



New England
Grassroots
Environment Fund

The White Paper Series: Water in the Public Trust

Water Withdrawal



**New England Community Responses to
Protect Groundwater**

A White Paper by the

New England Grassroots Environment Fund



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<http://grassrootsfund.org>

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For more information on NEGEF’s water work, please contact:

Claire Wheeler
Program Officer, NEGEF
802-223-4622
claire@grassrootsfund.org

The **New England Grassroots Environment Fund** (NEGEF) supports grassroots groups working on a broad spectrum of environmental issues in their communities. NEGEF’s mission is to energize and nurture long term civic engagement in local initiatives that create and maintain healthy, just, safe and environmentally sustainable communities. The Fund uses grantmaking, networking, and skills-building to fuel local activism and social change. This paper draws on the stories and work of 18 community groups. Gleaning from additional information provided to NEGEF in the grant application process, this paper examines in greater detail the 11 groups that have applied to NEGEF’s small grant program.

Please also see a complimentary white paper, “Whose Water Is It Anyway”, written by Naomi Schalit for the Broad Reach Fund in collaboration with NEGEF, which also focuses on the issue in Maine. The Maine stories and perspectives in this paper expand upon Shalit’s work.

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QUICK LINKS (click below to get to the following sections):

- ◆ Explore the reasons **WHY LOCAL GROUPS FORM** around water bottling fights;
- ◆ Identify the **CHALLENGES** standing in the way of local control of water resources and the **STRATEGIES** that the grassroots are implementing to overcome such obstacles;
- ◆ Identify the **NEEDS** grassroots groups currently have and the **RESOURCES** available to support them;
- ◆ Offer **KEY FINDINGS** for furthering effective ways NEGEF and others can strengthen support of these efforts; and
- ◆ Suggest **STRATEGIES** for moving forward in this work.

Protecting water quality and quantity as part of the modern day “Environmental Movement” has taken on a new dimension in the first decade of the 21st Century. Broadly captured as a looming crisis of scarcity, the lack of access by billions of people and other living beings to clean and safe water is now being framed as a need to establish a global doctrine of *Water as a Human Right*, so that water, like air, is a resource ‘owned’ by everyone.

The 1970s mark the modern day attention to water quality and quantity. The 1972 U.S. Clean Water Act established a benchmark for national water issues, but few were discussing “water as a human right”. Water mining (extraction for bottling and large quantity wholesale) and privatization of public water supplies were not on the public’s list of water issues, nor were they part of the environmental community’s agenda. Today, however, both are increasingly becoming part of the public discussion around our global water resources. “Who owns and controls our water?” is the core question.

Ninety-seven New England municipalities have privately owned water extraction or water privatization activities within their jurisdictions. Some, like the original Poland Springs facility in Maine, have been in operation for more than 150 years. New operations like the USA Springs 2001 proposed water bottling plant in Barrington/Nottingham, New Hampshire would have withdrawn nearly a half million gallons of water a day from the aquifer below the surface. During the 10-day USA Spring’s pump test at the beginning of its permitting process, residents noted a measurable drop in the water level in an adjacent wetland. If this was after only a few days of pumping, they wondered what might the impact be after six months, or even a year? And so began a typical and increasingly common public response of grassroots work to protect the local water supplies of hundreds of homes in southeastern New Hampshire.

In water rich New England, this “local” challenge has played out in several dozen communities. While this may not seem like other conflicts, and while some might call this “misguided NIMBY fights,” the New England Grassroots Environment Fund (NEGEF) and a number of other foundations understand that public involvement at the local level in issues like water withdrawal is a necessary part of broader policy change. Experienced first hand by those most directly affected, these grassroots initiatives ground truth in public policy at all levels of government.

Bottled water, a product that private business makes from a shared resource, is becoming the focus of the debate and the public struggle to clarify the laws all of us use to manage our shared resources. While ownership of surface water is well defined, the governing of groundwater is not. Even in New England, it differs from state to state.

What began as an honest concern that bottlers would not only mine “their” water, but draw from our shared underground aquifers and cause the more shallow individual residential wells to go dry, is now a public discovery and dialogue around Water in the Public Trust.

THIS REPORT

This report explains what New England grassroots groups contribute to the unfolding struggle to assure that every being on this planet has the quantity and quality of water they need to not only survive, but thrive. Here are some of the insights we gained from this project:

- Most Americans do not see anything wrong with bottled water.
- Most Americans do not think of water as a resource we all own in common.
- Most Americans do not know whether their water is publicly or privately owned and managed.
- Most New Englanders think even less about the source and management of their water because the region is water-rich.
- The idea that New England would run short of safe, clean water is not a concern on which most New Englanders dwell.
- New Englanders have long favored local water bottling companies as a source of revenue and jobs.
- Most Americans, including New Englanders, do not understand the magnitude of the waste we generate in general or the plastic waste that water and soda bottles produce.
- Most Americans do not know that there is increasing evidence that the chemicals in plastic bottles pose serious environmental health concerns.

Bottling water impacts local communities in a number of ways depending on whether the company is using surface or groundwater. Community groups form when they feel one or more of the following local “threats:”

- Pumping from shared aquifers might make their own residential wells go dry.
- Capturing water at the spring’s source will dry up downstream natural systems and adversely impact wetlands and wildlife.
- Companies bottling water from the publicly owned system don’t pay their fair share for water they use. There are different rates for individual and corporate users and the local tax payer most often pays more per gallon than do the larger “consumers”.
- New bottling plants cost tax payers more to develop the public infrastructure (roads, sewer extensions etc.) than they return in ‘new taxes.’
- New plants may increase truck traffic resulting in increased local air pollution, noise and road impacts, and the siting of new plants have adverse impacts on wetlands and wildlife.
- New plants have produced fewer jobs than promised.
- Local officials often put local economic growth before current residents and the natural environment. All too often, plans to build a new plant or tap a new spring are in the works before the community is informed of the pending development. Citizen groups thus form because they believe the interests of the private company are put before the public’s interests, thus their local democratic principals and practices are being violated.

