

Protect Our Waters speaks on Nestle issue

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By Tony D'Souza

McCloud, Calif. – The issue of the proposed Nestle water bottling plant in McCloud has undergone many changes over its five year history, but what has not changed is that it is perhaps the single most contentious issue in the county. In the following interview, Debra Anderson, president of McCloud Watershed Council, and Curtis Knight, California Trout Mount Shasta Area Program Manager, answer questions about their umbrella organization – the Protect Our Waters Coalition – and what the past years dealing with the Nestle issue in McCloud have been like from their point of view. Anderson and Knight answer some of the questions individually, and some jointly on behalf of Protect Our Waters.

Q: What is Protect Our Waters?

Debra Anderson and Curtis Knight: Protect Our Waters Coalition (www.protectourwaters.org) formed to protect the ecological and hydrological integrity of Mount Shasta's headwaters areas. Water in California is an important issue, and the Nestle issue was a catalyst that made us realize that we needed to learn more about our watersheds so we could develop policies to protect our waters that are based on sound science.

Q: Briefly describe the past five years in regards to the Nestle issue, i.e. the work you have done, how it began, the ups and downs.

Debra Anderson: This has been a very demanding five years. For me it all started with the first forum that I helped to put on with a small group of local volunteers. We had no idea whether or not people would come or how the speakers would be received. We were very fortunate that many people came and decided to help with the fight. Since then we have gained a lot of momentum, due in part to the growing realization of how scarce good water has become, and the awareness of how companies like Nestle are bullying their way to major water sources in other small communities.

Curtis Knight: California Trout's work on this issue started with the release of the Draft Environmental Impact Report in 2006. We had never reviewed a more deficient document and were concerned about the lack of specifics potential project impacts and the lack of baseline information. For example, there was no attempt to collect stream flow and temperature data on Squaw Valley Creek. California Trout's goal has always been that if this project gets sited in McCloud that its operations do not harm the health of the McCloud River watershed. The lack of information in the DEIR raised a huge concern that Nestle, despite their public statements to the contrary, were not going to be good stewards of the water.

We have said all along that a responsible contract can only be drafted once we understand how a plant might impact the watershed and what mitigation measures might be implemented to protect the region.

Q: What do you foresee in the next few years concerning the Nestle issue?

DA: First of all I think that this issue has brought to light the value of not only our water, but water throughout the world. I hope people will realize that this project is not a good fit for McCloud for numerous reasons, and that together we can do a better job when it comes to overall economic development.

My hope is that Nestle will recognize that this is not a good move for them and make a quality decision to not go forward with this project. It would really go a long way to restoring their poor public image if Nestle were to take the high road and release the mill property to the town of McCloud for use which would provide better jobs and still support its historical integrity.

Q: Dave Palais recently gave the paper a long interview. Do you agree with his answers about science and the effect of a bottling plant on the Squaw Valley Creek watershed?

DA: No, I do not agree, but we must remember – McCloud, and the health of the watershed are most likely not Nestles' primary concerns. That is why it is up to us, the citizens of this community, to take responsibility for making wise and informed decision about our water. If we do not make a quality decision concerning this issue we could find ourselves, like many other communities, in costly court battles with Nestle for many years.

CK: No, I don't agree. There was clearly a lack of information in the initial Draft EIR to determine what impact the plant might have. I do agree that it is Nestle's responsibility to do the necessary studies to determine project impacts.

Fortunately, Nestle has recently agreed to start studies to determine baseline conditions. The question is how come these didn't start five years ago.

As for our science, we did take the initiative to establish stream and temperature gages on Squaw Valley Creek in 2007. This is very important data and if Nestle had established it back in 2003 we would be a lot further along on our understanding of potential project impacts to the creek.

Q: Are you residents of McCloud? If yes, what is it like to see the community so divided by this issue? If not, what right do you have to contest what the MCSD has decided to do in regards to Nestle?

DA: Yes, my great grandfather came here at the turn of century and both of my parents were born here. I still have a lot of family here. Now that the contract is

cancelled, my hope is that we can come together as a community and try to find some common ground that we can begin to build McCloud's economic future together. McCloud is a small community and there will always be issues that people do not agree upon but in general I feel that we are a blessed community and even when we disagree we still truly care about one another. Even though I do live in McCloud I believe that there are also down stream stakeholders whose concerns about the project should be heard and considered by the MCSD board. CK: I live and work in Mt. Shasta. California Trout's goal is to protect the McCloud River watershed. Our involvement began with the release of the Draft Environmental Impact Report which is a public document that all interested stakeholders have right to comment on. We provided constructive comments that were never addressed because Nestle and the County pulled the Draft EIR presumably because it was so deficient.

Q: How did you feel when Nestle stepped out of the contract in August?

