

# BAILIWICK NEWS

Reporting and critical analysis of Centre County public affairs

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## Upcoming Meetings Re: Nestle Proposal

- March 5 – Spring Township Board of Supervisors Meeting, 7 p.m., 1309 Blanchard St., Bellefonte
- March 14 - Sierra Club Moshannon Group and Nittany Valley Environmental Coalition will host a public forum on the proposed Nestle bottling plant on Wednesday, March 14 at 7 p.m. at the Central Pennsylvania Institute of Science and Technology (CPI) at 540 N. Harrison Road, Pleasant Gap
- March 19 – Spring Township Planning Commission Meeting, 7 p.m., 1309 Blanchard St., Bellefonte
- March 28 – Spring Township Water Authority Board Meeting, 7 p.m., 1309 Blanchard St., Bellefonte

## Citizen Public Statements on Nestle Proposal

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### **David Roberts, Bellefonte**

*January 25, 2018 email to Bill MacMath, Spring Township Manager, regarding the Spring Township Water Authority Board meeting the previous day.*

I attended the January 24, 2018 Water Authority Meeting with concerns about a proposed water extraction by Nestles. I am David Roberts, residing at (...) Valley View Road, Bellefonte PA, and I wish to share concerns with the Township Manager about the meeting conducted by Mr. Doug Weikel.

I do not receive water from the Authority since the system does not extend to my house along Valley View Road but I am a customer of the Spring, Benner, Walker Joint Authority and a born and bred Centre County resident. Mr. Weikel seemed to think it was quite amusing that a sewer customer had concerns about water.

To our current knowledge, the Chamber of Industry and Business in Centre County (CIBCC) was instrumental in the Nestles water withdrawal proposal.

This process has really been progressing outside of public input and it was clear from Chair Doug Weikel that public comment was not sought or welcome.

Personally I found Mr. Weikel to be very condescending. He wished to hold to some rules of order (Roberts Rules?) to prohibit our comments while lecturing us about our ignorance and basically he seems to think we are all just out to get Nestles.

We are concerned about local water rights and environmental impacts.

The issue here is not...where were you all when, as Mr. Weikel lectured everyone about...the issue is the horrible track record of Nestles in water extraction.

We need to protect our precious water, however once Nestles gets a permit for extraction we can wave goodbye to those water rights.

I attended to ask that any permit agreement be very carefully crafted to preserve local water rights. With the rapid onset of global warming what were once reliable water sources may suddenly change and be much less productive.

There may come a time when we will be buying bottled water from Nestles because our wells are running dry.

I have the impression that the Board considers the unused or un-extracted water from Big Spring to be wasted water, however there are many benefits from this downstream water and there is a definite downstream impact from water removal.

There are many issues to consider and the Board has dismissed our concerns basically unheard and not part of their considerations. There was a group of concerned local residents at the meeting whose concerns, comments and input are being swept aside by Mr. Weikel.

### **Beth Whitman, Spring Township**

*February 27, 2018 letter to Doug Weikel, Chair of Spring Township Water Authority Board*

Access to safe and affordable water is a fundamental and constitutional human right. The statements from meeting minutes indicating that there will be no public input and that the decision to proceed is near certain is irresponsible and highly suspicious.

As one of our township leaders, the community relies on you to research, carefully study and seek public input on critical proposals like the Nestlé Waters interest in Spring and Benner townships. Water is a finite and precious natural resource that should not be sold as a commodity to be exploited by a notoriously predatory entity. Water is not manufactured nor produced. The environmental impact should be studied by an unbiased third-party that possesses a long-standing and well-respected history for providing their services and expert insight.

While I can understand the initial excitement of a promised \$50 million dollar facility and fifty good-paying manufacturing jobs, the history of small towns and large regions being preyed upon by this multi-billion dollar company is staggering. The pittance dollar amounts being

tossed around as benefitting the county, schools and local municipalities is insulting.

A quick search on the Internet yields many reports and accounts of small towns and regions with great regret and fiscally exhausting legal battles that last decades attempting to untangle the caustic web that Nestlé uses to hold them captive.\* Fryeburg Maine, Denver Colorado, Sacramento California, Osceola Township Michigan, and Lahore Pakistan are just a few such examples.

Our own community of Mountaintop in Snow Shoe has recently been reminded of the critical nature of clean water being available to their community. The public sees straight through the veil of Nestlé's donation of 1600 cases of water to offer aid and the political agenda behind soliciting this donation.

My residence is located in a small neighborhood that is served by a community well. For many years, the water needs of this established neighborhood have been met without issue, even in times of drought. If a for-profit company begins to reduce the groundwater in our area; it will be impossible to prove that there is any connection and our neighborhood will be left to bear the financial and environmental brunt of locating an alternative water supply.

Further consideration of the environmental impact of the truck traffic on our local highways and the safety of the residents is also needed. When will the Nestle study be released? Public hearings and information sessions are a must and honestly long overdue.

What is the water budget for our ever expanding county and who manages this? How does this fold in with what CCDA (a Howard-based bottling company) is already extracting? How might this impact the local fishing and recreation businesses?

We should also be considering the impact of adding billions more plastic bottles to an already overwhelming environmental global disaster. It is estimated that 91% of all plastic is not recycled and that 12 billion metric tons of plastic will end up in landfills by 2050. The North Pacific garbage patch may be a million square miles in size already.

Please take immediate action to schedule public input sessions and gather in-depth and unbiased scientific data.

Please operate from a space of personal and professional ethical and transparent actions. If you have a history with Nestlé Water, it would be fair to publicly disclose the parameters of that relationship. The township residents are counting on you to be a visionary and not lose sight of our long-term stability in the flurry of empty promises from a predatory entity.