As the grassroots groups organize and research these challenges, they also gain understanding of the larger implications of bottling water and water quality and quantity issues in general:

- The principles of the Commons — the gifts of society and nature that are shared by all now and for generations to come – we all own and use the water.
- Privatization of water in other parts of the U.S. and around the world has led to worse, not better, management and/or affordability of water.
- Water is a basic human right.
- Clean and safe water is already unequally available within the U.S. as well as around the globe.
- Access to water will become even more of a problem in the decades ahead.
- Americans use far more water per person than other populations, and could conserve significant amounts of water if they chose to change their water using habits.
- Bottled water consumption is directly linked to global warming and the human carbon footprint, with trucking required to move water from an aquifer to the shelf, and the petroleum used to manufacture the bottles themselves.

Observations about the challenges facing local grassroots groups’ efforts to organize:

- Community groups develop their individual, local strategies by drawing on a wide range of ideas and resources
- The personalities and values of the organizers greatly influence the campaign design.
- Groups are exposed to and evaluate individually the strategies, tools and resources of the key state and national non-profit advocacy organizations’ approaches.
- The state and national players’ approaches sometimes compliment, and in some places contradict, each other. At this point they are not well coordinated and in some cases create local organizing problems.
- Some groups splinter because they cannot agree on one clear strategy, adopt several strategies or give mixed messages to their communities.
- Peer to peer (community group to community group) coaching plays a key role in a new group’s development and strategy choices.

RECOMMENDED ACTION AND NEXT STEPS

NEGEF is willing to act as a catalyst and convene the New England players – local groups, state and national advocacy non-profits and key funders to better understand the many strategies, tools, approaches and co-create (have a truly shared conversation) a shared strategy for this work.

- Work will be shared with a steering committee of key activist and funder players
- Specific goals and outcomes will be developed.
- Budget for event planning and happening will be developed and funded.

Introduction



As with all consequences of globalization, water privatization has an alarmingly disparate affect in different corners of the national and international community. In a world where less than 1% of our water is accessible and drinkable, it is estimated that two-thirds of the global population will face water stress or scarcity *just fifteen years from now*¹; the majority of that population is concentrated in Africa, West Asia and the Middle East.

Water Scarcity: The Crisis

Water scarcity is an issue of global proportions, rooted in the inherently uneven distribution of rain, surface waters and groundwater that causes some regions to be water-rich and others to be water-poor. The looming scarcity crisis, like climate change, is the composite of management decisions that have spanned human beings' time on earth, such as the use of water for modern agriculture (which is to this day the largest water consumer), for dams, sewage and municipal drinking systems, as well as the degradation of clean water sources through industrial development and excessive pollution. As populations continue to grow, so too will the need for global access to clean water, which according to the U.N., one-fifth of the world's population already lacks.

While municipalities, state governments and national organizations are grappling with this complex problem, the international private water industry is turning the lack of water into an ocean of profit, exacerbating the problem by buying access to as many of the available untapped resources in water-rich areas as possible, and by convincing governments of communities world-wide to privatize public water systems or to newly build private drinking and wastewater systems. In many places where this has happened, the result is unaffordable rates and reduced access for those who need water most. This global water issue spans the environmental sector – the ecological problems with overusing and polluting our finite water resources, to the social – who should have free access to and ownership of water, and who, if anyone, should be making a profit from such access? Following the business savvy of *Fortune* magazine², if the socio-environmental issue of this generation is our dependence on oil, and the environmental and cultural wars that it creates, then water is the oil of the next generation. The EPA estimates that 36 U.S. states will experience water shortages by 2013, and many states in the Southeast and Southwest are already facing this inevitable reality.³ This paper will focus on the impact of the private water bottling industry on New England, highlighting the role of dedicated grassroots groups in the public debate on how best to protect water for current and future users.

Bottled Water: The Problem

It is no coincidence that the decline of investment in and functionality of our public water systems in the US mirrors the increase in American bottled water consumption. Perrier, the French bottled water that was the very first to hit the American market, launched its product in 1978 with a \$4 million TV ad campaign featuring actor-director Orson Welles. In just one year, sales of Perrier would triple; a skyrocketing trend that has continued to present day. Also in 1978, federal funding covered 78 percent of the cost for new water infrastructure. By 2007, it covered just 3 percent.⁴

This leaves footing the water bill (to the tune of half a trillion dollars in the next 20 years⁵) up to local and state governments, ratepayers and taxpayers grappling with the current economic recession. Those with the available funds, namely multi-national private corporations, are waiting in the wings to take on the financing problem in exchange for water ownership rights. According to a fact sheet from the group Who Decides? of Gloucester, MA, whose municipal water operating contract was handed over to Veolia Water North America in 2009, Veolia has

¹ Eleanor Sterling and Erin Vintinner, "How Much is Left? An Overview of the Crisis," in *Water Consciousness*, ed. Tara Lohan (San Francisco: AlterNet Books, 2008), 16.

² The referenced quotation is: "Water promises to be to the 21st century what oil was to the 20th century: the precious commodity that determines the wealth of nations." Shawn Tully, "Water, Water Everywhere," *Fortune Magazine*, May 15, 2000.

³ Elizabeth Royte, *Bottlemania: How Water Went on Sale and Why We Bought It* (New York: Bloomsbury USA: 2008), 16.

