

## **Speech about Crystal Geyser issue to Shasta Democrats June 17, 2019**

**by**

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I want to talk about some details, and then about some generalities, surrounding the Crystal Geyser (CG) issue. The details are just a couple of examples of how CG ignores science in its assurance that the pumping is safe for the community. The generalities have to do with how this all relates to the larger issues of water privatization, and what role the Democratic Party has played or can play. It is a little bit like that old Vietnam-era song by Arlo Guthrie, "Alice's Restaurant" where Arlo starts the song talking about local trash littering - analogous to the local CG operation - and then Arlo ends up talking about big issues of war and the draft - analogous to issues about corporate power and the system.

Among the various concerns: truck traffic, noise, air pollution, groundwater water pollution, etc, I have specialized in hydrological concerns: will the pumping deplete the groundwater for the hundreds of nearby neighbors, most of whom use wells? The County has imposed no legal limit as to how much and how rapidly CG can pull water out of the ground. When Dannon and CocaCola were there in the late 90's to late 2000's, several neighbors complained that their wells went dry or got silty, complaints that CG now dismisses as "anecdotal".

I have spoken with at least a half dozen professional hydrogeologists: all claim that the hydrogeology under Mt. Shasta is very complex and not understood. But in a PR effort, CG points to some past hydrological studies anyway, which remained secret until a couple of years ago. Unfortunately, we now know that those studies are not the least bit relevant to whether CG pumping will deplete the aquifer. The main study they quote, done in 1998, did not even attempt to study aquifer depletion. The study, done by a firm hired by Dannon, tried to show that the production well, called DEX-6, the same one still to be used when CG opens, was hydrologically connected to Big Springs, a major gush of water and tourist attraction in Mt. Shasta City Park. If the connection could be shown, then Dannon could slap the label "spring water" on their bottles so they would sell better.

The test failed. They injected a large amount of fluorescent solution into DEX-6 and none came out at Big Springs. Desperate to get that spring water label, they then tried injecting into a well much closer to Big Springs, DEX-1, which was

not the production well. Still no luck. So then they injected an amount of fluorescent solution into that closer well at least 5 times the state-permitted limit. What finally did show up in Big Springs was really minimal: only 5% of the flow under the well went that way, the rest went elsewhere. But that was enough to get the "spring water label".

That was, by far, the best test of the hydrology under the area, and it was totally insufficient. The hydrology is almost certainly very complex with interlocked layers and lava tubes, so to see if pumping has an effect, you have to test it. That was never done. Instead of testing whether DEX-6 pumping actually affects residential wells over the long-term - in other words, the effect of A upon B - instead they did very short term tests on whether some other well on their property affected levels at a location far from the residences, in other words the effect of C upon D. You cannot measure the effect of A upon B by studying C upon D., especially when the relevance of C and D was never established. The hydrological studies were, and still remain, bogus, and the residential wells in the area remain threatened. Also threatened is a future projected well to be drilled by the City in the area to supply City Water. And, as I said there is no limit to the pumping imposed by any of our local governments, and CG to this day still refuses to agree to any pumping caps should problems develop.

The governments at all levels say it is out of their purview. The City says it does not have jurisdiction because CG is just outside the City Boundary line, although literally touching it. The City says it cannot even control what CG dumps into its leach field on its property although water and toxins do not observe boundary lines and thereby can directly poison the water under the City. The County does have an ordinance that says they can regulate groundwater pumping - EXCEPT for water bottlers. And the County ignores the fact that CG will not be bottling water but flavored juices, so the County misinterprets their own rules in order to wash their hands of the matter. And the State government now does regulate groundwater extraction in what they define as "basins", including the Central Valley. But they do NOT count the Mt Shasta area as a "basin" although its water directly feeds the Central Valley basin. So governments, whether Republican or Democratic-dominated, have been no help in this matter, and that is why we are currently in court.

Our court cases rely on CEQA - the California Environmental Quality Act. But even under the long-term Democratic supermajority in California, we have discovered that CEQA has no teeth. There is no government agency whose job it is to uncover and enforce violations of CEQA's laudable goals. Court cases must

be initiated by citizens' groups whose ability to pursue them depends on small-time continual fundraising. Municipal governments do not want to take on court cases in the interests of their own citizens because they have barely enough money to pay for their own municipal services, much less for good lawyers. And corporations know this, so they can defy CEQA until the citizens run out of money, because the corporations of course do have the money. As they say in the case of water, water does not flow down toward valleys, it flows toward money. You would hope that the Democrats in the State Government would have put some legal teeth into CEQA, but they have not. Similarly, the State Governments has smiled upon another type of privatized liquid extraction - fracking - by big oil, despite its many environmental hazards including consumption and then dumping of huge amounts of water contaminated with some proprietary substance.