DA & CK: The Coalition was surprised. Their action underscores how bad the contract was. It is interesting that Nestle ended up walking away from the original DEIR and the contract. It shows there was little to defend in both those documents. Nestle should have worked more collaboratively with the town and worked to collect the necessary baseline data in the beginning rather than going through the pain of the last several years. But now McCloud has the time to get the information needed to really consider the impacts of this project on this community and make decisions about their future.

Q: Nestle proposes creating jobs in McCloud. If a plant isn't built, what suggestions do you have to create jobs in McCloud?

DA: The jobs Nestle would provide could not support a family. McCloud would benefit from a variety of small businesses and industries that would diversify the economy and pay living wages. In addition, the proposed Nestle facility will most likely displace more jobs than it will create, as well as drive away current residents. Also I believe that along with the growing tourist economy McCloud is a perfect fit for many micro industries. If Nestle were to come I believe our tourist industry would dwindle and we would not be as appealing to other small industries. The fact that a major portion of the previous contract's money came from an exclusivity clause shows that Nestle does not truly concern itself with the local economy.

CK: I think McCloud and the surrounding area have a lot of potential. There are emerging markets for carbon credits associated with progressive forest management, some of this is already taking place by timber companies in the McCloud area. Perhaps the rail line to the east could be a 'rails to trails' project. Simply providing high speed internet service would help small businesses and attract at home workers.

Q: How does your science on the project compare with Nestlé's?

CK: We installed two flow and temperature gages in Squaw Valley Creek in 2007. Flow and temperature are fundamental data to collect to determine existing baseline conditions and this data did not exist for Squaw Valley Creek. We are also monitoring over 25 different springs around Mt. Shasta for flow, temperature, age of water (how long in the ground before emerging at a spring), recharge area (general source elevation), and vulnerability to climate change and development.

We worked with Nestle and brought in an independent review team from UC Berkeley and UC Davis to help establish a baseline assessment and monitoring program for Squaw Valley Creek. We are supportive of these baseline studies.

Q: What will a plant of the size proposed do to the watershed?

DA: Good question. One that I do not think can be answered by just a few years of scientific study, especially in light of all the changes to weather patterns that are taking place.

CK: At this time we do not know. We have to wait until the science is back in 2-3 years to analyze if any plant is possible in the watershed with out impacting the streams and groundwater.

Q: Nestle has faced opposition to plants in other communities. Why?

DA & CK: Reasons range from Nestle operations negatively impacting area water resources to legal bullying. In Michigan, a court ordered Nestle to halt operation after damages to area water resources were found. Nestle refused to fully comply and continued litigation activities including arguing to the Supreme Court that the citizens didn't have standing to sue them. In Maine, Nestle operates a plant in Hollis and wanted to expand with new wells in a nearby town, including a truck loading station. When the nearby town refused Nestle sued and argued before the Maine Supreme Court that Nestle's right to grow market share superceded the town's right of control. These examples suggest that once Nestle gets a foot hold in a community they are not always a 'good neighbor' and show a history of using their considerable legal clout to punish rural towns.

Q: Would a bottling plant of any size be acceptable to you?

DA & CK: We think the town of McCloud and area stakeholders needs to have an honest and informed conversation to decide if they want a water bottling plant. A whole host of science needs to be completed (such as required by CEQA) to help answer that question. If McCloud wants a plant, and because trust of Nestle is an issue, a town owned plant is an option to consider.

Q: Have you profited from the Nestle issue because it created a job for you?

DA: No, in fact the issue has cost me financially, and had detrimental impacts to my family life. It has taken my nearly full time effort for several years now, but I believe that it is an important issue that needs to be addressed.

CK: Nestle did not “create” a job for me. CalTrout has had an office in the area for many years. When Nestle arrived in 2003 we were already working in the watershed on redband trout restoration projects with the Forest Service and private timber companies.

Q: How do you feel about the MCSD? The board is about to change in November. Do you think that will change its approach to Nestle?

DA: MCSD was formed to provide and manage services like water, sewer and garbage to the local community. It was not chartered to engage in economic development or the brokering of natural resources as a commodity. It needs to quit having private meetings with special interests about issues in which there is already a high level of distrust. When it is doing what it was created for, I do feel the MCSD is serving the interests of the people. I really question whether the board should be negotiating with Nestle or any other water bottling company. I do not think that it was the intent of the town when it formed the MCSD to have it become a water broker.

Q: Can McCloud ever heal after the Nestle issue?

DA: I think that McCloud will and in fact is in the process of healing right now; however I think that it is sad that corporations use divisive tactics to manipulate towns. But our town is coming back, with the Fire Hall Project, and the McCloud Chamber with their leadership bringing people in from Willits and bringing Michael Shuman to help us with our economy. I think that if Nestle were allowed to truck our water from here that the reality of the impacts, which have been grossly underestimated, would cause a deep bitterness and worsen the rift.

CK: I think so. I think people are tired of the divisive issue. There seems to be a lot of talk about alternative economic opportunities and I think this is healthy. The focus should shift to what is best for McCloud, not what is best for Nestle.