⁴ Alan Snitow and Deborah Kaufman, "The New Corporate Threat to Our Water," in *Water Consciousness*, ed. Tara Lohan (San Francisco: AlterNet Books, 2008), 45.

⁵ Snitow and Kaufman, *Water Consciousness*, 46.

over 100 municipal contracts, with over 40 in the Northeast⁶. More and more American cities have signed contracts with private entities to maintain their water infrastructure, and in some cases the grassroots have put enough pressure on town officials to keep the water supply public.

While the correlation between the increase in bottled water and the decrease in available funding for water systems is clear, it is impossible to determine if the water bottling industry initially set out to compromise municipal drinking systems. But one thing is for sure: comparing bottled water to tap became the perfect marketing hook for the private companies, which in over time diminished consumers' trust in their public systems. As Corporate Accountability International puts it, "through marketing that presents bottled water as somehow cleaner or safer than tap water, the bottled water industry has effectively cast doubt on the quality of America's tap water."⁷ And if bottled water sales continue to rise, why would local officials elect to put any investment at all into drinking water systems? Like the infamous Fiji ad that ran in a 2007 edition of *Esquire* magazine that boasted "The label says Fiji because it's not bottled in Cleveland", water bottlers actively target public water systems to champion the purity, safety and convenience of bottled water. As a response to the Fiji ad, the City of Cleveland conducted water quality and taste tests and proved that tap water is tastier, safer, more regulated, and thousands of times cheaper than the bottled alternative – a conclusion that has been tested and proven hundreds of times since. If the facts prove tap to be the superior drink, who then is responsible for keeping the bottled water industry afloat?

"The recent water boom...has targeted the rural communities' spring water, profited from municipal tap water, and launched ad campaigns that have undermined people's trust in public water systems."
Bottlemania, page 57

America: The Consumer

Even though America doesn't make the list of the 6 most water-rich countries⁸, America represents the #1 consumer of water, both in and out of the bottle. While the average human requires 13 gallons of water per day to maintain an adequate quality of life, the average Kenyan uses 3 gallons per day and the average British person uses 30 gallons a day, compared to the 150 gallons used by North Americans⁹. Such excessive water use translates to consumption of bottled water, a market dominated by messaging mavericks that go the extra step to reinvent water as a market commodity, rather than a basic need. According to the Beverage Marketing Corporation, Americans almost doubled the amount of bottled water they consumed from 2000 to 2008, from 4.7 million gallons to 8.7 million, consuming more than any other nation at 16% of the entire world's consumption¹⁰. Now an \$11.2 billion industry in the U.S., bottled water consumption and sales have continued climbed steadily, experiencing its first ever downturn in 2008.

In its most recent market findings report (2008) titled "Confronting Challenges", the International Bottled Water Association (IBWA) admits that, in addition to unusually wet and cold weather conditions, "consumer concerns about the environment may have affected some buying decisions, particularly as a result of campaigns targeting bottled water."¹¹ Indeed, the recent buzz from several books¹², documentary films¹³ and international campaigns, like Food & Water Watch's *Take Back the Tap* and Corporate Accountability International's *Think Outside the Bottle*, shows that American consumers are seeing bottled water for what it is – more of an environmental liability rather than a personal necessity – while becoming increasingly aware of corporate intent. Consumer advocate groups have the spotlight on the slick marketing used to manufacture of false demand for an expensive, unnecessary, and in many cases, inferior product. Consumers are realizing that paying thousands of times more for water from a bottle, which in most cases either comes from the same source as their tap or contains unsafe additives that tap water doesn't, is not only uneconomical, but also has severe environmental and social justice repercussions.

Despite the 2008 statistic, the authors, movie-makers, international organizations and even the IBWA admit that simply increasing awareness to limit demand is not going to hinder the destructiveness of the bottled-water industry.

⁶ The [fact sheet](#) names other New England towns: Leominster MA, Lynn MA, Brockton MA, Westborough MA, Sturbridge in MA, New London CT, and Woonsocket RI. <http://www.whodecides.net>

⁷ Corporate Accountability International, "Getting States Off the Bottle," 2010, 4. <http://www.stopcorporateabuse.org/sites/default/files/Getting-States-Off-the-Bottle-Corporate-Accountability-International.pdf>

⁸ Brazil, Canada, China, Colombia, Indonesia and Russia hold over half of the world's fresh water. Sterling and Vintinner, *Water Consciousness*, 16.

⁹ Sterling and Vintinner, *Water Consciousness*, 24.

¹⁰ John G. Rodwan, Jr. "U.S. and International Bottled Water Developments and Statistics for 2008," *Bottled Water Reporter*, April/May 2009, 16. <http://www.bottledwater.org/public/2008%20Market%20Report%20Findings%20reported%20in%20April%202009.pdf>.

¹¹ Rodwan, "U.S. and International Bottled Water Developments and Statistics for 2008," 13.

¹² Such as *Blue Gold* by Maude Barlow and Tony Clarke (2003); *Thirst* by Alan Snitow, Deborah Kaufman, and Michael Fox (2007); *Bottlemania* by Elizabeth Royte (2008), *Unquenchable: America's Water Crisis and What To Do About It* by Robert Glennon (2009), *Bottled and Sold* by Peter Gleick (2010).

¹³ See *Blue Gold* (2008), *Flow* (2008); *Tapped* (2009); *The Story of Bottled Water* (2010)

In the conclusion of that same 2008 market findings report, IBWA proudly declares that the Beverage Marketing Corporation “fully anticipates bottled water to rebound from 2008’s absence of growth and remain the star of the U.S. multiple beverage marketplace during the next several years. While the overall amount of liquid Americans annually consume will remain steady, resulting in overall volume growth in line with population enlargement, bottled water will grow considerably faster.”¹⁴ In other words, overall population growth will be enough to reverse the downward sales trend.

