapid growth that calls for more water. If you have not watched the PBS/Frontline "Plastic Wars", I respectfully ask that you take a look at it. The plastic bottles used for the water are not recycled. They end up in landfills, rivers, streams, lakes, and public lands; the very areas we need to protect. It is unsustainable and is a major source of pollution. You currently have
2 pages of subdivision requests pending, some need wells drilled. I would think in such a scenario you would be protecting what water we have, not selling it. Why not use that allocation to recharge our aquifer for future use? In the big picture, we should be conserving and protecting our resources, not selling them. Are there funds allocated for possible litigation the County may become involved in, whether it is a ban on single use plastic, or the hedge fund's non-
performance on contracts? Litigators who represent hedge funds are paid thousands of dollars per hour. Does the County have the ability to fund a prolonged legal battle? Without water, life ceases. Why sell our resources for the short term?

Please protect the water for those of us who live in the County, and not for the benefit of a hedge fund on the East Coast.

Respectfully,

Brian Monohan
Sean Monohan
Slobain & Michael Pacheco

--
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.
Hello Mr. Hosman,

Thank you for your comments. They will be forwarded to the pertinent county staff and Commissioners for consideration.

-Debbie Fesenmeyer

Debbie Fesenmeyer  
Chaffee County Government  
Administrative Assistant  
Office: 719.539.2218  
chaffeeadmin@chaffeecounty.org  
www.chaffeecounty.org  
https://chaffeesgotheart.org/#spreadtheword

From: Hosman, Kevin P.  
Sent: Wednesday, May 26, 2021 3:08 PM  
To: chaffeeadmin@chaffeecounty.org  
Subject: Nestles 1041 permit

To the Chaffee County commissions regarding the Nestles/Blue Triton 1041 permit.

Due to the arid conditions which exist in Chaffee county it seems the water being shipped out of county for profit could be put to better use by retaining the ground water in the local aquifer. Currently, residents of Chaffee county who have residential water wells have their usage closely monitored due to a growing demand on a limited water supply. So, I strongly urge the board of county commissioners to deny renewal of the 1041 permit extension for Nestles NA/Blue Triton.  
Thank you for your time.

Kevin Hosman
Hello Ms. Piderit,

Thank you for your comments. They will be considered.

-Debbie Fesenmeyer

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To the Chaffee County commissioners:

I disagree with the proposal to extend the 1041 permit for Nestles NA/Blue Triton. Chaffee county already experiences dry conditions. It seems unwise to ship water out of county for profit rather than retaining the ground water for local aquifers. As a local resident, my well water usage is already monitored due to limited water supply. No sure why Chaffee County residents should suffer just so Nestle/Blue Triton can make money?

Thanks for considering my comments,

Cheryl A Piderit

--

This message has been scanned for viruses and
Hello Ms. Shoup,

Thank you for your comments. They will be considered.

-Debbie Fesenmeyer

Debbie Fesenmeyer  
Chaffee County Government  
Administrative Assistant  
Office: 719.539.2218  
chaffeeadmin@chaffecounty.org  
www.chaffecounty.org  
https://chaffesgotheart.org/#spreadtheword

Dear Chaffee County Commissioners,

Months ago I sent an email expressing my concerns about continuing to have Nestle extract water from our county to ship it to the Front range and bottle it in plastic. I spent a lot of time researching the issue at the time. Recently, I found out the water extraction is still under consideration and comments can be submitted until May 27th.

The concerns I had in the original letter still stand. Now I would add the sale to Blue Triton adds some unknowns, it appears the opinion of the rafting community may have been misrepresented and the easement has not been completed by Nestle.

In addition, the major concern is not only our county by the state of Colorado is experiencing a drought!!!! It seems more responsible to conserve water. Drought is a serious issue here....in the last couple of years three of the four neighbors surrounding my property have had to drill new wells.

I encourage you to protect our water resources.

Respectfully, Martha Shoup  
Salida Resident
Dear County Commissioners,

I am writing to you with my concerns over the potential renewal of the Nestle Waters (NWNA) 1041 permit, and the consequences it will have for our county.

As someone who hopes to continue many decades in our county, and as a former educator, it is important to me to consider the future, and how the decisions we make today will impact the children, families, and other
plant and animal inhabitants who depend on the Arkansas River, and access to affordable, clean water for years to come. This case is part of a network of concurrent cases in five other locations across North America where local officials are being asked if they will prioritize the future water security of their communities, or a cut of the profits from Nestle’s corporation. These decisions will no doubt be longstanding, and historic. The responsibility you, and County Attorney Jennifer Davis, bear for future generations is significant. A precedent is being set.

I have written for you a concise list of the legal aspects you can use to deny NWNA this permit renewal, and affirm that the authority of water use rests with its communities, and not the threatening litigation of large corporations. I believe these arguments are based in sound logic, both protect you and our community, and consider the importance of rigorous attention to all details of this case.

1. There has been no comprehensive ecological analysis done since 2009 and the original report was blatantly manipulated.

Despite clear findings presented in the original report, (“Nestle Project Application Review: Potential Impacts of the Nestle Project to Natural Resources in the Area”) that pumping the Pinedale Aquifer at Ruby Mountain Springs in times of drought could permanently damage the aquifer and its ability to recharge, the permit in 2009 was granted. Not only was this (and would continue to be) a manipulation and denial of evidence commissioners are legally obligated to consider, it is also intentional hiding of evidence. Ignoring and modifying this report’s findings fails to acknowledge the true ecological harm this operation causes to our wildlife, and ground water storage. Failing to conduct another ecological study with a reputable third party only continues this neglect of our local wildlife, and the real issue of climate change, and raises the question of legally how this decision could be well-made without addressing this component of the case.

I have attached the original ecology report with important points highlighted. Notably, ecologist Delia Malone writes, “Hydrogeological data indicate that at just slightly higher pumping rates the aquifer (upper portion of the screened interval) could potentially become dewatered under a 180-day no-recharge scenario. In such a dewatering scenario, impacts to wetland vegetation and habitat would likely be negative and significant.” I urge you to use this information to deny the renewal of this permit, and recognize the ongoing harm draining groundwater during times of drought causes our water storage and wildlife.

2. Nestle is mis-representing their recent sale to two private equity firms (newly renamed “Blue Triton Brands”) as a simple “name change” or “asset transfer.”

Let’s call a spade, a spade. Nestle SA sold off their North American brands to new owners, and are LEGALLY obligated, by the permit itself, to reapply for a new permit per section 4.6. Commissioners are obligated in this scenario to uphold the legal terms of the permit, and deny the current renewal application, due to the sale.

3. The Economic Analysis was inadequate and proved Nestle’s impact was “a wash” and not a clear benefit.

The Economic Analysis Report created was very limited in scope- only what directly affected Chaffee County, by Harvey Economics’ terms. It failed to include the economic toll beyond our county borders- the wear and tear of huge polluting trucks on our roads, the detriment of our air with the burning of fuel for transport and manufacturing, the impact of millions of plastic bottles created and forever affecting our planet, and the negative impact of the notoriety of being a town that claims to hold environmental values as a high priority, yet approve an ecologically harmful operation to continue in its borders. Regardless, as is written, the report’s conclusion of Nestle’s presence being “a wash” is not a strong enough benefit to keep this operation in Chaffee County, let alone counteract the greater negative effects of a “suck and truck” water bottling operation in the drought-stricken west.
plant and animal inhabitants who depend on the Arkansas River, and access to affordable, clean water for years to come. This case is part of a network of concurrent cases in five other locations across North America where local officials are being asked if they will prioritize the future water security of their communities, or a cut of the profits from Nestle’s corporation. These decisions will no doubt be longstanding, and historic. The responsibility you, and County Attorney Jennifer Davis, bear for future generations is significant. A precedent is being set.

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   Let’s call a spade, a spade. Nestle SA sold off their North American brands to new owners, and are LEGALLY obligated, by the permit itself, to reapply for a new permit per section 4.6. Commissioners are obligated in this scenario to uphold the legal terms of the permit, and deny the current renewal application, due to the sale.

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   The Economic Analysis Report created was very limited in scope- only what directly affected Chaffee County, by Harvey Economics’ terms. It failed to include the economic toll beyond our county borders- the wear and tear of huge polluting trucks on our roads, the detriment of our air with the burning of fuel for transport and manufacturing, the impact of millions of plastic bottles created and forever affecting our planet, and the negative impact of the notoriety of being a town that claims to hold environmental values as a high priority, yet approve an ecologically harmful operation to continue in its borders. Regardless, as is written, the report’s conclusion of Nestle’s presence being “a wash” is not a strong enough benefit to keep this operation in Chaffee County, let alone counteract the greater negative effects of a “suck and truck” water bottling operation in the drought-stricken west.
4. The mandated conservation easement was never completed, and the original boundaries were altered to cut out the most ecologically important portion to accommodate a housing development.

Nestle's obligations to create a conservation easement by the permit's terms were clear. Not only was the designated land never given protected status, the portion of this property closely surrounding the spring runoff and riparian corridor, the most important portion for wildlife, was instead traded to the neighboring landowner for a housing development in the "boundary line adjustment". The loss of wetland resources to wildlife is clear, and only confirms the ecological analysis that harm will come to local plants and wildlife if this operation is allowed to continue. The "island effect" of these small pockets of wetlands in the southwest and their importance to the survival of migrating birds, ungulates, and other species is well known. Preventing the encroachment of human noise and impact on this area was intentionally written into the original permit, and NWNA's failure to counter their ecological impacts with this condition is one more example of their non-fulfillment of the legal terms of the permit. As the legal authority of this 1041 application, you as commissioners must uphold the law, and permit terms, thereby denying the application.