The California Public Utilities Commission (CPUC) is a prime example - directly relevant here - of a state agency that has been captured by the industry they are supposed to regulate. To operate, CG needs an upgraded power connection from a substation several miles away. Pacific Power tells the public that the upgrade is needed anyway, for many other users. But internal memos that we have obtained through a Public Records Request, tell a different story: that the upgrade is indeed primarily for CG's benefit.

Put aside the question that the upgrade is to be paid-for by all ratepayers, a gift to a corporation - Pacific Power - owned by Warren Buffet. This upgrade, as approved by the CPUC, is a real hazard. The upgraded lines will be suspended on a string of new, taller towers through an area officially ranked by the CPUC itself at the highest tier of critical fire hazard, a tier reserved for areas with the most likely wildfires started by power lines.

WATER and others pointed this out to the CPUC, well within the public comment periods, and advised that the new lines be undergrounded. But the CPUC, even after the Santa Rosa and Paradise disasters, decided to ignore this issue. So, even in a state where Democrats dominate all branches of government, state regulatory agencies still favor corporate interests over public safety.

Water bottling is the most extreme form of water privatization, where private corporations claim for themselves a resource that falls for free from the sky, burbles up out of the ground often by itself, and then is placed in billions of plastic bottles sold at a price much higher than the equivalent volume of gasoline at a huge profit. And most of the plastic eventually winds up as throwaway, much of it in the ocean. Water is the new oil to private extraction corporations. Just as

control of oil has been the cause of continual wars and internationally illegal invasions, so will control of water initiate wars as the climate changes.

Many Democrats in Siskiyou and Shasta Counties do support regulation of water bottlers, partly over the water depletion issue and partly over the plastic pollution issue. But the most prominent two Democrats in our County - a former City Council member and a current County Board member - are on the wrong side and indistinguishable from Republicans on this issue. This of course does not help to endear the Democratic Party to the community of progressive activists and environmentalists active in this issue, and these activists are, in fact, among the most politically engaged folks in the County, who otherwise could be of help to Democratic campaigns. These two Democrats' argument is that CG will create jobs - although it will be very few jobs, some or all imported from elsewhere, and very low pay.

I think it is not the jobs, but rather a philosophical difference among Democrats: does progress happen by supporting the wishes of big corporations who might drop some crumbs locally while commandeering local politics - or does progress happen by supporting local democracy, where ordinary people get to decide - or at least have some formal input - on local issues in their community, whether or not it pleases a multinational pharmaceutical corporation based in Japan, like the one that owns Crystal Geyser? This is not to say that the Democrats are not better than Republicans. In general, Republican leaders are opposed to environmental protection, worker rights, public health care, science, etc as a matter of ideological principal. Democrats of all stripes at least acknowledge these problems, but as Bernie Sanders said a couple of years ago, looking back on his decades in Congress - and I am paraphrasing here - "Very little happens in Congress that does not have the support or at least acquiescence of corporate interests."

There may be more than philosophical differences at work within the Democratic Party. Big money interests in California have long been contributors to political campaigns. As one local Democrat active on the progressive side told me, "Politicians are interested in only two things: to get elected and to get re-elected" Once started, Crystal Geyser will completely dominate the politics of what happens - and elections - in the small towns of Mt. Shasta, Weed, and possibly McCloud. Crystal Geyser's shadow has already been cast across Weed, where a local lumber company which claims - dubiously - to own the City Water supply, plans to sell large amounts of flowing water to Crystal Geyser Roxanne and kick the City of Weed off its only water supply.

The largest consumer of water in California, by far, is Paramount Farms in the San Joaquin Valley, owned by billionaires Stephen and Lynda Resnick. According to an article in Mother Jones, the Resnicks have contributed six-figure sums to every California governor from Pete Wilson all the way up through Jerry Brown. The article was written before Gavin Newsom, so he is not necessarily an exception. The Resnick's are family friends of Diane Feinstein, who chairs the Senate Appropriations Committee's powerful energy and water panel. So even if there is no proven corruption here, there is clearly the potential for it. But this potential is not unexpected, when you have a system in which wealth buys power and power buys wealth. In a system with that sort of positive feedback, is it a surprise that the rich get richer as they ignore environmental damage they cause, shielded by a legal system they themselves designed to tilt in their favor?

We are looking here at a real difference: Democrats inclined to work with big corporations - vs - those who struggle for some democracy and influence against them. This difference, as you well know, is clearly reflected in the state and national Democratic Party policy. It is the hot issue of the day, perhaps the most important one of all. Seen from the outside, the Democratic Party can be viewed in two disparate ways: on the one hand, as itself a private business which provides its customers - its corporate clients with money - with access to government influence and contracts, for a fee, the fee of supporting electoral campaigns. On the other hand, the Democratic Party can be viewed - and hopefully will be viewed by everyone someday - as the vehicle for the great majority of people to gain some influence in their own governance. This is not a minor difference.