New England: The Source

While the U.S. is largely responsible for keeping the bottled water industry afloat, water-rich areas of the country face challenges beyond achieving conscious consumerism. Vague and insufficient groundwater protections dating back to the 19th century, coupled with plentiful aquifer resources, make New England a perfect source for water business. Many think that because New England is one of the water-rich regions, there is no problem in sharing the resource to willing buyers. While we won’t venture into the ethical questions of selling a public resource for the profit of private corporations, the connection must be made to the broader scarcity issue we face as a global community. Remember, the U.S. isn’t one of those top 6 water-rich countries. In the United States, “the Southeast and the Southwest are in severe drought now; New Mexico has a ten-year supply of water; Arizona is already importing everything it drinks. It stands to reason that the waters of Maine and other water-rich states will become ever more valuable. The prospect thrills those who own land atop pristine aquifers, but it terrifies many others.”¹⁵

Increasingly, New England communities faced with the prospect of water withdrawal and privatization are making the connection between the presence of a corporation and rising water rates, lowered water tables, increased truck traffic and plastic waste. Communities faced with making a vote at town meeting contemplate whether water should belong to a private entity, or remain part of our commonly owned resources. Following in the footsteps of Bundanoon, Australia, the first town in the world to place a ban on drinking water bottles, residents in Concord, Massachusetts voted at town meeting in April 2010 to ban the sale of bottled water in 2011, though the town is still unsure how to enforce the measure and bottlers have already threatened to sue.¹⁶ New England has long been a target for the private water industry, but as more extraction proposals arise to meet increasing demand, more of the region’s devout stewards and citizens are raising questions crucial to the global debate around the long-term impacts of large-scale extraction, becoming leading advocates and catalysts for keeping Water in the Public Trust.

Grassroots Groups: The Voice

Maine’s first bottling operation opened in 1845 in Poland Spring, the town for which the Nestlé subsidiary is still named. While water bottling in the region has long been established, new strategies are being employed by to gain control of new withdrawal sites and to be able to extract thousands times more water, targeting states and towns with abundant groundwater, little or no groundwater protection ordinances and with local governments sympathetic to either the economic and job promises of the corporations, or directly to the corporations themselves. Often these contracts are settled outside of the public arena, and negotiated so quietly that the deal is done before local residents know that withdrawal is even being considered. Local communities across New England are taking on corporate control of water resources, triggered by a range of concerns ranging from simple conservation values to loss of their basic local governance and democratic rights, inspiring a community-centered democracy.

While this paper focuses on water extraction for water bottling, at a future date the privatization of New England’s publicly owned municipal water systems and supplies ought to be further researched. As more towns face economic and infrastructure issues, it is a twisted irony that the EPA regularly advises towns to consider privatization when required to improve or upgrade their water systems to meet the Clean Water Act¹⁷ requirements. It is the combination of the lack of funding for water systems and the EPA’s oft-changing standards for public water systems that lead communities to consider privatization. Often, it is up to small groups of committed citizens to educate the general public on the downsides of privatization¹⁸. The stories of grassroots groups like Concerned Citizens of Lee and Holyoke Citizens for Open Government are shining examples of how groups can rally their communities around transparency and demand fair rates in order to vote out a private water contract.¹⁹

¹⁴ Rodwan, “U.S. and International Bottled Water Developments and Statistics for 2008,” 18.

¹⁵ Royte, *Bottlemania*, 16.

¹⁶ Abby Goodnough, “Where Thoreau Lived, Crusade Over Bottles,” *The New York Times*, June 22, 2010. http://www.nytimes.com/2010/06/23/us/23water.html?_r=1&src=sch&pagewanted=all.

¹⁷ Alan Snitow, Deborah Kaufman, and Michael Fox, *Thirst: Fighting the Corporate Theft of Our Water* (San Francisco: John Wiley & Sons, 2007), 127.

¹⁸ For more on water privatization, see Food & Water Watch’s reports: [Money Down the Drain](#); [Dried Up, Sold Out](#); [Faulty Pipes](#); [Case Studies of Failed Water Privatization](#); [Renew America’s Water](#).

¹⁹ For stories of these groups and other communities fighting privatization, see *Thirst: Fighting the Corporate Theft of Our Water*.