5. The legal counsel of County Attorney, Jennifer Davis, is in question due to her previous work with Nestle, and her failure to adequately represent the interests of Chaffee County. It has come to my attention, (see below) that at the time the original 1041 permit was being written, Ms. Davis recused herself from the proceedings citing that "she worked too closely with the applicant" (NWNA). This would indicate to me that this legal conflict and bias would still be applicable in the renewal process of this same application. Ms. Davis has professional obligations to the State Bar of Colorado to conduct her counsel in a way that does not conflict with previous cases, and her quick acceptance of Nestle's slick argument of "it's a name change, not a sale" raised my eyebrows immediately. Our citizens, our water, our environment, needs a representative who uses their authority to ask tough, questions of the 1041 applicant, represents our interests, and upholds the law to its highest standards. If not Ms. Davis, then who, WHO is representing our county, and pushing back against this multinational corporation residing here with the explicit purpose of making money off of the export of our county's water? Who is advising you with the next 50 years of drought, city growth, and climate change impact in mind? It is concerning that people in your position are relying heavily on the interpretation of the law through someone who was previously worked with the corporation applying for the permit. There are an awful lot of lawyers available for hire in Colorado, to retain one with such an obvious conflict of interest seems questionable.

I hope that you will take these issues into consideration as you finish your deliberations on NWNA's application, and take both the high legal, and ethical road to protect our water from corporate interests for generations to come.
Thank you for your consideration of this letter.

Angie Thompson,
Central Colorado Climate Coalition

Please see this Mountain Mail article for reference:

From: The Mountain Mail, "Dates set for Nestle meetings"
by Paul Goertz
Feb 19, 2009

"Hearing dates for the Nestle Waters 1041 and special land use applications were re-set by Chaffee County Commissioners during their meeting Tuesday.
Earlier dates were postponed to allow Nestle to answer questions, Don Reimer, county planning engineer said.

Hearing with the planning commission was set for March 3, a site visit will be March 4 and county commissioners will host a hearing March 18. All meetings will be at 1 p.m. Meetings on March 3 and March 18 will be at the Steam Plant. The March 4 meeting will be at the site near Ruby Mountain.

Commissioners approved retaining special counsel upon recommendation of county attorney Jenny Davis.

She reported she worked too closely with the applicant and recommended Barb Green of Boulder should represent the county.

Previously, Green was retained by the county for a Bureau of Reclamation exchange.”

On Wed, May 26, 2021 at 4:31 PM Angie Thompson (via Google Docs) wrote:

[Attached document]

Please see my attached letter and submission to the public record for the NWNA 1041 Permit renewal public comment period.

This is a courtesy copy of an email for your record only. It's not the same email your collaborators received. Click here to learn more.
FYI

-----Original Message-----
From: Ted Huck
Sent: Wednesday, May 26, 2021 12:06 PM
To: rgranzell@chaffecounty.org; kbaker@chaffecounty.org; gfelt@chaffecounty.org; chaffeeadmin@chaffecounty.org
Subject: Emailing: BTB Driver Letters to Commissioners_May2021

Dear Commissioners,

Attached are letters from our drivers who haul loads from Chaffe County to Denver for Blue Triton Brands. We hope you will consider their request - as ours - to extend the 1041 permit so that our drivers can remain employed so that we can continue to do business with Chaffe County and Blue Triton.

Regards,
Ted Huck - Vice President of Operations

D.G. Coleman, Inc.

This message has been scanned for viruses and dangerous content by MailScanner, and is believed to be clean.
Dear Chaffee County Commissioners,

I am a driver for D G Coleman and haul the Arrowhead Spring Water for Blue Triton Brands. I have been doing this haul since 1/4/20.

This job allows me to earn a good living for me and my family. Extending the permit will allow me to keep my job. This is a very good truck driving job here in Colorado, and I hope you will consider the good benefits and steady work that Blue Triton provides to me. If the permit is not extended, I and my fellow local D G Coleman drivers will be unemployed.

Thank you for your careful consideration,

[Signature]
Dear Chaffee County Commissioners,

I am a driver for D G Coleman and haul the Arrowhead Spring Water for Blue Triton Brands. I have been doing this haul since 2015.

This job allows me to earn a good living for me and my family. Extending the permit will allow me to keep my job. This is a very good truck driving job here in Colorado, and I hope you will consider the good benefits and steady work that Blue Triton provides to me. If the permit is not extended, I and my fellow local D G Coleman drivers will be unemployed.

Thank you for your careful consideration,

[Signature]
Dear Chaffee County Commissioners,

I am a driver for D G Coleman and haul the Arrowhead Spring Water for Blue Triton Brands. I have been doing this haul since 11/30/20.

This job allows me to earn a good living for me and my family. Extending the permit will allow me to keep my job. This is a very good truck driving job here in Colorado, and I hope you will consider the good benefits and steady work that Blue Triton provides to me. If the permit is not extended, I and my fellow local D G Coleman drivers will be unemployed.

Thank you for your careful consideration,

Richard Holland

Certified
Dear Chaffee County Commissioners,

I am a driver for D & G Coleman and haul the Arrowhead Spring Water for Blue Triton Brands. I have been doing this haul since 6-18-15.

This job allows me to earn a good living for me and my family. Extending the permit will allow me to keep my job. This is a very good truck driving job here in Colorado, and I hope you will consider the good benefits and steady work that Blue Triton provides to me. If the permit is not extended, I and my fellow local D & G Coleman drivers will be unemployed.

Thank you for your careful consideration,

[Signature]
Dear Chaffee County Commissioners,

I am a driver for D & G Coleman and haul the Arrowhead Spring Water for Blue Triton Brands. I have been doing this haul since June 2011.

This job allows me to earn a good living for me and my family. Extending the permit will allow me to keep my job. This is a very good truck driving job here in Colorado, and I hope you will consider the good benefits and steady work that Blue Triton provides to me. If the permit is not extended, I and my fellow local D & G Coleman drivers will be unemployed.

Thank you for your careful consideration,

Anne Dixon

[Signature]
Dear Cheffee County Commissioners,

I am a driver for D & G Coleman and haul the Arrowhead Spring Water for Blue Triton Brands. I have been doing this haul since 16th April, 2018.

This job allows me to earn a good living for me and my family. Extending the permit will allow me to keep my job. This is a very good truck driving job here in Colorado, and I hope you will consider the good benefits and steady work that Blue Triton provides to me. If the permit is not extended, I and my fellow local D & G Coleman drivers will be unemployed.

Thank you for your careful consideration.

[Signature]

Joseph G. Swartz
25th May, 2021
Dear Chaffee County Commissioners,

I am a driver for D G Coleman and haul the Arrowhead Spring Water for Blue Triton Brands. I have been doing this haul since 11/30/2019.

This job allows me to earn a good living for me and my family. Extending the permit will allow me to keep my job. This is a very good truck driving job here in Colorado, and I hope you will consider the good benefits and steady work that Blue Triton provides to me. If the permit is not extended, I and my fellow local D G Coleman drivers will be unemployed.

Thank you for your careful consideration,

[Signature]

5-25-2021
Dear Chaffee County Commissioners,

I am a driver for D & G Coleman and haul the Arrowhead Spring Water for Blue Triton Brands. I have been doing this haul since 10-15-15.

This job allows me to earn a good living for me and my family. Extending the permit will allow me to keep my job. This is a very good truck driving job here in Colorado, and I hope you will consider the good benefits and steady work that Blue Triton provides to me. If the permit is not extended, I and my fellow local D & G Coleman drivers will be unemployed.

Thank you for your careful consideration,

Bill

5-25-21
Dear Cheffee County Commissioners,

I am a driver for D G Coleman and haul the Arrowhead Spring Water for Blue Triton Brands. I have been doing this haul since 8-31-18.

This job allows me to earn a good living for me and my family. Extending the permit will allow me to keep my job. This is a very good truck driving job here in Colorado, and I hope you will consider the good benefits and steady work that Blue Triton provides to me. If the permit is not extended, I and my fellow local D G Coleman drivers will be unemployed.

Thank you for your careful consideration,

[Signature]
Dear Chaffee County Commissioners,

I am a driver for D&G Coleman and haul the Arrowhead Spring Water for Blue Triton Brands. I have been doing this haul since 2015.

This job allows me to earn a good living for me and my family. Extending the permit will allow me to keep my job. This is a very good truck driving job here in Colorado, and I hope you will consider the good benefits and steady work that Blue Triton provides to me. If the permit is not extended, I and my fellow local D&G Coleman drivers will be unemployed.

Thank you for your careful consideration,

[Signature]
Dear Chaffee County Commissioners,

I am a driver for D.G. Coleman and haul the Arrowhead Spring Water for Blue Triton Brands. I have been doing this haul since 10-13-20.

This job allows me to earn a good living for me and my family. Extending the permit will allow me to keep my job. This is a very good truck driving job here in Colorado, and I hope you will consider the good benefits and steady work that Blue Triton provides to me. If the permit is not extended, I and my fellow local D.G. Coleman drivers will be unemployed.

Thank you for your careful consideration,

Glenwood D. Johnston
Good Morning Mr. Broudy,

Your comments have been received and will be considered.

Thank you!

-Debbie Fesenmeyer

Debbie Fesenmeyer  
Chaffee County Government  
Administrative Assistant  
Office: 719.539.2218  
chaffeeadmin@chaffecounty.org  
www.chaffecounty.org  
https://chaffeegothearth.org/#spreadtheword

-----Original Message-----
From: gbroudy@chaffecounty.org  
Sent: Thursday, May 27, 2021 7:39 AM  
To: rgranzella@chaffecounty.org; kbaker@chaffecounty.org; pfelt@chaffecounty.org  
Cc: chaffeeadmin@chaffecounty.org  
Subject: NWNA/BlueTriton 1041 Permit

In regard to the public hearings on the transfer/extension of the NWNA/BlueTriton 1041 Permit, which allows water extraction at Ruby Mountain Springs, my hope is that you will vote to:

1. Invoke Section 4.6, and Deny the transfer of the Permit to One Rock Capital, and Metropoulos & Co, private equity firms, doing business as BlueTriton Brands.
2. Deny any further extension of the Permit.

Irv Broudy

--

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Hello Mr. Halstead,

Your comments have been received and will be considered.

Thank you!

-Debbie Fesemeyer
Jon Roorda

From: Chaffee Admin <chaffeedadmin@chaffecounty.org>
Sent: Thursday, May 27, 2021 10:00 AM
To: 'Noah Miller'
CC: 'Jon Roorda'; 'Greg Felt'; 'Keith Baker'; 'Russell Granzella'
Subject: RE: Nestle

Hello Mr. Miller,

Thank you for your comments. They will be considered.

