

CONTACT:
Peggy Case
(248) 736-9703
hildaheron@aol.com

For Immediate Release:
May 14, 2019

CONTESTED CASE HEARING ON NESTLÉ PERMIT BEGINS MAY 20

Lansing, MI – The Michigan Citizens for Water Conservation (MCWC) and the Grand Traverse Band of Ottawa & Chippewa Indians will begin contested case hearings on May 20th in front of an Administrative Law Judge as part of their challenge to the permit that Governor Snyder’s Department of Environmental Quality granted to Nestle Waters North America in 2018.

The permit at issue, granted roughly one year ago, authorized Nestle to increase its pumping of groundwater from the headwaters of two cold-water trout streams in Evart up to a rate of 400 gallons per minute (gpm), or 210 million gallons of water per year. The permit was granted after two years of opposition by Michiganders whose government should have been managing the state’s sovereign water for the benefit of citizens and was not doing so.

Over 80,000 Michiganders filed public comment and expert testimony in opposition over an extended period when Nestle's request was exposed. A public hearing in Big Rapids drew 600 people, including residents of Flint and Detroit who were outraged at the injustice of granting free public water to Nestle for private profit while they paid some of the highest bills in the country for poisoned water or were shut off altogether when they couldn't pay those bills.

Michigan Citizens for Water Conservation—which had won a precedent-setting lawsuit related to a separate 400 gpm groundwater withdrawal in Mecosta County—was forced to challenge the legality of this latest permit based on the state’s failure to follow Michigan law. MCWC seeks to establish that the two previous permits for the Evart well were also not granted under the proper statute. The hearing in front of Administrative Law Judge Daniel Pulter begins at 9:00 am on Monday, May 20th on the second floor of the Ottawa Building in downtown Lansing. Picture ID is required in order to attend.

The Grand Traverse Band of Ottawa and Chippewa Indians filed a challenge on the same day as MCWC and the cases were joined. Under the 1836 Treaty of Washington, when the signatories ceded 14 million acres so Michigan could become a state, the tribes retained rights to fish, hunt, and gather plants which are property rights under the US Constitution. The State is obligated to protect those property rights and the resources of the Muskegon River Watershed are among them.

The State of Michigan is obligated to enforce the Safe Drinking Water Act and related statutes, and should withdraw these permits granted to Nestle to take the sovereign waters for massive private profit. The legal team representing MCWC and the Grand Traverse Band needs active support from all who value our precious water resources. Water is Life and it is our obligation to assure it is protected and shared within the commons in a just manner.

For an excellent summary of the history and issues involved and the importance of this case, see this overview provided by Michigan water law expert Jim Olson:
<http://flowforwater.org/michigan-citizens-tribe-challenge-state-permit-nestles-water-grab>

To learn more about this case, and/or to contribute to MCWC’s efforts to protect Michigan water, please visit saveMIwater.org

**Michigan Citizens for Water Conservation
P.O. Box 1, Mecosta, MI 49332**