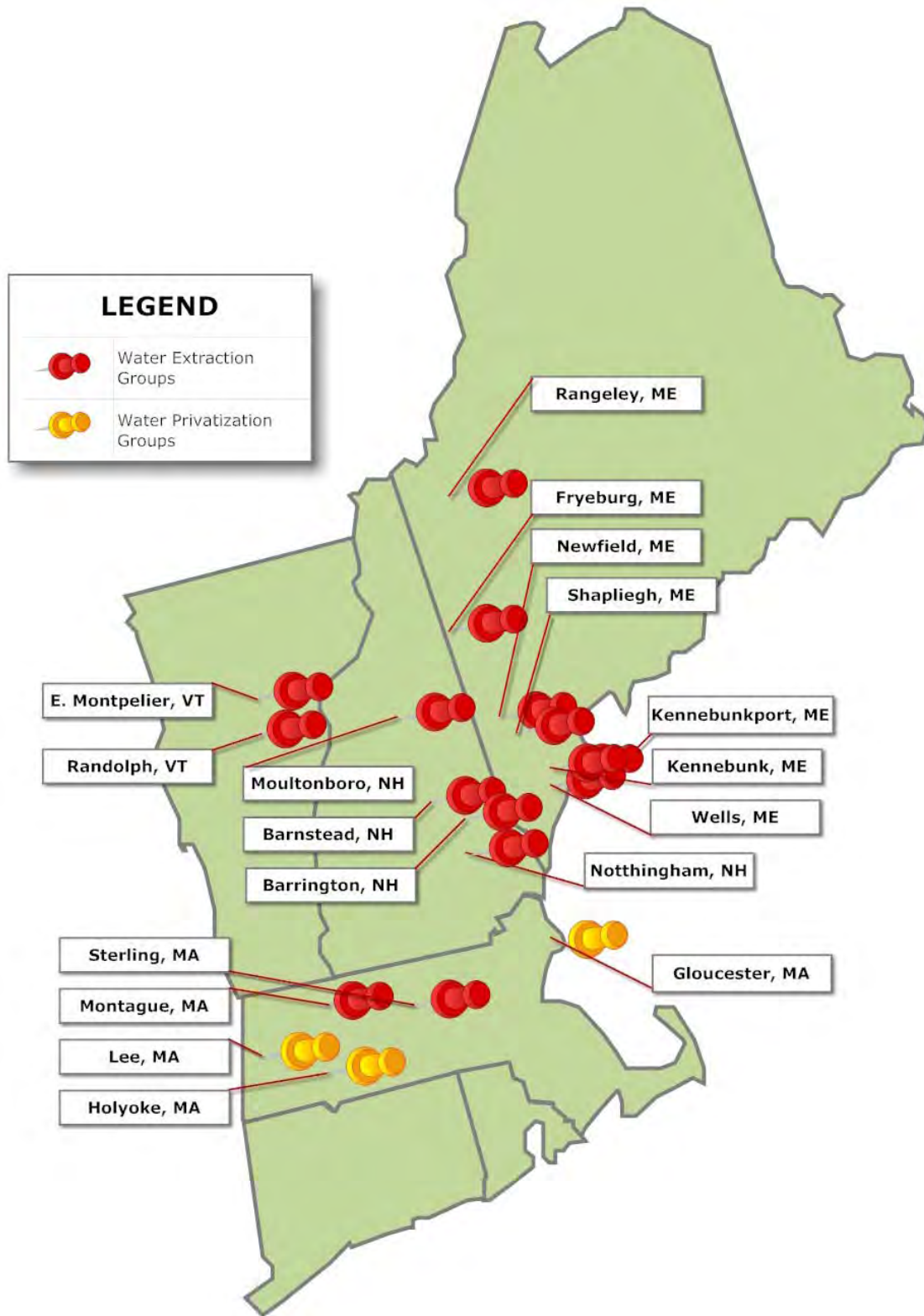
FIGURE 1: Grassroots Groups working on water withdrawal & privatization in New England
 (* = NEGEF affiliation)

Group	Town	State	Applied*	Granted*
Citizens of Barnstead for a Living Democracy*	Barnstead	NH	X X	
Committee for Informed Citizens of Sterling (CIC)	Sterling	MA		
Community Groundwater Study Group	East Montpelier	VT		
Fryeburg Aquifer Resource Committee/Fryeburg Water District*	Fryeburg	ME	X X	\$
Holyoke Citizens for Open Government (HCOG) ^P	Holyoke	MA		
Concerned Citizens of Lee ^{P*}	Lee	MA	X	\$
Montague Alliance to Protect Our Water *	Montague	MA	X	\$
Moultonborough Citizens Alliance	Moultonborough	NH		
Neighborhood Guardians *	Nottingham/Barrington	NH	X	\$
Nottingham Water Alliance *	Nottingham	NH	X	\$
Protect Our Water & Wildlife Resources*	Shapleigh/Newfield	ME	X	\$
Protect Wells Water	Wells	ME		
Randolph Neighborhood Association*	Randolph	VT	X X X	\$ \$ \$
Rangeley Crossroad Coalition	Dallas Plantation/Rangeley	ME		
Save Our Groundwater (SOG)*	Barrington	MA	X X X X X X	\$ \$ \$ \$ \$ \$
Save Our Water (SOH2O)*	Kennebunk/Kennebunkport/Wells	ME	X X	\$
Water First!*	Randolph	VT	X	\$
Western Maine Residents for Rural Living	Fryeburg	ME		
Who Decides? ^P	Gloucester	MA		

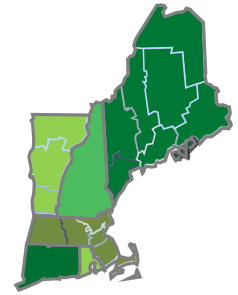
^P These groups organize around water systems privatization. These groups are not included in the survey results that serve as a baseline for this paper

* The number of symbols in each column represents the number of NEGEF applications and grant awards for each group.

FIGURE 2: New England Grassroots Groups working on water withdrawal & privatization