-Debbie Fesenmeyer

Debbie Fesenmeyer
Chaffee County Government
Administrative Assistant
Office: 719.539.2218
chaffeedadmin@chaffecounty.org
www.chaffecounty.org
https://chaffesgoheart.org/#spreadtheword

-----Original Message-----
From: Noah Miller
Sent: Thursday, May 27, 2021 9:44 AM
To: chaffeedadmin@chaffecounty.org
Subject: Nestle

Please put our community over global corporate profits. PLEASE. I strongly object to the renewal of the permit.

Nosh Miller

Sent from my iPhone

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Hello Ms. Kerschen,

Your comments have been received and will be considered.

Thank you!

-Debbie Fesenmeyer

Deny Nestle Permit. Under no circumstance should any entity – much less a foreign entity – have any rights to Chaffee County water. Resist the bribes and vote to deny the permit.

Lyn Kerschen
Chaffee County Home Owner

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Hello Jay,

We've received your comments and they will be considered.

Thank you!

-Debbie Fesenmeyer
The HE study greatly under-estimated the impact of truck traffic. It counted one 97,000 lb overloaded 6-axle semi-truck as an ordinary car, when citing the same figure as Nestle originally gave to support a 1 percent increase in traffic. Back in 2009, it would increase heavy truck traffic by 13% with the 24/7/365 semi-tanker -trips, as calculated by Don Reimer, PE, former Chaffee County Planning Manager.

It is appropriate and fitting to exercise our rights to deny renewal and to require a new permit process. Blue Triton bottling capacity in Denver could be used to bottle more Pure Life brand water from Denver water. (That's not a good idea, but it has less impact than trucking of water from here.)

There will be no problem for the water truck drivers to find other work, either with D.G. Coleman or with many other motor carriers.

I have opposed this from the initial Nestle proposal. That decision was wrongly influenced by political pressure from those in a position to gain from the transaction.

A sale of the NWNA business is grounds for not renewing the permit. The costs to us greatly outweigh the benefits. I strongly oppose a renewal.

One of the largest opportunity costs to be considered here is the time and brain damage the BOCC, Staff, and Chaffee Citizens have endured in this ongoing Nestle/Blue Triton saga. We need to move on to other long-term planning and strategic issues that can benefit citizens of Chaffee County., and stop flogging this issue.

Do not renew the permit.

Thank you for the opportunity to comment.

Regards,
Jay Gingrich
Buena Vista

--
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Hello Ms. Davis,

Your comments have been received and will be considered.

Thank you!

-Debbie Fesenmeyer

Debbie Fesenmeyer
Chaffee County Government
Administrative Assistant
Office: 719.539.2218
chaffeeadmin@chaffeecounty.org
www.chaffeecounty.org
https://chaffeesgotheart.org/#spreadtheword

From: Bonnie Davis
Sent: Thursday, May 27, 2021 7:31 AM
To: chaffeeadmin@chaffeecounty.org
Subject: BlueTriton Brands

Dear commissioners,

I am writing to request that you ask BlueTriton Brands to file their own 1041 permit. They acquired some of the Nestle Waters North America water brands and are operating as a new, legal entity. Additionally, BlueTriton Brands is not 51% owned by Nestle Waters North America (the name of the permit holder). As such, extending the current, expired permit should not be allowed.

I would like you to know that retaining existing employees from an acquisition is typically done for continuity and knowledge transfer. Sometimes the employees are let go after the knowledge has been transferred or they are retained. The new company management controls that decision unless terms to the contrary are written in the acquisition agreement.

I would also like to add that I drove to Denver and back on Tuesday. I counted 11 Coleman trucks driving to Denver and, I passed two of their trucks driving west on 285 toward Fairplay. The trucks driving east toward
Denver were the typical water trucks they use, but two were the older tanker style used in the past. Those driving west were one of each. I have no way of knowing if the trucks were related to water being pulled from our area. Maybe someone can research and count trucks.

I hope you consider my comments in your decision.

Bonnie Davis

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Hello Ms. Ostroff,

Your comments have been received and will be considered.

Thank you!

-Debbie Fesenmeyer

Debbie Fesenmeyer
Chaffee County Government
Administrative Assistant
Office: 719.539.2218
chaffeeadmin@chaffecounty.org
www.chaffecounty.org
https://chaffeesgotheart.org/#spreadtheword

-----Original Message-----
From: Lisa ostroff
Sent: Wednesday, May 26, 2021 7:09 PM
To: chaffeeadmin@chaffecounty.org
Subject: Nestle Permit

Dear Commissioner:

I am opposed to the renewal or extension of permits to Nestle or their new owners. We live in a different era than that when the permits were initially issued. Our commissioners are obligated to change with the times. Plastic bottles of water are no longer a desired or even viable commercial product.
Water is a vital resource for any community, not a commodity. Must we read about our resource choices in The NY Times yet again?
The economic returns to the community fell short of their projections as did the environmental remediation.
A continued relationship with commercial water companies is not the the best interest of the county now or in the future.
Best Regards,
Lisa Ostroff
From: Jon Roorda
Sent: Thursday, May 27, 2021 11:40 AM
To: 'Linda Gibas'
Cc: 'Jon Roorda'
Subject: RE: NWNA/BlueTriton

Hello Ms. Gibas,

Your comments have been received and will be considered.

Thank you!

-Debbie Fesenmeyer

Debbie Fesenmeyer
Chaffee County Government
Administrative Assistant
Office: 719.539.2218
chaffeeadmin@chaffeecounty.org
www.chaffeecounty.org
https://chaffeeisheart.org/#spreadtheword

From: Linda Gibas
Sent: Wednesday, May 26, 2021 7:34 PM
To: rgranville@chaffeecounty.org; Keith Baker; gfelt@chaffeecounty.org
Cc: chaffeeadmin@chaffeecounty.org
Subject: NWNA/BlueTriton

Dear County Commissioners,
I am opposed to the renewal of the Permit to remove water, bottle it and send it out of our valley. Not only is there a drought and water is becoming more valuable, but the bottles are made from plastic and add to the overwhelming plastic disposal issue in this country and the world. Please take the following actions:
1. Invoke Section 4.6, and Deny the transfer of the Permit to One Rock Capital, and Metropoulos & Co, private equity firms, doing business as BlueTriton Brands.

2. Deny any further extension of the Permit.

Linda Gibas
Hello Mr. Goforth,

We have received and will consider your comments.

Thank you!

-Debbie Fesenmeyer

Debbie Fesenmeyer
Chaffee County Government
Administrative Assistant
Office: 719.539.2218
chaffeeadmin@chaffeecounty.org
www.chaffeecounty.org
https://chaffeesgoheart.org/#spreadtheword

From: Bruce Goforth
Sent: Wednesday, May 26, 2021 8:47 PM
To: Keith Baker; Greg Felt; Rusty Granzella
Cc: chaffeeadmin@chaffeecounty.org
Subject: Nestle Permit

Commissioners Baker, Felt, and Granzella, I am writing once more to request that you deny the Nestle permit renewal. As I have stayed informed regarding the Nestle permitting process, I have yet to see any compelling reason for Chaffee County Commissioners to renew the Nestle permit. Quite to the contrary. There is in totality many more negatives, including the many irresponsible environmental issues, plastic bottles, trucking and shipping of these bottles, and lack of a meaningful conservation easement (is one in existence?) to protect the spring, spring habitat, wildlife habitat (immediate and along the river corridor). And regarding the river corridor, while the permit may not be able to address a real estate transaction which will allow a subdivision, this real estate transaction is so indicative of Nestle (its successor as well) as to their focus—monetary vs. being a good steward in the community, and for of the natural environment/wildlife habitat. Can any of you really enable any of this in good conscience?

Also, the economic analysis in the Mountain Mail, left much to be desired. Perhaps the coverage was incomplete. But the information I read, the, quotes provided, etc. was superficial and wishy washy as to results. What was glaringly missing, however, was any mention or factoring in the externalities or negative impacts of the operation. How typical of old school, for profit only concerns analysis! Hey, we live in the 21st Century. The environment matters. And what we
stand for in Chaffee County regarding the environment should have been addressed. There are costs, in real monetary terms, as well as those not as easily quantified (but significant) to these matters. I strongly feel that those costs far outweigh the small economic benefits alluded to.

In summary, the Nestle permit should not be renewed. Bruce Goforth

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Dear County Commissioners,

I am writing to you with my concerns over the potential renewal of the Nestle Waters (NWNA) 1041 permit, and the consequences it will have for our county.

As someone who has followed the despicable activities of the Nestle Corporation in other communities all over the world, I am alarmed by the prospect of the same things happening in our community. This is simply a case of greed taking priority over what is best for our environment. Nestle has shown over and over again what they will do when this valuable resource is depleted. They will pack up and move on to the next aquifer waiting to be sucked dry. It is time for our elected officials to do what is right and stand up to the threats of litigation by this corporate bully.

With the prospect of the present drought continuing into the foreseeable future, a prudent person would take action now to mitigate the potential effects of such a scenario rather than blindly following the counsel of someone whose only concern if for an immediate profit.

As a Chaffee County Commissioner, I would hope your devotion is to your constituents, your environment and the laws you have sworn to uphold. Laws, rules and regulations that Nestle has bent, distorted, and ignored for the past ten years.

Thank you for your consideration of this letter,

Kenneth Brandon
Hello Ms. Swan,

Your comments have been received and will be considered.

Thank you!

-Debbie Fesenmeyer

---

From: Jennifer Swan
Sent: Thursday, May 27, 2021 6:23 AM
To: rusty_granzeza@salidaelected.com; keith.baker@salidaelected.com; gfelt@chaffecounty.org; chaffeeadmin@chaffecounty.org
Subject: Nestle/Blue Triton needs to go!

Dear Commissioners,
I know you are busy and don't want to belabor all of the points of opposition that you are well aware of. Please put on record that I and my family oppose the renewal of the Nestle/Blue Triton 1041 permit. The environmental cost is just too great to outweigh the economic benefits.

