



MDEQ, Drinking Water and Municipal Assistance Division  
Environmental Health Section  
P.O. Box 30421  
Lansing, Michigan 48909-7741

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To the Michigan Department of Environmental Quality

The Council of Canadians is writing to express opposition to Nestlé's permit to increase water withdrawals at Production Well PW-101, White Pine Springs Site in Osceola County. We urge the Michigan Department of Environmental Quality (DEQ) to reject Nestlé's application to increase its water takings from 150 gallons per minute (gpm) to 400 gpm. This is a very substantial increase in water takings from the White Pine Springs in Ewart, Michigan. We understand this has been in the works with the expansion of the Nestlé' bottling water plant in Stanwood.

We applaud the more than 500 people who attended the Big Rapids public hearing and stand with the more than fifty presenters who expressed opposition to Nestlé's application last week. We urge you to hold multiple public hearings throughout Michigan to gather more community input on these water takings. Specifically, we ask for public hearings in Ewart, Detroit, Flint, Muskegon, and Traverse City.

The Grand Traverse Band of Ottawa and Chippewa Indians have also called for the permit to be rejected. Water is the lifeblood of Michigan's economy and their way of life in the Great Lakes region. Privatizing water for profit and export outside local watersheds should never be allowed. Not only is the State of Michigan required to protect this public trust resource on behalf of all citizens, but the state has a special obligation under the March 28, 1836 Treaty of Washington to protect Treaty-reserved fauna and flora resources dependent upon the Muskegon River tributaries and related wetlands from being adversely impacted by the proposed increase in water withdrawal.

It is also deeply disturbing and appalling that Nestlé is being permitted to withdraw clean water from Michigan while Flint residents still do not have clean drinking water and that up to 18,000 Detroit households are being targeted for water shutoffs once again.

Water is a human right, commons and public trust, to be shared, protected, carefully managed and enjoyed by all who live around it. In July 2010, the United Nations General Assembly recognized the human rights to water and sanitation, and the 2015 Sustainable Development Goals also recognized these fundamental rights. The human rights to water and sanitation must be recognized at every level of government.

Surface and groundwater should be declared a commons and a public trust, which will require the government to protect water for a community's reasonable use. Under a public trust doctrine, private, corporate water use would be subservient to the public interest. Water should not be appropriated or subordinated for private gain. Governments have an obligation to protect

water for communities including denying bottled water taking permits that threaten water availability for current and future generations.

Very little groundwater withdrawn for bottled water is returned to the local watershed from where it was taken. The Council of Canadians recently found that Nestlé was extracting and transporting water thousands of kilometres away from watersheds in British Columbia and Ontario.

Groundwater resources are finite. Droughts, climate change, pollution and over-extraction continue to impact the Great Lakes' limited water sources. At this pace, Great Lakes communities will not have enough for their future needs.

The Ontario government has proposed a two year moratorium province for new and expanded water permits. This is a positive step forward but all bottled water withdrawals should be phased out in the Great Lakes Basin and beyond.

For these reasons, we urge the Michigan government to:

- Reject Nestlé's permit to increase water withdrawals at Production Well PW-101, White Pine Springs Site in Osceola County.
- Implement a permanent moratorium on new, single-use bottled water permits and phase out current permits.
- Seek free, prior and informed consent from the Saginaw-Chippewa Tribe, Tribal Council of the Grand Traverse Band of Ottawa & Chippewa Indians, the Little Traverse Band and other Indigenous nations in the region as required by the UN Declaration on the Rights of Indigenous Peoples.

We hope the Michigan DEQ takes these bold steps and demonstrates the needed leadership to protect water sources for today and tomorrow's generations.

Thank you for your consideration.

Sincerely,



Emma Lui  
Water Campaigner  
The Council of Canadians

The Council of Canadians is Canada's leading social action organization, mobilizing a network of 60 chapters across the country. An environmental and social justice organization, the Council has sixteen chapters around the Great Lakes Basin and has been working to protect water nationally and internationally for more than thirty years.