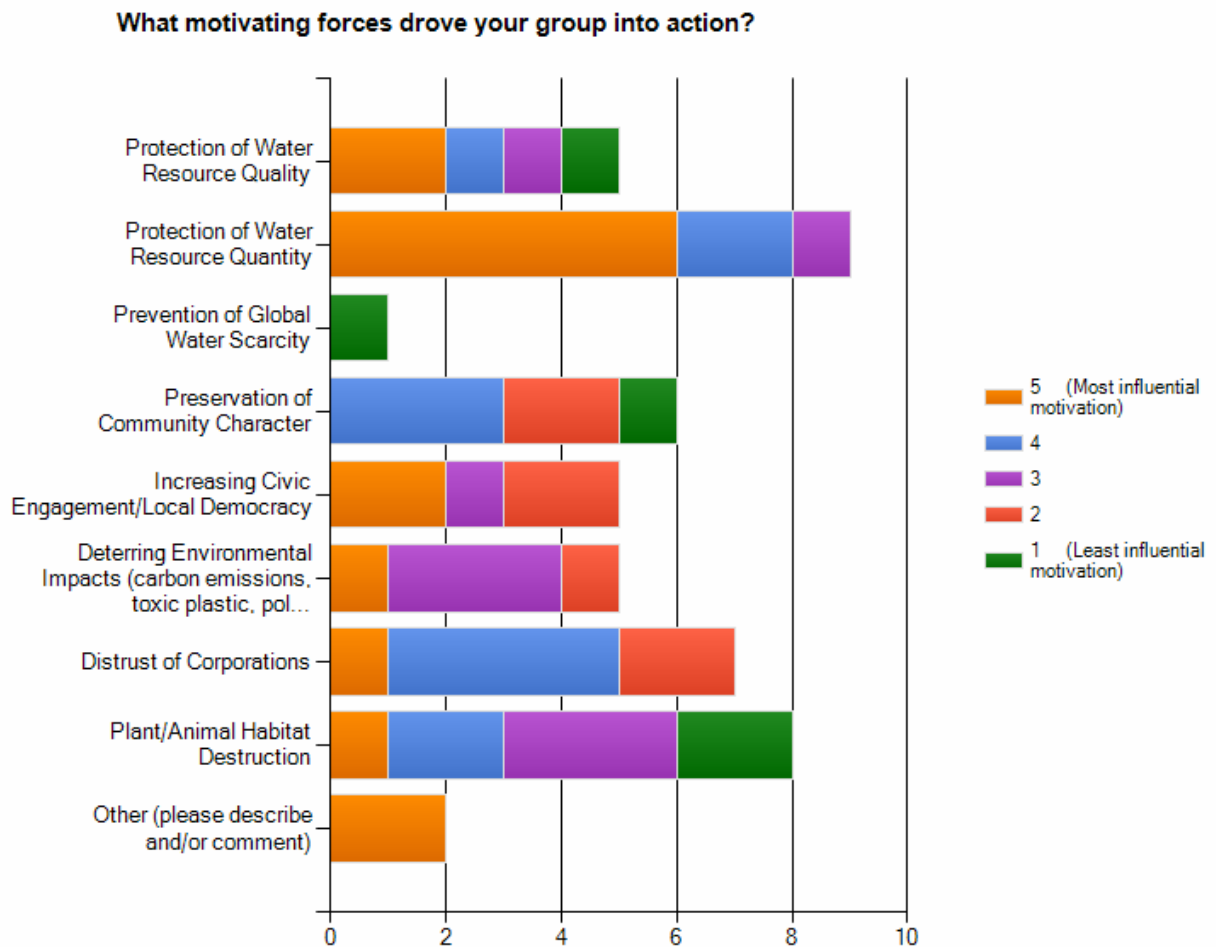
Why Groups Form



In this work, “local” can mean a specific neighborhood, an individual municipality or, more appropriately in the work of water, several municipalities making up an aquifer or watershed. This section will explore the key reasons that local citizens are concerned about their local water resources: their use, ownership and management.

In a survey sent to the water bottling groups in Figure 1 on page 5, garnering responses from 15 groups, the first question asked representatives to rank the top 5 out of 8 stated reasons that their group organized around this work.

FIGURE 3: Survey Response – Why Groups Form



“Other” responses:

- Protection of state sovereignty and public lands
- Preventing a corporation from claiming a right to community water
- Increase of truck traffic for safety and other issues
- State did not effectively preserving natural resources
- Corporate control of groundwater resources
- Establishment of scientific data regarding the sustainable daily flow of the aquifer

Preserving Our Water: Quantity & Quality

Political motivations for local citizens engaging in water withdrawal are many and varied. One common concern shared amongst all water activists is their desire to protect their drinking water supply. Simply put in an article

Political motivations for local citizens engaging in water withdrawal are many and varied. One common concern shared amongst all water activists is their desire to protect their drinking water supply. Simply put in an article highlighting the work of Kennebunk/ Kennebunkport/Wells, ME group Save Our Water, “many said it wasn’t a battle against business, but rather a fight to protect local water resources.”²⁰ Most homes in New England get their drinking water from underground bedrock and sand aquifers, underground and out of sight. However obscure groundwater resources may be, the hydrogeological connection to surface waters, wetlands, streams and rivers are well known. The local group from Shapleigh and Newfield, ME, Protect Our Wildlife & Water Resources (POWWR), reasons: “All of us know what happens in August. Our lakes get very low and the algae is high. It seems tapping the aquifer could affect the water levels of the surround lakes.”²¹

**“Local citizens are concerned about the short and long term effects of this type of activity on the wildlife habitat, water quality and sustainability of these resources for current residents as well as for future generations”
POWWR Flyer (2008)**

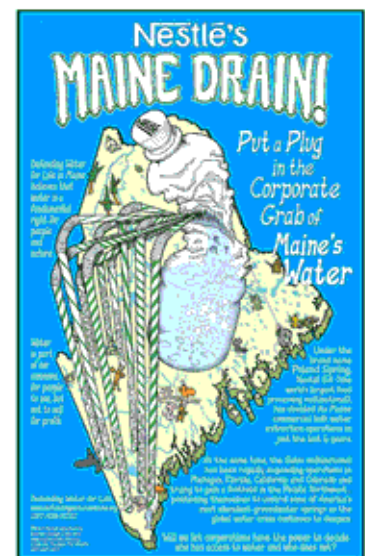
In the survey, **Protection of Water Resource Quantity** not only received the most responses (9), it also had the highest number of selections (6) ranked 5 (most influential). **Protection of Resource Quality** closely follows, garnering 5 responses, 2 of which are ranked at 5 (most influential).