Thank you,
Jennifer and Chris Swan
Salida, CO

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Hello Mr. Mentor,

Your comments have been received and will be considered.

Thank you!

-Debbie Fesenmeyer

Debbie Fesenmeyer
Chaffee County Government
Administrative Assistant
Office: 719.539.2218
chaffeeadmin@chaffecounty.org
www.chaffecounty.org
https://chaffeesgotheheart.org/#spreadtheword

-----Original Message-----
From: [redacted]
Sent: Thursday, May 27, 2021 6:29 AM
To: chaffeeadmin@chaffecounty.org
Subject: Deny the permit

Good morning,

I am writing to encourage the Chaffee county commissioners to deny the Nestle permit. The benefits are minimal, even when the study eliminated nearly everything but finances. Other harms, to the environment and the long-term health and welfare of our community, are great (in fact, incalculable).

The initial permit decision was short sighted. With the benefit of hindsight, this has become clear. Nestle did not meet their obligations and this was a bad deal for the county even if they did. Please don’t make the same mistake – especially now that you are dealing with an even more predatory entity.

Thank you,
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Hello Ms. Broudy,

We have received your comments and they will be considered.

Thank you!

-Debbie Fesenmeyer

Debbie Fesenmeyer  
Chaffee County Government  
Administrative Assistant  
Office: 719.539.2218  
chaffeeadmin@chaffecounty.org  
www.chaffecounty.org  
https://chaffeeesgoheart.org/#spreadtheword

-----Original Message-----
From: gbroudy
Sent: Thursday, May 27, 2021 7:34 AM
To: rgranzella@chaffecounty.org; kbaker@chaffecounty.org; gfelt@chaffecounty.org
Cc: chaffeeadmin@chaffecounty.org
Subject: NWNA/Blue Triton 1041 Permit

In regard to the public hearings on the transfer/extension of the NWNA/BlueTriton 1041 Permit, which allows water extraction at Ruby Mountain Springs, my hope is that you will:

1. Invoke Section 4.6, and Deny the transfer of the Permit to One Rock Capital, and Metropoulos & Co, private equity firms, doing business as BlueTriton Brands.
2. Deny any further extension of the Permit, period. They have the legal right to do this!
This message has been scanned for viruses and dangerous content by MailScanner, and is believed to be clean.
Hello Mr. Buono,

Your comments have been received and will be considered.

Thank you!

-Debbie Fesenmeyer

Debbie Fesenmeyer  
Chaffee County Government  
Administrative Assistant  
Office: 719.539.2218  
chaffeeadmin@chaffecounty.org  
www.chaffecounty.org  
https://chaffecounty.org/#spreadtheword

From: Arthur Buono  
Sent: Thursday, May 27, 2021 10:27 AM  
To: rgranzea@chaffecounty.org; kbaker@chaffecounty.org; gfelt@chaffecounty.org  
Cc: chaffeeadmin@chaffecounty.org  
Subject: Nestle Waters/BlueTriton permit renewal and transfer

Dear County Commissioners,

I am writing to express my objection and opposition to the renewal and transfer of the water extraction permit previously granted to Nestle Waters. In my opinion, due to the ongoing drought and aridification of our region, this is no time to commit to an additional lengthy permit of extraction rights for the massive quantities of water involved. I also do not believe that Nestle/Blue Triton's application represents the highest and best use of this resource--indeed, far from it. In addition to depriving our area of a resource (notwithstanding repurchase or resupply commitments, which amount to robbing Peter to pay Pauline) needed to sustain our aquifers and supply surface stream inflows, the bottling and sale of this water in single-use, plastic bottles is an environmental catastrophe with effects well beyond our area. I really would hate for us to perpetuate this mess by consenting to be a source of it. Chaffee County is not about externalizing harms for whatever benefits this permit provides locally--and frankly, I am not aware of any significant benefits the community derives from this activity.
In order not to prolong this email, I will simply note that it is within your absolute discretion under section 4.6 of the agreement to not consent to the transfer of this permit, and that you are under no obligation whatsoever to grant an extension of the permit on its expiration. I urge you to deny the transfer and not grant the extension, and to allow for reconsideration of the most beneficial uses of the resource and the best interests of our county going forward.

Sincerely,

Arthur C. Buono

--

Arthur Buono

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From: Chaffee Admin <chaffeeadmin@chaffeecounty.org>
Sent: Thursday, May 27, 2021 1:38 PM
To: 'Kelsey Banaszynski'
Cc: 'Jon Roorda'
Subject: RE: OPPOSE extension of NWNA/BlueTriton 1041 Permit

Hello Kelsey,

We have received your comments and they will be considered.

Thank you!

-Debbie Fesenmeyer

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From: Kelsey Banaszynski
Sent: Thursday, May 27, 2021 9:57 AM
To: rgranzella@chaffeecounty.org; kbaker@chaffeecounty.org; gfelt@chaffeecounty.org
Cc: chaffeeadmin@chaffeecounty.org
Subject: OPPOSE extension of NWNA/BlueTriton 1041 Permit

Hi Chaffee Commissioners,

I am a full time Chaffee resident and business owner (High Lonesome 100, West Line Winder 50k, Sawatch Ascent 50K) and I oppose the extension of the NWNA/BlueTriton 1041 Permit extension. This permit is NOT good for our county let alone the environment.

Please invoke Section 4.6 and deny the transfer of the permit to One Rock Capital and Metropoulos & Co private equity firms, who are doing business as BlueTriton Brands.

Best,
Kelsey Banaszynski
Hello Ms. Runge-Barnes,

We have received and will consider your comments.

Thank you!

-Debbie Fesenmeyer

Debbie Fesenmeyer
Chaffee County Government
Administrative Assistant
Office: 719.539.2218
chaffeeadmin@chaffecounty.org
www.chaffecounty.org
https://chaffeesgotheart.org/#spreadtheword

-----Original Message-----
From: Ruth
Sent: Thursday, May 27, 2021 11:02 AM
To: chaffeeadmin@chaffecounty.org
Subject: Nestle Transfer

I am in agreement with the position of Unbottle and Protect Chaffee County water.

Ruth Runge-Barnes

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Hello Ms. Mills,

We have received and will consider your comments.

Thank you!

-Debbie Fesenmeyer

From: Susan Mills
Sent: Thursday, May 27, 2021 11:08 AM
To: chaffeeadmin@chaffecounty.org
Subject: Nestle

As a Salida resident I urge you to cancel the Nestle contract. I strongly opposed the agreement from the beginning on environmental issues and feel just as strongly now if not more so.

Thank you

Sue Mills

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Hello Mr. Everson,

We have received and will consider your comments.

Thank you!

-Debbie Fesenmeyer

Debbie Fesenmeyer
Chaffee County Government
Administrative Assistant
Office: 719.539.2218
chaffeeadmin@chaffeecounty.org
www.chaffeecounty.org
https://chaffesgoheart.org/#spreadtheword

-----Original Message-----
From: Brad Everson
Sent: Thursday, May 27, 2021 11:29 AM
To: chaffeeadmin@chaffeecounty.org; rganzella@chaffeecounty.org; gfelt@chaffeecounty.org; kbaker@chaffeecounty.org
Cc: Jennifer Swacina
Subject: Nestle/BlueTriton Permit in Chaffee County

Dear Chaffee County Commissioners,

Thank you for taking my comment. I'm opposed to any agreement with Nestle/Blue Triton regarding water rights in our county. Everything about their operation is anathema to our way of living here in the county and another blow to the ecology of the planet. The unnecessary bottled water industry should be a thing of the past. Clean tap water should be our future.

My special interest involves water rights our community has had to pay dearly for in order to save the historic Ice Pond/Lake north of Buena Vista which is the home of a great variety of local wildlife and migrating birds. There was no objection from the 20 or so homeowners that support the lake when we were forced to pay $20,000 each for the water rights so that the lake didn't have to be drained. We saw the issue as being greater than ourselves. We
may not be the most aware of water scarcity around here but we're definitely in the club. Securing vanishing resources should be your priority, too. Allowing a private company to obtain the rights to scarce water so that they can ship it and sell it in plastic bottles that are creating an ecological disaster in and of themselves is a morally unforgivable act, regardless of the economics. I believe your decision will be news, worldwide. To advertise that Chaffee County is open for business to major polluters would permanently damage our reputation as an aware & caring community in a great place to recreate and raise a family. Please vote "NO" to Nestle's/Blue Triton's permit application.

Respectfully,

Brad Everson

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Hello Mr. Hays,

We have received and will consider your comments.

Thank you!

-Debbie Fesenmeyer

Debbie Fesenmeyer
Chaffee County Government
Administrative Assistant
Office: 719.539.2218
chaffeeadmin@chaffecounty.org
www.chaffecounty.org
https://chaffesgoheart.org/#spreadtheford

-----Original Message-----
From: Bruce Hayes
Sent: Thursday, May 27, 2021 11:57 AM
To: rgranzella@chaffecounty.org; kbaker@chaffecounty.org; Greg Felt
Cc: chaffeeadmin@chaffecounty.org
Subject: NWNA/BlueTriton

Hello esteemed Commissioners, This is an historic moment to right the wrongs of previous commissioners and indeed of the entire water bottling industry. The whole world is watching. This will be national news. Please invoke section 4.6 and deny extension of any further permit, or any permit that involves trucking water from our water shed. Set an example for the future of civilization.

yours with respect,
Bruce Hayes

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Hello Ms. Rubin,

We have received your comments and take them into consideration.

Thank you!

-Debbie Fesenmeyer

From: Kristin Rubin  <chaffeeadmin@chaffecounty.org>
Sent: Thursday, May 27, 2021 12:22 PM
To: chaffeeadmin@chaffecounty.org
Subject: Deny Nestlé Permit

Stop supporting corporations that only have their bottom line in their interests.

Your county and others across this nation and other countries are suffering form corporations not just taking the water but stealing the water that not only belongs to the people, GIVES PEOPLE LIFE.

So you are killing the people that depend on you, your families, your families. You are killing the biodiversity that supports everything.

