

1 **RESOLUTION IN OPPOSITION TO NESTLÉ WATER EXTRACTION**

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3 **WHEREAS:** Nestlé has been withdrawing water by means of boreholes and lateral  
4 wells several hundred feet from the Strawberry Creek watershed in the San  
5 Bernardino National Forest and recording it with the SB Valley Municipal Water  
6 District under the heading of Groundwater Recordation Levels; and, Nestlé markets  
7 the water labeled as “Arrowhead Spring Water”; and Nestlé withdrew 36 million  
8 gallons in 2016 during a drought when a stream gauge at the bottom of the  
9 watershed on June 22, 2016 recorded .23 cubic feet per second, the lowest  
10 streamflow in 95 years; and by August 30 of this year, the streambed was dry as  
11 Nestlé continued to withdraw water; and,

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13 **WHEREAS:** Extracting water on federal land places it under the jurisdiction of the  
14 Food and Drug Administration (FDA) which defines “spring water” as water that  
15 flows naturally to the surface”; and, “the location of the spring shall be identified”;  
16 and, water extracted through a borehole or tunnel is permissible provided that an  
17 appropriate hydraulic connection exists between the natural orifice of the spring  
18 and the borehole or tunnel; and a 1999 report forwarded to the FDA stated that they  
19 were “unable to affirm” that some springs met the standard of identity for “spring  
20 water” since there was no “confirmation of a connection between the borehole and  
21 the spring”; and,

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23 **WHEREAS:** The Forest Service completed a review of documents from the FDA in  
24 July 2017, revealing the apparent noncompliance of some of the water sources in a  
25 1999 report; and, Nestlé hired a law firm which now includes the former top food  
26 official of the FDA from 1998-2003 who sent a letter stating the company’s position;  
27 and, within 3 weeks without any further testing, inspection or empirical evidence,  
28 the TRUMP administration’s FDA reversed their decision on Aug.21, 2017 based  
29 solely upon the information Nestlé lawyers provided,

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31 **THEREFORE, BE IT RESOLVED:** that the CDP reject the Trump Administration’s  
32 decision and seek the Governor’s support in reopening an investigation using means  
33 at his disposal to determine if due diligence was used to establish that the criteria  
34 for labeling Nestlé products “spring water” has accurately been met; and,

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36 **BE IT FURTHER RESOLVED:** that if an Environmental Impact Report is deemed  
37 necessary, that water extraction cease during this process, allow public comments;  
38 and further, this resolution shall be forwarded to Senators Kamala Harris, Dianne  
39 Feinstein, and Representative Paul Cook.