

Crystal Geyser to tap Siskiyou County groundwater

By **Peter Fimrite** Updated 7:38 am, Tuesday, May 12, 2015



IMAGE 1 OF 20

Shara Fish of Mount Shasta carries bottles filled with spring water from the headwaters of the Sacramento River in Mount Shasta, Calif., on Tues. April 28, 2015. Crystal Geyser is opening a bottling plant nearby without any environmental review or limits at a time when everyone else in the state is being asked to drastically cut water use. California's non-existent laws on groundwater use allow this.

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A private water bottling company will soon be sucking up thousands of gallons a day from an aquifer that feeds the Sacramento River, the primary source of drinking water for millions of thirsty Californians struggling to cope with a four-year drought.

The plan by Crystal Geyser Water Co. to sink a tap this fall into Big Springs, which burbles out through lava tubes at the base of Mount Shasta, is allowed because the State Water Resources Control Board considers it groundwater, and California regulations monitoring groundwater are years from implementation.

The Calistoga purveyor of sparkling mineral water and juice is not required to do an environmental impact report or obtain a permit from the state to bottle and sell a resource that is in such short supply that California farmers are letting crops go fallow and water districts are developing plans to subject their customers to rationing.

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“They don’t need a water right from us if they are using groundwater,” said Tim Moran, the spokesman for the water board. “Historically, groundwater hasn’t been regulated in California.”

The move has infuriated environmentalists, American Indian tribes and many of the 3,394 residents of the city of Mount Shasta, who can hardly believe that a

company is being allowed to bottle the same water that the rest of the state is under orders to conserve. They fear the bottling operation, one of 108 in California, could drain wells dry and deplete **the aquifer, which fills Siskiyou County rivers and streams** and feeds the headwaters of the Sacramento.

“We need to have some kind of limit to the damage they can do to the aquifer,” said Bruce Hillman, who leads a local group called We Advocate Thorough Environmental Review, or Water. “Right now, because it is on private property, there is no limit to the amount of water they can extract.”

Lumber mill site

Crystal Geyser paid \$5 million in 2013 for the 145,000-square-foot bottling plant, which was once the site of a cedar lumber mill and is zoned for heavy industrial use. The operation, which is on 266 acres, was abandoned by Coca-Cola in 2010 when the soda company stopped selling spring water.

The facility, which is under county jurisdiction but would have to use city services, originally planned to make juice, flavored tea and mint drinks, which would have required approximately \$10 million in waste disposal system upgrades. Company officials have since changed their minds and now plan to produce only mineral water when the plant opens, probably sometime in September.

The company plans to eventually phase out its Calistoga and Bakersfield plants and move the entire mineral water branch of its operation to Siskiyou County, a major concern for the 26 adjacent homeowners who rely on well water.

Hillman's group says county officials rubber-stamped an environmentally risky project without requiring an environmental review or getting assurances from Crystal Geyser that it won't increase water consumption. He says the company dropped fruit and tea drinks to prevent opponents from invoking the California Environmental Quality Act and demanding an environmental report on the sewer upgrades.

No permit required

Greg Plucker, Siskiyou County community development director, said his department does not have the authority to require an environmental review because there are no permits or other approvals that require "discretionary action" by the county. He said a determination of no significant environmental impact was made by the Regional Water Quality Control Board shortly after the facility was built in 2000.

Even so, Hillman said, tapping Big Springs should require Crystal Geyser to file a statement of diversion and use with the State Water Resources Control Board for diverting a "subterranean stream flowing through known and definite channels."

But Moran, the water board spokesman, said that requirement does not apply because the water is coming from an existing 200-foot deep well in fractured bedrock, not from a subterranean stream.

"The water is presumed to be percolating groundwater, which does not require a water right permit or license or statement," he said, adding that bottling water is considered a "reasonable and beneficial use" in the same way it is for other industries like food processing plants and production facilities.

"Bottling water is a legal use of water under the law," said Nancy Vogel, spokeswoman for the California Department of Water Resources.

Crystal Geyser plans to start with a single bottling line, which would use an average of 115,000 gallons of water a day. A second line would be opened in five to seven years, bumping up water use to an average of 217,000 daily gallons, with a maximum of 365,000 gallons a day. Coca-Cola used 250,000 to 300,000 gallons a day, Crystal Geyser officials said.

Flavored drinks and tea would be added later, probably in 2016, after the sewer issue is resolved, said Judy Yee, executive vice president of marketing and business strategy for Crystal Geyser.

“We share the same concerns as all Californians,” Yee said. “Since joining the Mount Shasta community, we have been in regular communication with community leaders, as well as professional engineers and geologists, to ensure our operations are sustainable and will not impact the environment in any detrimental way.”

Glacier water

The amount of water being used is only a fraction of the melted glacier water that flows off of 14,179-foot Mount Shasta and into numerous creeks, springs and tributaries of the Sacramento, McCloud and Klamath rivers. Much of that water is captured behind 602-foot-tall Shasta Dam, which is part of the Central Valley Project, a huge federal system that provides water for fish, irrigation, drinking water and hydropower.

It is, nevertheless, an example of how California’s archaic groundwater laws fail to protect historic public resources from being exploited, according to critics.

On average, almost 40 percent of California’s water supply comes from groundwater, according to the Department of Water Resources. There are an estimated 1 million to 2 million wells scattered around the state, and water officials say that as many as 15,000 are being dug every year.

So much water is being pulled out of the ground — 800 billion gallons a year in the Central Valley alone — that the ground is sinking in many areas. Until September, when Gov. Jerry Brown signed groundwater legislation, California was the only Western state without regulations governing underground pumping.

The newly passed Sustainable Groundwater Management Act will limit the use of groundwater, ensure that aquifers are replenished and require farmers to measure and report the water they pump. However, the regulations will take years to implement. The heaviest users aren’t required to submit plans to the state until 2020, and most of the sustainability goals aren’t expected to be reached until 2040.

The groundwater at Big Springs won’t even fall under the new regulations — at least not initially. That’s because the aquifer has not been identified as a “primary overdrafted basin.”

“The state of California has not singled out the **bottled water industry** for specific regulation and data collection,” Vogel said. “When we have full implementation of the law, we’ll have much better information on pumping by industries, including the bottled water industry.”

Raven Stevens, community liaison for the adjacent Gateway Neighborhood Association, said she is consulting with experts and conducting elevation studies on 26 wells in the neighborhood so that they will have baseline data when the plant begins operating.

“Crystal Geyser in one day plans to pump more water than any three of my neighbors will use in an entire year,” Steven said. “The entire state is under a 25 percent cut, farmers are letting fields go fallow and we don’t have one piece of legislation regulating water bottling.”

The Siskiyou County residents are used to fighting off outsiders for their coveted spring. Residents of the nearby town of McCloud waged a bitter battle with Nestle Waters several years ago after the company proposed a 1 million-square-foot bottling plant. Nestle pulled out in 2008, after a threat by then-Attorney General Jerry Brown to sue unless the county first evaluated the effects of global warming on the future water supply.

Nobody is requiring Crystal Geyser to consider global warming, the drought or the effect on the environment this time, Stevens said.

“The problem,” Stevens said, “is that whatever they say they are going to pump, there is no agency or regulation that is going to hold them to that.”

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