The Nestlé permit is not the same as the Blue Triton and One Rock/Blue Triton is horrific in their care for who, what or where they get the resource needed to make sure they have hefty stocks. They do not care about you, your constituents or your land.

This is a one in a million chance to do the right thing by saying no! Don’t miss it!

Kristin Rubin
Our Santa Fe River, Inc.
#endbottledwater

Our Santa Fe River, Inc. EIN 42-1756985
A Florida 501 (c)(3) Non-Profit Corporation

*FDACS Registration #CH41570

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Hello Ms. Levine,

We have received your comments and will take them into consideration.

Thank you!

-Debbie Fesenmeyer

Debbie Fesenmeyer
Chaffee County Government
Administrative Assistant
Office: 719.539.2218
chaffeeadmin@chaffecounty.org
www.chaffecounty.org
https://chaffecsgoheart.org/#spreadtheword

----Original Message-----
From: Joyce Levine
Sent: Thursday, May 27, 2021 12:44 PM
To: chaffeeadmin@chaffecounty.org
Subject: Nestle Comments

In light of all the information, and as a citizen of Salida, I am asking the County Commissioners to not renew or extend the Nestle’ permit to extract water from the Arkansas River for bottling by Nestle. Our water table is much too precious and valuable to ranchers, farmers, and others in the area to have Nestle bottled our water for their profit. Water is the next oil as far as valuable natural resources. I am asking you to deny the permit to Nestle. In light of global warming and our water table lessening because of global warming, we must not allow Nestle to bottle such a valuable resource for their profits. We also very much need to lessen the amount of plastics in our environment. We must not allow Nestle to plastic bottle our water. Please do not renew the Nestle contract.

Sincerely,
Joyce Levine
Hello Joseph,

Thank you for your comments.

-Debbie Fesenmeyer

From: Joseph Teipel [mailto:joseph@chaffeecommunity.org]
Sent: Thursday, May 27, 2021 1:16 PM
To: Chaffee Admin
Subject: Public comment for Nestle hearing

Good afternoon,

Please find a statement for the public record relating to the Nestle/Blue Triton 1041 hearing attached and consider it for inclusion in the public record for Tuesday's meeting.

Thank you,
Joseph

---

PS - check out Chaffee's brand new county-wide volunteer portal! VIAChaffee.org

Joseph Teipel
Executive Director
o. (719) 204-5071
c. (303) 995-3595
joseph@chaffeecommunity.org

Debbie Fesenmeyer
Chaffee County Government
Administrative Assistant
Office: 719.539.2218
chaffeeadmin@chaffeecounty.org
www.chaffeecounty.org
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www.chaffeecommunity.org

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May 27th, 2021

Dear County Commissioners, Administrator Christiansen, and County staff,

I offer this written statement for the public record and for your consideration as you continue the 1041 permit extension hearing for Blue Triton Brands. The Chaffee County Community Foundation (CCCF) is a non-political, neutral community nonprofit and as such is not advocating for, or against any particular decision in this hearing process.

Blue Triton Brands, formerly Nestle Waters of North America, has contributed $25,000 to the Chaffee County Community Foundation. The first gift, made in December 2019, was used to pay GARNA for a waste audit report, completed in early 2020, which identifies the baseline conditions of waste handling in Chaffee County, and outlines key opportunities for diverting waste streams from the landfill. A second gift of $15,000 was made to CCCF’s Emergency Response Fund in April 2020. This ERF gift helped CCCF reach initial matching goals for funding the ERF, and allowed CCCF to provide direct assistance to hundreds of Chaffee households, small businesses, and nonprofits impacted by the pandemic.

Blue Triton staff have been responsive to CCCF communications since mid-2019.

Thank you very much for your leadership in our county.

Sincerely,

Joseph Teipel
Executive Director
(719) 204-5071
joseph@chaffeecommunity.org
Hello Ms. Karella,

Thank you for your comments. They will be taken into consideration.

-Debbie Fesenmeyer

From: Cat Karella
Sent: Thursday, May 27, 2021 12:58 PM
To: chaffeeadmin@chaffecounty.org
Subject: NESTLE WATER PERMIT APPLICATION

I think we all desire and deserve an adequate local supply of safe water.

Unfortunately, Nestle’s track record is such that it is pretty much assured that granting its permit will result in precisely the opposite. The obtaining of Nestle’s permit is not even consistent with the county comprehensive plans - not the old ones, not the new ones.

As a local water advocate, I beg you not to grant Nestle’s permit.

I do thank you for your consideration.

Cat Karella, Local Water Advocate
My automatic signature included in all emails -
Cat Karella
---Original Message-----
From: Diana [REDACTED]
Sent: Thursday, May 27, 2021 3:58 PM
To: gfelt@chaffecounty.org
Cc: dswallow@chaffecounty.org
Subject: BlueTriton-formerly known as Nestle Waters North America

Dear Commissioner Felt:

Chaffee County has endured 10 years of Nestle's broken promises. They have degraded our waters and repeatedly failed to follow the land management requirements.

The supposed positive benefits to Chaffee County have not outweighed the real negative effects. This is your opportunity to protect our local natural resources.

Please deny any and all transfers and/or extensions of the BlueTriton/Nestle permit.

Sincerely,
Diana Smith
Salida

---This message has been scanned for viruses and dangerous content by MailScanner, and is believed to be clean.---
I'm concerned about the pending decision whether to grant a permit to a company profiting from taking scarce and precious water from our area, trucking it on overused roads, and bottling it in plastic which contributes to the plastics pollution and roadside trash issues in Chaffee County and the rest of the state. This plastic waste is now more difficult to recycle due to the county's lack of response to the exit of our only free recycling for local residents. Please consider the following in making your decision:

1. Nestle has been sold and I do not want Private Equity in control of this Permit.
2. Nestle has not complied with the terms of its agreement with the County (local jobs promised, grazing and land management requirements).
3. Nestle has failed to place land in a Conservation Easement as they promised 11 years ago.
4. Financial benefits to the county do not outweigh the losses.
5. I agree with Un-Bottle and Protect Chaffee County Water.

I request that you:

1. Invoke Section 4.6 and deny the transfer of the Permit to One Rock Capital and Metropoulos & Co.
2. Deny any further extension of the Permit.

Thank you for considering these arguments against selling our water to any bottling company. It is time for all citizens to end the use of plastic water bottles and invest in reusable containers for tap water or filtered water.

Jan Ohmstedte
Salida, CO

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Hello Mr. Huck.

Your letter has been forwarded and will be considered.

Thank you!

-Debbie Fesenmeyer

From: Chaffee Admin <chaffeeadmin@chaffeecounty.org>
Sent: Thursday, May 27, 2021 1:55 PM
To: Ted Huck
Cc: ‘Jon Roorda’; ‘Greg Felt’; ‘Keith Baker’; ‘Russell Granzella’
Subject: FW: Commissioner Letter
Attachments: Commissioner Letter.docx

Chaffee admin,
Can you please forward this to the Chaffee County Commissioners? I will read the letter on June 1st, 2021.

Regards,
Ted Huck – Vice President of Operations
D.G. Coleman, Inc.
7340 Brighton Road
Commerce City, CO 80022

Transportation at its finest!
Dear Commissioners,

My name is Ted Huck, and I am the Vice President of Operations for D G Coleman and have been for 14 years. D G Coleman is a family business started by Dan and Kathy Coleman in 1972. I started working for D G Coleman in 2007 and have watched the company grow to over 100 trucks and this includes all the bulk water trucks that haul out of Chaffee County.

I sent all of you copies of the drivers’ names and the dates they started hauling water from Chaffee County. As you can see, the length of tenure starts in 2011 and goes to 2020. There are currently 5 drivers driving out of Chaffee County. D G Coleman provides them with a good paying job guaranteeing the Chaffee drivers 40 hours per week along with benefits. D G Coleman puts Safety First when hiring drivers for the haul out of Chaffee County requiring all drivers to have 3 years verifiable mountain experience. This hiring process keeps all our drivers, their families and yours safe while driving on HWY 285.

Chaffee drivers own homes, buy cars, and spend their money in Chaffee County. During the COVID outbreak these drivers provided a much-needed essential service supplying water to people that needed it. I would ask you to approve the 1041 permit and allow these drivers and families to continue to be successful in their communities and maintain their standard of living.
Hello Ms. Bauer,

Your comments have been received and will be considered.

Thank you!

-Debbie Fesenmeyer

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From: Lizzy Bauer
Sent: Thursday, May 27, 2021 1:33 PM
To: chaffeeadmin@chaffeecounty.org
Subject: Comment on Nestle/Blue Triton Permit in Chaffee County

Dear County Commissioners et al.,

I want to thank you all for your diligence in scrutinizing this permit application and for your extensive efforts to ensure public voices are heard and responded to. This permit could have long-term consequences to Chaffee County and I appreciate your thorough review of this process.

It's my understanding the City of Salida as well as the County are working hard to improve environmental sustainability in their comprehensive planning and I don't see how this permit could possibly align with the County's supposed goals toward this end. Although I did not attend all of the public meetings and hearings around this topic, I did attend quite a few and I was not at all impressed with the corporate double-talk and how often important matters were glossed over to make the proposal look more favorable for corporate interests. As elected officials, you do not have an obligation to appease corporate interests to multi-national conglomerates. You do have an obligation to act in the best interest of the community you have been elected by and from what I have seen and heard, the vast majority of Chaffee County residents do not want this operation continued. Your role as elected officials is to represent the interests and values of the residents of your County. There are very
few people who benefit from this water extraction and many many more who believe they are negatively impacted or could be negatively impacted in the future by outsourcing the County's most precious resource-- its water.

To claim that replacing freshwater spring stream flows with groundwater from Denver is outright absurd. If there were no difference in these waters, why is Nestle/Blue Triton so concerned with extracting from this particular spring that they would spend nearly a year investing in retaining their rights to it? Freshwater springs are not only vital to natural ecosystems but they provide greater water security for many rural communities—something that Chaffee County should be concerned about entering the 3rd decade of drought trends and facing increasing consequences from climate change in the near future.

