

## **Feds to Look into Bottled Water Permit during Drought**

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*Even with California deep in drought, the U.S. Forest Service hasn't assessed the effects of the bottled water business on springs and streams, such as Strawberry Creek in the mountains north of San Bernardino where Nestle Waters wells tap into the spring to sell bottled water.*

Federal officials are examining long-expired permits that Nestle has been using to pipe water out of a national forest to sell as bottled water, a U.S. Forest Service supervisor said.

Nestle Waters North America has long drawn water from wells that tap into springs in Strawberry Canyon north of here. The water flows through a pipeline across the national forest and is hauled by trucks to a plant to be bottled as Arrowhead 100 percent Mountain Spring Water.

In an investigation last month, *The Desert Sun* found that Nestle's permit to transport water across the San Bernardino National Forest expired in 1988 and that the Forest Service hasn't assessed the effects of the bottled-water business on streams in two watersheds that sustain sensitive habitats.

"Since this issue was raised and I became aware of how long that permit has been expired, I have made it a priority to work on this reissuance project," Jody Noiron, San Bernardino National Forest supervisor, said Friday.

Forest Service officials recently announced plans to take up the issue and carry out an environmental analysis after a group of critics raised concerns in emails and letters and after *The Desert Sun* inquired about the expired permit.

"Now that it has been brought to my attention that the Nestle permit has been expired for so long on top of the drought ... it has gone to the top of the pile in terms of a program of work for our folks to work on," Noiron said.

In another permit that has been expired since 1994, the Cucamonga Valley Water District draws water from Deer Canyon Springs in the national forest. The water agency has a contract with Nestle and has been selling that water for bottling.

Noiron said she also recently learned about the water district's expired permit and is making it a priority for her staff as well.

Officials at the water district weren't available Friday to discuss their plans.

To renew a permit requires an environmental review under the National Environmental Policy Act, which Noiron said can take as little as 18 months, or more than two years.

Given the severity of the drought, she said, national forest officials also are considering whether to impose "interim conditions," which she would not elaborate on, while they work through the permit renewal process.

Steve Loe, a former Forest Service biologist, has led calls for an immediate halt to Nestle's use of water from the canyons. He has argued that urgent measures are needed to protect stream flows, particularly during the dry summer months.

Nestle insists its bottling of spring water from the national forest isn't causing any harm. The company, a subsidiary of Switzerland-based Nestlé, is the largest producer of bottled water in the United States.

Nestle said it monitors the environment around the springs where it draws water and manages the amounts it uses for sustainability. The company has pointed out that a stream gauge downstream from the springs in Strawberry Canyon has continued to record flowing water.

Jane Lazgin, a spokeswoman for Nestle Waters, said in email that the company is committed to working with Forest Service officials during the permit renewal process.

Randy Moore, the Forest Service's regional forester in California, said the agency doesn't traditionally track the amounts of water that permit holders such as Nestle use.

"This is the state's responsibility to track the water use," Moore said. "We're looking more at what needs to stay in the system and to make it productive, environmentally sound."

As the Forest Service carries out an environmental review, the agency will study the effects of removing water from the national forest, he said.

The Forest Service has been dealing with a backlog of expired permits. In the San Bernardino National Forest, officials said their priorities through the years have included recovering from wildfires and floods, as well as permits for power lines, oil and gas pipelines, a new rail line through Cajon Pass, and a new water supply tunnel for the Metropolitan Water District of Southern California.

Noiron said the expired permits for water pipelines, including those that carry water for Nestle's bottling operation, are now higher on the agenda due to "the discussion about them lately."

Some lawmakers and environmental groups have expressed concern about the expired permits and also about the lack of government oversight in tracking the amounts of water being tapped and the effects on the environment.

One group, Courage Campaign, last month launched an online petition in response to recent news coverage, demanding that Nestle stop bottling water in California during the drought.

"Every time someone signs the petition, it deploys an email to Nestle and also to the water board," said Eddie Kurtz executive director of the Los Angeles-Calif.-based advocacy group. More than

135,000 people have signed. "At a certain point, we cap them and then we send a group email at the end of the day so that they don't mark us as spam."

"It's really one of the most viral petitions we've done in a long, long time," Kurtz said. "It just went bonkers. ... Anything around water right now is just creating an incredible amount of public interest."

Nestle Waters North America responded to the petition in a statement, emphasizing that its total water use in California last year — about 705 million gallons — is roughly the amount of water needed to irrigate two golf courses.

"While responsible management is expected and essential, bottled water is such a small user that to focus on our industry as a material concern in water policy debates is misguided," the company said. In response to Gov. Jerry Brown's order for a statewide 25% cut in urban water use, the Forest Service plans to work with the state "to determine how best to manage the impacts of the current drought on water uses," Noiron said

She said that would include imposing any measures that fit with the state's evolving restrictions. Moore added that the drought is prompting the Forest Service to "sit down with the state and look collectively at some options for us to consider in light of what's going on with the drought."

Noiron said officials have yet to start their environmental analysis for the expired permit and for now are gathering information, including studies that Nestle has carried out.

When the permit was issued to Arrowhead in the 1970s, the current environmental laws weren't in place, she said. In the process of renewing the permit, those new laws now come into play.

"Using science, we have to assess what is an adequate flow of water to remain in the natural system to protect the natural resources and support the watershed," Noiron said. "And then that's what has to stay in the system."