The degree to which extraction begins to impact water quality is a big unknown – and it’s an unknown that people are not willing to put in the hands of the water bottling corporations. “Concerns exist regarding adverse effects on these areas as well as in watershed areas on the Lamprey, Bellamy and Oyster rivers, which supply drinking water to the communities of Portsmouth, Dover, Durham, Lee, Madbury, Strafford and others.”²² Heeding the wisdom of being better safe than sorry – that once the water is gone, it’s gone – the uncertain nature of how much extraction is too much is reason enough to keep resource management at the municipal or watershed level. While the survey results clearly show that the global water scarcity issue is *not* a key motivator for these groups, the overall concern for water quantity protection indicates that activists are aware of their own finite water sources, if not New England’s finite water resources, and concerned of the consequences of handing over the future of resources to anybody other than public users.

**“Incomplete knowledge drives the town’s water narrative: no one can say for sure how much water lies beneath Fryeburg, or what removing it will do.”
Bottlemania, 14**

The quality issue can be viewed as a result of the quantity concern; the more water that is disturbed and extracted, the higher the likelihood that contaminants from drilling or runoff will contaminate the supply. In the case of Moultonborough, NH, a citizen group became active after the water bottling operating began to expand. As a result of expansion, the “need to treat the access road to the bottling facility in winter meant that local surface water (our drinking water source) was contaminated by sodium and chloride and rendered undrinkable.”²³ In Barrington and Nottingham, NH, activist group Save Our Groundwater organized a 10-day rally protesting the drilling of USA Springs’ test pump wells after dichloroethene, a carcinogen, was found in 6 private wells as a result of the testing.

For those without private well water, savvy marketers of water bottling companies exacerbate the water quality concern by promoting the pristine and superior quality of bottled water to the detriment of tap. In a letter to Massachusetts Energy & Environment Secretary Ian Bowles, Whitney Beals, Chair of the Water Supply Citizens Advisory Committee of Belchertown, MA explains that “the bottled water industry has raised some fears in the public mind about the safety of one of the most regulated consumables in the nation. Billions of dollars have been spent throughout the Commonwealth to protect and



²⁰ Steve Bodnar, “Movers and Shakers 2009: Water rights groups,” *Seacoastonline.com*, January 7, 2010, <http://www.seacoastonline.com/apps/pbcs.dll/article?AID=/20100107/NEWS/1070343>.

²¹ Flyer, 08-2 NEGEF Small Grant application, Protect Our Water and Wildlife Resources.

²² NEGEF Small Grant application, Save Our Groundwater, January 15th, 2002.

²³ NEGEF Survey, April 7, 2010.

rehabilitate water systems and treat drinking water to provide the public with a reliable product they can consume with confidence.” Indeed, in a 2003 poll²⁴, 86 percent of Americans expressed concern about their tap water quality. But numerous reports site that the bacterial or chemical contamination of bottled water is a much more frequent occurrence than municipally owned water. Tap water is much more strictly regulated than bottled water, with tap water being tested by the EPA and regulated under the Safe Drinking Water Act and bottled water being regulated as a food item by less than one staff person at the Food & Drug Administration, which doesn’t require bottled water companies to disclose the water source, how it is treated, or what contaminants it contains.²⁵

Environmental Impacts of Bottling Water

Looking beyond the resource itself, there are several bigger environmental implications involved with water bottling. This section will explore groups’ concerns about: wetland and habitat protection, the toxic pollution created by water bottles, and the carbon emissions that result from water bottling. In the survey, **Plant/Animal Habitat Protection** gathered the second highest number of elections (8). **Deterring Environmental Impacts**, like pollution and emissions, garnering 5 responses.

Naturally, large sources of spring water exist in and around wetlands. Indeed, when Nestlé initially approached the MA Division of Fish & Wildlife about extracting water from the state-protected Montague Plains, home to a large aquifer and the Bitzer Fish Hatchery, the director of Fisheries & Wildlife admitted that water companies specifically look for fish hatcheries: “The only water that can support trout has got to be high-quality, cold water.”²⁶ In some cases, the fact that wetlands and habitat areas are already protected by the state isn’t enough to deter bottling interests. Montague Alliance to Protect Our Water Resources commented in the survey that “protection of state sovereignty and public lands” was a primary factor for mobilizing the group – after it was clear that the state and local officials weren’t at all concerned with the health of Montague Plains.



The same thing happened in Shapleigh, ME, where Nestlé initially approached the state about drilling in the Vernon Walker Wildlife Sanctuary. The local group, POWWR, indicated that the impact of extraction on the areas “flora and fauna” was one key reason for getting involved. POWWR’s longer-term plans are to use the activity spurred by Nestlé for ecological benefit, including: an ecological survey of the wildlife area; an educational program for conservation of natural resources; the organizing of walking seminars of the wildlife area, and a petition to the Maine Inland Fish and Wildlife to promote habitat for endangered species. For almost every group, examining the impacts on nearby wetlands is at the very least a useful bargaining chip when holding local and state environmental protections accountable.