Nestle did not adhere to their expressed commitments to land stewardship until the very end of their contract when they knew their permit was up for renewal and their obligations would come under scrutiny. There is no reason to believe that Blue Triton will operate any differently. Furthermore, the County has not received adequate compensation for the exploitation of such a vital resource to our residents' livelihoods and way of life. Selling 100% of a company's assets to another entity IS a transfer of ownership no matter how well your corporate double-talk spins it. I do not see how the County Commissioners can in good conscience approve this transfer of permit without treating this as a new permit with new ownership. Wall Street investors will have even less concern for the stewardship of our County's resources than Nestle did, which was pitiful. As painful and time-consuming as it may be, the County has no choice but to deny this permit and begin negotiating a new permit with the new ownership.

If you decide to pursue a new permit with Blue Triton, which I do not condone, I strongly urge you to shorten the length of the permit to ensure more adequate accountability for permit requirements and obligations. I also recommend you drastically reduce the amount of water that the permit would allow extracted annually. Blue Triton should also be held accountable for properly compensating the County for its most vital resource, a resource we will desperately need to maintain in the coming years and decades. Extracting this resource in the interest of a for-profit entity is an unsustainable model and does not contribute to the well-being of our residents and the County as a whole and Nestle/Blue Triton has been throwing small beans our way for years while they continue to make huge profits on the exploitation of this resource.

Please do not approve this permit transfer. In the best interest of the community please do what is right and deny this permit. If Blue Triton would like to begin a new permit with this transfer of ownership, they may start an application fresh as any new application would be treated.

I appreciate your time and diligence in reviewing all of the public comments regarding this issue. Thank you for your consideration of this controversial topic.

Sincerely,

Lizzy Bauer
Chaffee County resident

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This message has been scanned for viruses and dangerous content by MailScanner, and is believed to be clean.
Dear Chaffee County Commissioners,

I am writing to express support for your approval of the extension of the Nestle Waters North America / Blue Triton Brands 1041 permit.

I have worked as a professional hydrologist serving Federal land management agencies in many western states since 1999, involved in managing water resources from a watershed ecosystems approach. When the Nestle permit was first proposed in Chaffee County more than 10 years ago, I was concerned about the negative impacts it might have on watershed conditions and ecosystems and upon Chaffee County infrastructure and resources. I have since observed closely the development and installation of Nestle’s use of this spring water resource and the infrastructure associated. I have found that ecosystem conditions have not been negatively impacted by Nestle’s use. This use by Nestle has benefited Chaffee County in retaining open space that functions as habitat for a variety of wildlife, has resulted in the retention of water rights in the Upper Arkansas Basin that would have likely been otherwise sold to a Front Range community. The process of reviewing the renewal of the 1041 permit at this time has hopefully allowed the refinement of open space protections associated with the 1041 permit renewal.

I have also worked as a deputy water commissioner serving the State of Colorado Division of Water Resources and am very familiar with Colorado water law. In conversation with an individual leading the opposition to the Nestle/Blue Triton Brands 1041 permit renewal, I explained that the water right Nestle has held would have been purchased by a Front Range community and I elaborated on the impacts of trans-mountain water diversions. It was stated to me by this vocal opponent in response, “I just don’t believe in the privatization of water, I don’t know anything or care about water rights or city water billing because I just pay rent, I don’t pay a water bill.”

Chaffee County Commissioners, you are leaders of our communities, and I ask that you apply wisdom, consideration of water law, the interests of the common good for Chaffee County, the economic benefits paid directly by Nestle/Blue Triton Brands as well as the economic and quality of life benefits of having this remarkable river-front habitat preserved and supporting recreation. The vocal opposition to the Nestle / Blue Triton Brands 1041 permit renewal is comprised of recent migrants to Chaffee County who are not informed of or understanding the full scope of Colorado water law and the impacts of allowing that water right to go elsewhere by the nonrenewal of this beneficial use.

I greatly appreciate your thoughtful consideration, hard work and leadership.

Sincerely,
From: Jon Roorda
Sent: Friday, May 28, 2021 9:14 AM
To: 'Alpine Dane'; 'Jon Roorda'; 'Greg Felt'; 'Keith Baker'; 'Russell Granzella'
Cc: RE: Nestle/Blue Triton Permit

Hello!

We have received and will consider your comments.

Thank you!

-Debbie Fesenmeyer

From: Alpine Dane
Sent: Thursday, May 27, 2021 4:03 PM
To: chaffeeadmin@chaffecounty.org
Subject: Nestle/Blue Triton Permit

Dear County Commissioners,

As a 20 year resident of Salida, business owner, non-profit volunteer and concerned citizen of the ecozone we all live in, I want to offer my support for you to deny the permit renewal for Nestle/ Blue Triton. I've been able to attend several commission meetings over the past months and I feel like I've heard enough evidence to conclude that this permit should not be renewed as it does not add or enhance our community. In fact, it does the opposite, it diminishes our community in many ways. The following are arguments for denial:

1. As per the economic analysis, there is no net benefit to the County with this arrangement
2. When taking into account the environmental cost, there is a net loss to our community
3. The company has sold but yet cleverly has tried to convince you that they simply have changed their name.
4. We are in a continual drought cycle combined with unprecedented growth and that growth represents a far greater economic benefit to the County than a trickle of revenue from selling the very resource we need to support this new growth.

5. Renewing the permit is counter to your own comprehensive plan that champions sustainability and other green growth strategies.

6. Most residents of the County do not want this company here; the will of the people, your constituents say no.

All of this adds up to a BIG NO to this deal and we the concerned citizens will have your back when you vote this way. Thanks for all your careful work on this issue and I look forward to following your decision at the final meeting.

Sincerely,

Craig Nielson, Salida Resident
Green Edge Design, LLC
Chipeta Mountain Project, Guide
Chaffee Housing Trust Board President

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Hello Andy,

We have received and will take your comments into consideration.

Thank you!

-Debbie Fesenmeyer
Jon Roorda

From: Chaffee Admin <chaffeeadmin@chaffecounty.org>
Sent: Friday, May 28, 2021 9:23 AM
To: 'donna kammes'
Cc: 'Jon Roorda'
Subject: RE: Nestle Waters Letter of Support in Chaffee County

Hello Ms. Kammes,

We have received your comments and will take them into consideration.

-Debbie Fesenmeyer

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Debbie Fesenmeyer
Chaffee County Government
Administrative Assistant
Office: 719.539.2218
chaffeeadmin@chaffecounty.org
www.chaffecounty.org
https://chaffeesgotheart.org/#spreadtheword

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From: donna kammes
Sent: Thursday, May 27, 2021 4:04 PM
To: rgranze@chaffecounty.org; kbaker@chaffecounty.org; gfelt@chaffecounty.org; chaffeeadmin@chaffecounty.org; cjherter@gmail.com
Subject: Nestle Waters Letter of Support in Chaffee County

Dear Chaffee County Commissioners,

BlueTriton (formerly NWNA) is a good employer for us in Chaffee County, and we have helped the company since 04/03/2019 by calibrating their meters in order to conduct proper monitoring. The company is diligent about their monitoring and reporting and committed to good environmental practices.

BlueTriton is generous in this community and we appreciate their efforts to give back and to sustainably manage their Ruby Mountain Springs operations. They are a good corporate neighbor to have and they value local investments, local employees, and improving the areas where they work and operate.

Sincerely,
Donna Kammes
CEO, Snow Mountain Design Studio
We appreciate your business,

Donna & Jeremy
Snow Mountain Design Studio, LLC
Home Interiors & Exteriors

Jeremy Allenbaugh
Certified Water Meter Tester/Water Systems Operator (ORC)
Certified Water Meter Testing ($310) & Installation ($250)

We now take Visa, MasterCard, American Express & Discover
OR, receive a $10 Discount when you pay by Cash or Check.

Please send checks to:
Snow Mountain Design Studio, LLC

Find us on Facebook!
Snow Mountain Design Studio
OR
Water Meter Testing

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IN SUPPORT OF THE NESTLE WATER/BLUE TRITON
Ruby Mountain Spring’s Operation

This letter is in support of Nestle Water/Blue Triton Ruby Mountain Spring’s Operation.

I have had the pleasure of working with Larry Lawrence, Bruce Lauerman and various other Nestle Water/Blue Triton staff members these past 10 years. Our property adjoins that of Nestle Water/Blue Triton and it was in the interest of both parties to finalize a boundary line adjustment between the two properties. During this time Nestle Water/Blue Triton acted, and still does, in our family’s best interest and that of the community while providing a service for those who need it.

Nestle Water/Blue Triton has acted in our family’s best interest. Due to the property line adjustment moving our land parcel further away from the nearest electrical transformer, Nestle Water agreed to cover 75% of the underground power line installment. This came to approximately $30,000.00. They honored their commitment in full. During our time discussing the terms we were told regularly that we could opt out any time and that there was no pressure being placed on us to make the adjustment.

Nestle Water/Blue Triton acts in the best interest of the community. Those of us who have lived in the area prior to 2010 remember the southernmost portion of the Ruby Mountain Springs operation as an old run-down fish hatchery. Thanks to Nestle Water/Blue Triton, passerby’s, both on County Road 300 and the Arkansas River, now see a visually appealing riparian area that provides habitat for wildlife.

To the north is a wetland and home to over a dozen mountain sheep. To ensure the preservation of this wetland, and to protect the current wildlife, Nestle Water is in the final stages of a permanent conservation easement that would encompass over 100 acres and providing another scenic view. Nestle Water has already provided a recreational fishing easement to our community on the west side of the river.

Some of those opposing Nestle Water/Blue Triton still feel enough has not been contributed. Francie Bomer, in her Chaffee County news article “Say no to Nestle renewal” back in October, stated “The money paid to the schools (about $13,000 a year each, on average) is a pittance, compared to the resource taken AND compared to the enormous profit Nestle makes on the water they suck and truck. Nestle agreed to make additional contributions, but the commissioners did not add a requirement stipulation to where, or for how much.” In 2010 Nestle Water provided a $500,000 endowment fund which now has grown to over $600,000. Even as it grows it still provides annual program and scholarship funding to Buena Vista and Salida. As a teacher I have had the opportunity to take advantage of these funds to enhance my curriculum. I do not find this contribution a pittance and I am greatly appreciative of it. No
matter what their bottom line is, do we have the right to tell them how much and to whom they should make their contributions? They don’t get to tell us where to make ours.