*\*Whitman listed links to more than 20 articles, from sources including National Geographic, ZMEscience, fastcompany.com, Newsweek, British Broadcasting Corporation, USA Today, The Guardian, Truthout, National Public Radio, Public Radio International, Food and Water Watch, CommonDreams, and Bill Moyers.com.*

## **Courtney Morris and Martin Perna, Pleasant Gap**

*February 28, 2018 report posted the Concerned Citizens of Pleasant Gap Facebook page.*

Just back from tonight's meeting with the water board. In this post, we are just laying out the facts of what took place at the meeting with no opinions or editorializing. If you want to know what we think you can read that in the other posts.

There were several residents from the area but only a handful who were actually Spring Township water customers. The feeling in the room was one of concern. While the supervisors received the public's questions and comments, they were largely unable to answer most of the questions including the length of the agreement, contingency plans in case of water shortage, contingency plans if the agreement becomes untenable and we need to pursue legal action against Nestle, and the environmental impacts of water extraction and the bottling facility.

They claimed that they could not answer these questions because the contract has not been finalized while community members stated that these are issues that would need to be addressed prior to signing a formal agreement.

Several community members spoke stating their concerns about the proposal. A member from Ferguson Township's board also spoke highlighting the concerns of local residents and ways that the board might productively address those concerns.

In addition to the issues outlined above, community members also expressed concern about the potential for increased plastic waste in the region's waterways and waste streams as well as the public health impacts of plastic contamination. Others expressed concern about the impact of increased truck traffic in the area, but the STWA board chair stated that matter does not fall under their administrative purview.

Local residents repeatedly requested that the STWA hold a public forum to discuss these issues in greater detail, provide more information about the process for formalizing the agreement with Nestle, and providing more transparency in the decision-making process. The board chair said that we were welcome to attend the STWA's monthly meetings, held on each 4th Wednesday, but that they were not responsible for ensuring additional public forums or ensuring that Nestle representatives would participate in these discussions.

There were some indications that Nestle might hold such a gathering but the water board refused to commit to ensuring that this happened and instead left it up to customers and concerned citizens from throughout the county to organize their own public event. It is unclear whether STWA representatives would participate in these public forums.

Additionally, some board members stated that all its meetings are open to the public and stated that people had not participated in the process earlier when the initial announcement was made in November 2017. Community

members responded that they had been largely unaware of the agreement and that STWA should have been more proactive about informing its customers about the Nestle proposal. The board chair responded that the information is available in the *Centre Daily Times* and that it is not their job to notify the public.

The board chair stated that many of the residents' questions could be addressed by reading Nestle's economic impact study and the Susquehanna River Basin Commission's study. Community members stated that both of these documents are rather difficult to locate online, and when they pressed the board to make these documents available on the STWA website, the board declined to do so.

At this point, the board ended the public comment period on the Nestle agreement. They then quickly moved through a number of other administrative and financial matters, including getting some reports on water management. Good news: the STWA has reduced by 5 percent the amount of unaccounted-for-water as the result of leaks. If you notice any standing water on days when it hasn't rained or your yard is especially soggy, let them know. They're trying to fix that.

The board chair then stated they would vote on an 8-page non-binding term sheet, but that the contents and terms of this agreement would not be made public until AFTER they voted on it. The term sheet is NOT the agreement with Nestle. They will still need to approve that separately. In order to access this document, a customer would need to file an RTK (Right to Know request) to the STWA office. They refused to discuss the contents of the agreement before the vote citing their existing protocols and legal concerns.

It was clear that at least two of the board members had not read the economic impact study that Nestle completed about the bottling facility. Nor was there a physical copy of the economic impact study on hand to review. Nor did they take into account concerns from customers about the numerous reports of Nestle's contractual and environmental violations in small, rural communities across the country in California, Pennsylvania, Michigan, and Maine.

Towards the end of the meeting -- just prior to voting -- they clarified some of the terms. They included the following (folks who were there feel free to add anything we might have missed):

1. Nestle would not have extraction rights: The Spring Township Water Authority would segregate their water usage and they would be limited to a single well. The STWA also announced plans to build a third well so that there would be two additional water sources should the need ever arise. In any case, the STWA would have to construct an initial pipeline to deliver the water to Nestle

(they said that Nestle will reimburse STWA for construction costs) but the STWA will retain control over the wells and control how much water Nestle has access to. This is important, Nestle will not be able to drill and remove water on its own, STWA will retain control over water access and supposedly has the right to control the flow as needed/permitted.

2. The well flow capacity at this time is 500 gallons per minute. Nestle will take 300 gallons per minute.

3. They said that they don't know the site of the bottling facility yet: it could be in Spring or Benner Township.

4. They didn't reveal the location of the well and said that they could not do so for security reasons.

5. They also stated that the STWA would retain control over all of the wells and in the event of a water shortage they would retain the right to reduce the amount that Nestle can tap in order to maintain uninterrupted regular service for Spring Township residential consumers.

6. They stated that Nestle would be charged like any other customer, indeed they are considered a customer no different than residential consumers (as this has been the case for all their corporate customers in the past). The STWA currently does not charge corporate customers at a higher rate or excise fee.

7. Nestle will be receiving untreated water.

The board chair moved to vote on the terms, the motion was seconded and the board voted. Only one member voted against it, citing the fact that he was not opposed or in favor of the project but that he had not had enough time to carefully review the terms prior to the vote. Every other member of the board voted to approve the terms.

It is unclear whether we as consumers have any say in the final agreement. We are welcome to attend the monthly meeting in March and voice our concerns but at this point the board has stated that they are not legally obligated to engage in a public consultation process with Spring Township residents.

The meeting was then adjourned.

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