Nestle Water/Blue Triton also supports other non-profits that support education, veterans, emergency services, historical preservation...

They provide a service to consumers who like bottled water for its convenience, who live where the water is not safe to drink and/or where natural disasters have occurred. The opposition has a concern that water bottles are filling our landfills. Is this the fault of Nestle Water/Blue Triton or the fault of the consumer who failed to recycle? Look around both indoors and out and see how many items are made of plastic or have a plastic component. Should we shut down all business that produces and uses plastic?

You are seeing opposition but if Ms. Bomer is correct that Nestle Water/Blue Triton makes such an enormous profit, then there must be a lot of demand for their product. A high demand I believe means there are many who do not oppose Nestle Water/Blue Triton.

As our trusted County Commissioners, we have elected you to analyze and confirm the credibility of the data provided from both sides, to make sure it has not been taken out of context, to check presented data for miscalculation and to choose fact over opinion. Nestle Water’s/Blue Triton’s 1041 permit requires a tremendous amount of accountability. I am sure you have reviewed their annual reports. Being that they are public record, I hope the opponents will also read them.

Thank you for your time, it is greatly appreciated.

Kind regards,

Laurie Jacobson
Hello Ms. Mechtly,

We've received your comments and will take them into consideration.

Thank you!

-Debbie Fesenmeyer

Debbie Fesenmeyer  
Chaffee County Government  
Administrative Assistant  
Office: 719.539.2218  
chaffeeadmin@chaffecounty.org  
www.chaffecounty.org  
https://chaffeesgotheart.org/#spreadtheword

---Original Message---

From: Claire Mechtly  
Sent: Thursday, May 27, 2021 4:14 PM  
To: chaffeeadmin@chaffecounty.org  
Subject: NO Nestle/Blue Triton

Hello,

I am writing as a full time Chaffee county citizen of almost a decade, urging you to deny the renewal of the 1041 permit. This shady deal has gone on long enough. Nestle has already been able to operate well past their Oct 2020 permit expiration, all while failing to meet the original terms of their agreement. With the track record of this company and others associated with it, they will only continue to do whatever it takes to extract a profit at the expense of the environment and our community.

Now is the time to stand up to them. Greed, waste, and excess are not ideals that represent Chaffee County. Allowing this permit in the first place was a huge mistake, and hopefully we've learned something. Let's not repeat that same mistake.

Water is life and plastic is forever.

We're counting on you to do the right thing.

Thank you,
Claire Mechtly
Poncha Springs

Sent from my iPhone

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Hello Ms. Renfrow,

First, Happy 18th Birthday! That's a big one!

Thank you very much for your comments. I will make sure they are reviewed and considered by the Chaffee County Board of County Commissioners and by our legal and planning departments. Nestle/Blue Triton will be seeing them as well.

I appreciate your engagement on this topic!

-Debbie Fesenmeyer

Debbie Fesenmeyer
Chaffee County Government
Administrative Assistant
Office: 719.539.2218
chaffeeadmin@chaffeecounty.org
www.chaffeecounty.org
https://chaffeesgotheart.org/#spreadtheword

-----Original Message-----
From: Mazie Jane Hickman
Sent: Thursday, May 27, 2021 4:37 PM
To: rgranzella@chaffeecounty.org; gfelt@chaffeecounty.org; kbaker@chaffeecounty.org; chaffeeadmin@chaffeecounty.org
Subject: Nestle/Blue Triton 1041 Permit

2021 Chaffee commissioners,

I'm a local resident of Chaffee, and I turned 18 yesterday. I have to ask you to REJECT Nestle/Blue Triton's extension of the 1041 permit.
Time and time again, Nestle has proven to not meet their requirements. They will not here either. Please do not give access of Colorado’s water sources to an establishment so visibly lacking any ethics or care for the well-being of our community.

For the sake of our beautiful environment, the communities we maintain, and for every future generation, keep our local waters in trusted hands. I refuse to sit quietly in a world so manipulated by wealth and apathy.

Thank you,
Mazie Jane Renfrow

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FROM: Cindy Parker
SENT: Thursday, May 27, 2021 4:33 PM
TO: chaffeeadmin@chaffecounty.org; rgranzella@chaffecounty.org; gfelt@chaffecounty.org; kbaker@chaffecounty.org
SUBJECT: Deny the Nestle Permit Extension for Blue Triton Brands

RE: Nestle Waters North America 1041 permit extension/renewal

From: Cindy L. Parker,

Submission to County Commissioners and the public record on May 27, 2021

Dear County Commissioners,

As a physician charged with protecting the health of the public, and with extensive education and experience in the health effects of climate change, I urge you, as strongly as possible, to deny the extension of Nestle’s permit for the new, recently purchased, Blue Triton Brands company based on the following grounds:

Climate change is already happening here, in the Arkansas Valley, in Chaffee County. Climate change is expected to cause more erratic weather, including at times more harsh winter weather and more heavy downpours during the summer. Overall, however, the evidence supports climate change has already had a hand in causing more drying and droughts, and the effects will continue to worsen. **Removing water from the watershed hampers our ability to adapt to climate change.** **Removing water from the watershed so that a**
Multinational corporation can make more money while using more climate-changing fossil fuels to cause a plastic pollution disaster is foolhardy and irresponsible. The decisions you make on this permit will impact Chaffee County, as well as the Western Slope watershed (because the water that Nestle removed and Blue Triton Brands will remove from the Arkansas River watershed is being replaced at least in part by water from the Western Slope/COLORADO River watershed via Twin Lakes) for years to come. Decisions such as this will determine the future of economic and actual, physical, survivability in the face of the changing climate for residents and businesses in the Arkansas River valley. Without adequate water supplies, there is no health, and there is no life.

The sale of Nestle Waters of North America (NWNA) to two private equity firms that have rebranded their new water bottling operation as Blue Triton Brands—not just a name change, but an actual sale—is sufficient cause for denial of the extension to the current 1041 permit under the terms of the permit.

Other legal and ethical reasons for denying the permit extension also exist. For example, prior to the sale of Nestle Waters of North America, Nestle violated several tenets of the original 1041 permit. One of the easiest to document was that the conservation easement that was mandated in the initial permit was never completed, and in fact, was undermined by the “trade” of the most ecosystem-valuable land for a housing development.

It was a travesty that the permit was granted in 2009. Do not repeat the mistakes of your predecessors, especially in light of the mountains of recent research telling us what to expect from climate change globally and in the Arkansas River Valley, already occurring and projected to worsen in the coming years.

If you have any questions about the science of climate change, the projected effects of climate change in the Arkansas River Valley, and how the continued removal and bottling of water by Blue Triton Brands will cause further harm to our ability to reduce those effects, please do not hesitate to contact me.

I can’t do my job of protecting people’s health unless you do your job of protecting our water and the rich and varied ecosystems, and current and future residents of Chaffee County, that rely on it.

Best regards,
Cindy L. Parker MD, MPH

Currently:
Advanced Academic Programs
Johns Hopkins University
Recently retired from:
Johns Hopkins Bloomberg School of Public Health
Department of Environmental Health and Engineering

I am also a member of the Central Colorado Climate Coalition, working locally to educate the public about the health effects of climate change and the actions we can take now to reduce and adapt to those effects.
Hello Ms. Davidson,

We have received your comments and will be taking them into consideration.

Thank you!

-Debbie Fesenmeyer

Debbie Fesenmeyer
Chaffee County Government
Administrative Assistant
Office: 719.539.2218
caffleadmin@chaffecounty.org
www.chaffecounty.org
https://chaffecotheart.org/#spreadtheword

-----Original Message-----
From: Mary Ann Davidson
Sent: Thursday, May 27, 2021 3:01 PM
To: Rusty Granzella; Greg Felt; Keith Baker
Cc: chaffeeadmin@chaffecounty.org
Subject: NWNA/BlueTriton 1041 Permit

Dear Commissioners,
I have written to you previously, urging you to deny the Nestle application for renewal of their permit. Now that they have been bought out, I feel even more strongly that the permit should be denied.
My original concerns regarding the entire process taking water from Chaffee County, transferring it to Denver, putting it in plastic bottles, and then shipping it to various other locations & “replacing” the water seems incredibly wasteful of resources. Additionally, Nestle was unable or unwilling to fulfill their pledges to the county. Now that they’ve been bought out by an even bigger corporation, my concerns have simply escalated.
I urge you to invoke Section 4.6 and deny the transfer or extension of the permit One Rock Capitol and Metropoulos & Co, dba BlueTriton Brands.
Thank you for all you do for our county.
Sincerely,
Mary Ann Davidson

Sent from my iPad

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Hello Mr. Dvorak,

We have received your comments and will take them into consideration.

Thank you!

-Debbie Fesenmeyer

From: Bill Dvorak
Sent: Thursday, May 27, 2021 5:00 PM
To: chaffeeadmin@chaffecounty.org
Subject: Nestle renewal

G;Day,
I recently saw something that said the river Industry was in support of renewing the Nestle contract. I can unequivocally say that is not correct. While some may be in favor or unwilling to take a position in writing, many that I have spoken with are not in favor of renewal.
There are several reasons for this but primarily the effect the loss of @200 acre feet of water in a climate changing ecosystem. There are many others who have pointed out the ramifications of this so I ask you to defer to those experts. In haste,

Bill Dvorak

Dvorak Expeditions
Hello!

We have received your comments and will take them into consideration.

Thank you!

-Debbie Fesenmeyer

Debbie Fesenmeyer
Chaffee County Government
Administrative Assistant
Office: 719.539.2218
chaffeeadmin@chaffecounty.org
www.chaffecounty.org
https://chaffesgotheart.org/#spreadtheword

From: Carson Fenne
Sent: Thursday, May 27, 2021 4:34 PM
To: chaffeeadmin@chaffecounty.org
Subject: Nestle permit

Dear Chaffeeadmin

Unbottle and Protect Chaffee County Water introduces a proclamation to deny Nestlé permit:

Whereas, Chaffee County strives to be a model county for sustainability and Nestlé Water’s water mining/plastic bottling is not consistent with our county comprehensive plans (old and new); and
Whereas an independent study found that the economic benefits to our county do not outweigh the losses (not to mention ecological losses outside of our county); and

Whereas we have been experiencing record-breaking wildfires, drought, and an increasing population, any other use of their water allotment would be more beneficial; and

Whereas the company’s land-use plans regarding noxious weed removal, and grazing, and wetlands monitoring have not been complied with and the county should not be tasked with such oversight; and

Whereas the Colorado Division of Water Resource has documented multiple violations regarding the company’s monitoring equipment and software failures; and

Whereas the company has on multiple occasions not even turned in their annual reports on time; and

Whereas the company has been unable to meet the permit quota for hiring local drivers; and

Whereas a conservation easement was not completed within the term of the 10-year permit, and the specific river-frontage land promised was swapped out, and now a proposal for an easement includes the development of a road and a parking lot and is being used as justification for renewal; and

Whereas the original permittee, Nestlé Waters North America, has now sold 100 percent of its assets to private equity firms (BlueTriton Brands) who want the permit without applying;

Now, therefore, be it resolved that the Board of County Commissioners of Chaffee County will do the right thing and vote to deny any extensions or transfers of the existing permit.

As a future voter, this decision will impact who I vote for and recommend. I hope you vote to deny the Nestle permit.
Dear Chaffee County Commissioners,

I write to you in support of allowing Nestlé Waters North America to continue operating in Chaffee County by extending the 1041 permit.

I have owned a home in Chaffee County for 10 years and have never seen or heard of a negative impact from the NWNA operation. In fact, any economic growth in Chaffee County is a positive for the area from the taxes generated.

I have also learned recently that beyond paying to pay taxes and other operating costs to our local economy, they have invested significantly in both Salida and Buena Vista schools, have partnered with local organizations like the Boys & Girls Club, Trout Unlimited, Quilts of Valor, Buena Vista Heritage and Colorado Mountain College, among many others, to bring continued value to Chaffee County. In addition, I have appreciated the investment in improving the view on the Arkansas River and the fishing easements my husband has used.

Please extend NWNA’s 1041 permit for another ten years to allow their investment to continue in Chaffee County.

Sincerely,

Melanie Layton
October 14, 2020

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

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

Dear Commissioners,

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

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

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

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

Respectfully,

Trey Rogers
Dear Chaffee County Commissioners,

I am an employee of Blue Triton Brand's working at the Denver Colorado bottling facility. I have been working in this factory for three years; and I thoroughly enjoy the work I do.

This job is critical to me as it helps me provide a good living for my family and I here in Denver, Colorado.

Extending the 1041 permit for Ruby Mountain Springs operations will allow me, and all my wonderful co-workers to keep our job and support our families into the future. My family and I are counting on you to make the decision to extend this permit, and I hope you will consider all the good that Blue Triton Brands provides for both the Denver & Chaffee County communities. There is no doubt that extending the 1041 permit will continue to provide an economic benefit to both communities, and help us secure steady, well-paying jobs. If the permit is not extended; I – alongside my fellow Blue Triton Brands employees will likely become unemployed. Besides, the Arrowhead Water we produce is some of the best, and most delicious in the country! We count on this permit to supply us with the access to Ruby Mountain Springs, to meet our customers' demand for this great water. Thank you for your consideration!

Best Wishes,

Ani Saldivar

Thank you,

Kiadani Saldivar-Vazquez
Finance Coordinator
Blue Triton Brands, Inc. – Denver
Dear Chaffee County Commissioners,

I am an employee of BlueTriton Brand's working at the Denver Colorado bottling facility. I have been doing this job since 2014.

This job is critical to me and helps me provide a good living for me and my family here in Colorado. Extending the 1041 permit for Ruby Mountain Springs operations will allow me to keep my job and stay in this position into the future. My family and I are counting on you to make the decision to extend this permit, and I hope you will consider the good benefits, steady work and pay that BlueTriton provides. If the permit is not extended, I - and my fellow local BlueTriton employees - may very well be unemployed.

Thank you for your careful consideration,
Dear Chaffee County Commissioners,

I am an employee of BlueTriton Brand’s working at the Denver Colorado bottling facility. I have been the Quality Assurance Manager at the Denver facility, since 2014 and an employee of the company for 15 years.

I am proud of my position in the company, which allows me to pursue my passion of water conservation at the factory level. I assist in attaining the Alliance for water stewardship for our Denver facility on an annual basis. I am also pleased with BlueTriton Brand’s stance on environmental stewardship, water conservation and community donations.

This job is critical to me and helps me provide a good living for me and my family in Bailey Colorado. I often share the road with the tanker drivers, during my commute, and look forward to giving them a “wave” every day on my drive.

Extending the 1041 permit for Ruby Mountain Springs operations will allow me to keep my job and stay in this position into the future.

My family and I are counting on you to make the decision to extend this permit, and I hope you will consider the good benefits, steady work and pay that BlueTriton provides. If the permit is not extended, I – and my fellow local BlueTriton employees – may very well be unemployed.

Thank you for your careful consideration,

Andrea Evans

Quality Assurance Manager

BlueTriton Brands
Dear Chaffee County Commissioners,

I am the HR Associate of BlueTriton Brand's working at the Denver Colorado bottling facility. I have been employed here since 2019. This factory and the people we are able to keep employed here are very important to me. The extension of the 1041 permit for Ruby Mountain Springs operations is critical for all employed here and their families.

I am counting on you all to make the decision to extend this permit to be able to allow us to provide Coloradans with continued job security, steady work, good benefits and pay during this difficult time we are all facing.

Thank you for your careful consideration,

Priscilla Rauh
HR Associate
Dear Chaffee County Commissioners,

I am an employee of Blue Triton Brand's working at the Denver Colorado bottling facility. I have been in my position for three years now, and I relocated from Philadelphia, Pennsylvania to come out work at this Denver Bottling Plant.

This job is critical to me and helps me provide a good living for me and my family here in Colorado.

Extending the 1041 permit for Ruby Mountain Springs operations will allow me to keep my job and support my family into the future. My family and I are counting on you to make the decision to extend this permit, and I hope you will consider all the good that Blue Triton Brands provides for both the Denver & Chaffee County communities. There is no doubt that extending the 1041 permit will continue to provide an economic benefit to both communities, and helps to secure steady well-paying jobs. If the permit is not extended, I alongside my fellow Blue Triton Brands employees will likely become unemployed. The Arrowhead Water we produce is some of the best in the country! We surely count on this permit to supply us with the access to Ruby Mountain Springs, and our customers demand for this great water to keep our doors open.

Thank you for your careful consideration,

Dave Gualtieri

David Gualtieri
Plant Controller
BlueTriton Brands

BlueTriton
From: Johansen,Daniel,US-Denver,BlueTriton Brands
Sent: Thursday, May 27, 2021 1:57 PM
To: chaffeeadmin@chaffecounty.org
Cc: granzella@chaffecounty.org; kbaker@chaffecounty.org; gfelt@chaffecounty.org
Subject: BlueTriton Brands 1041 permit

Dear County Commissioners:

I have been a resident of Buena Vista since 2009 and I have worked for BlueTriton Brands (BTB) since 2010. I worked as a truck driver for BTB for over 9 years before becoming the Load Station Manager, where I now help manage the spring sites, truck drivers, and charitable contributions for the company. Both jobs have provided good pay, good benefits and good working conditions.

Granting this permit extension will allow me to keep my job. It will allow our truck drivers to keep their jobs, and further, will allow many of our factory workers in Denver to stay employed.

Part of my job is working with local folks to coordinate donations. For example when Vic Kuklin had some emergency needs to keep the Buena Vista Heritage Museum open, he knew he could call me and ask if the company could help and we did. Linda Lafford, with quilts of valor, calls me when there's a need, as well as Salida Community Center, the Optimists, Rotary and many and others. In all of these cases, and many more, we are able to provide financial support or
bottled water support to help these organizations. I also worked with our factory to coordinate the delivery of a truckload of bottled water for our firefighters when the Decker Fire became a serious threat. We also donate several pallets of water every year to the B.V. Fire Department and to Chaffee Fire. Having a local presence is important to BTB, not only for the springs but also so we can help meet the community's needs.

BlueTriton Brands takes good care of Ruby Mountain Springs. From my own experience working on the spring site, I know first-hand the amount of data collected and monitoring that is required to stay in compliance, and the amount of care the company takes to keep the site healthy and properly maintained.

I am proud of the work this company does and what we are able to do for Caffe County. I know they will continue to be a good partner for this area and I ask that you consider the good work they have done – and will do – as you consider the permit extension.

Don Johansen
BlueTriton Brands
Spring Specialist
Ruby Mountain Springs
Buena Vista Co.

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This message has been scanned for viruses and dangerous content by MailScanner, and is believed to be clean.
Chaffee County Economic Development Corporation (Corporation) Public Comment Re:

Renewal of the Nestle Permit

Recently, the Corporation provided the following statement to the County Commissioners with regard to renewal of the Nestle permit.

"While we as a Board do have concerns regarding recycling of plastic bottles, the Chaffee County Economic Development Corporation (Corporation) supports the renewal of the Nestle permit provided all conditions are met in accordance with or subject to the requirements established by the Board of County Commissioners. Our support for the renewal of their permit is contingent upon keeping the provisions intact if/when there is a transition of ownership of this business unit.

Nestle Waters has been a member in good standing with the Corporation for the past three years. We also appreciate their contribution to both school districts, specifically their support for science, technology, engineering, and math (STEM) instruction which furthers the goal of preparing students for the workforce."

Currently, the County along with neighboring communities is experiencing a crisis in workforce housing. We believe the community at large should come together to explore and implement creative solutions to address this crisis. Nestle, given its resources, can and should be a partner in finding those solutions. We also need to support creative and innovative solutions for workforce development and entrepreneurship. As a community, we should provide the means to encourage and leverage small businesses ingenuity and wisdom to meet today's challenges.

May 27, 2021