Beyond detriment to the physical environment, citizens are increasingly aware of the toxic chemical pollution and lasting waste of the plastic bottles themselves, and the carbon emissions it takes to transport the water to the bottles and the bottles to the shelves. While many New England states have implemented per-bottle deposit/redemption systems that improve recycling, many bottle bills are too old to include bottles used for water and other newer products. The vast majority of individual serving-sized water bottles are made from polyethylene terephthalate (PET), a plastic that uses petroleum and that leaches toxic phthalates into the environment that are linked to human hormonal and reproductive damage. Larger bottles, like the ones in an office water cooler, are made from polyethylene, which contains bisphenol A (BPA). Despite the FDA insisting that BPA is safe, “tests on laboratory animals have found a connection between BPA and breast and prostate cancer, behavioral disorders and reproductive problems.”²⁷

“A plastic bottle of water might not look like an SUV, but its carbon footprint does.”
Boston Globe Letter to the Editor, 2007

²⁴ Food & Water Watch, “Take Back the Tap,” June 22, 2007, 3. http://documents.foodandwaterwatch.org/TakeBackTheTap_web.pdf

²⁵ Sara Goodman, “Fewer Regulations for Bottled Water Than Tap,” *The New York Times*, July 9, 2009, <http://www.nytimes.com/gwire/2009/07/09/09greenwire-fewer-regulations-for-bottled-water-than-tap-g-33331.html>.

²⁶ Arn Albertini, “Company looks for water in Montague Plains,” *The Recorder*, June 20, 2007, http://www.recorder.com/story.cfm?id_no=4321252.

²⁷ Food & Water Watch, “Take Back the Tap,” June 22, 2007, 7. http://documents.foodandwaterwatch.org/TakeBackTheTap_web.pdf

According to Corporate Accountability International’s “Getting States Off the Bottle” report, “it is estimated that producing and transporting bottles for the U.S. bottled water market requires the energy equivalent of as much as 54 million barrels of oil each year – enough fuel for roughly 3 million U.S. cars for a year and as much as 2000 times the energy used when producing and distributing tap water.”²⁸ In a growing movement within communities to become more sustainable, the dependence on petroleum from the beginning to the end of the water bottle lifespan is a point used to engage the community in the issue. “The use of petroleum in producing plastic and transport of bottled water means an increase in local dependence on a polluting, unsustainable business.”²⁹ In a September 2007 letter to the editor published in the Boston Globe, a concerned citizen summarizes this point: “...not only are plastic bottles made from petrochemicals, but pumping the water, filling the bottles, and then shipping them to retailers consumes energy that emits greenhouse gases. Eighteen tons of carbon dioxide are released into the atmosphere for every million bottles of water that are produced and shipped to customers. A plastic bottle of water might not look like an SUV, but its carbon footprint does.”³⁰

Preserving Community Character

In the survey, **Preservation of Community Character** earned 6 elections, half of which were ranked at #4, or the second-highest motivating factor. In what are mostly small, rural New England towns, the increase of industry, traffic and noise that accompany large scale water extraction threaten the very nature of community. As Cathryn Thorup, co-founder of the group the Rangeley Crossroads Coalition in Rangeley, ME states, “I think you need to talk about the issues in terms of community and ... how you protect the interests of communities and how you promote their economic growth.”³¹ Groups opposing water bottling operations often appeal beyond the issue itself to the preservation of the town as a whole. “It was the water-rights activists who continued to publicly raise concerns about the future of the community if such an operation was to be conducted in Wells.”³²

“Communities have welcomed our contributions to the local job base and our contributions to local community efforts and transportation infrastructure.”
Poland Springs’ website

The biggest factor that disrupts community character is truck traffic. Beyond residents’ concerns of the carbon emissions truck would produce, many activists get involved in this issue because of the noise, safety and property value compromises that water bottling entails. “Many of the residents, both of Shapleigh and nearby Limerick and Newfield – through which the trucks could be routed – were looking for clearer answers on how the project could disrupt the quiet, country life they said draws them to the region.”³³ For many rural New England towns, the noise and carbon pollution resulting from the trucks needed to haul water from the extraction site to the bottling site is monstrous, not to mention having to foot the bill of road and bridge repair that hundreds of large truck trips eventually impose.

“The related air & noise pollution will have a permanent effect on the rural character of our town”
POWWR Flyer (2008)

Even when weighing the cost of truck traffic to the benefit of business, activists are weary of the estimates that large companies put out. As the Shapleigh group points out, “...according to [Poland Spring representative] Mark Dubois, the minimum tanker trips per day would be 30 round trips. When compared to traffic produced at similar operations this number is more likely to be 60 to 70 round trips per day. This could be one truck traveling through town every 12 minutes, 24 hours/day.”³⁴ Activists in Denmark, ME attacked the issue from this lens, passing an ordinance that forbade trucking of water in town. To get around it, Nestlé built an underground pipeline, which was opposed for years by Western Maine Residents for Rural Living in Fryeburg.

The trucking problem persists in communities where bottling facilities are built and eventually need to expand. In Randolph, VT, the Randolph Neighborhood Association (RNA) formed after residents living on land abutting

²⁸ Corporate Accountability International, “Getting States Off the Bottle,” 2010, 5. <http://www.stopcorporateabuse.org/sites/default/files/Getting-States-Off-the-Bottle-Corporate-Accountability-International.pdf>

²⁹ NEGEF Small Grant application, Montague Alliance to Protect Our Water, September 15th, 2007.

³⁰ Boston Globe, “Nestlé’s Montague Plan All Wet,” September 9, 2007.

http://www.boston.com/news/globe/editorial_opinion/editorials/articles/2007/09/09/Nestlé_s_montague_plan_all_wet/.

³¹ Naomi Shalit, “Whose Water is it Anyway?” 2010.

³² Steve Bodnar, “Movers and Shakers 2009: Water rights groups,” *Seacoastonline.com*, January 7, 2010, <http://www.seacoastonline.com/apps/pbcs.dll/article?AID=/20100107/NEWS/1070343>.

³³ Ben Bragdon, “Plan draws residents, questions,” *The Reporter*, April 17, 2008, 1.

³⁴ Flyer, NEGEF Small Grant application, Protect Our Water and Wildlife Resources, May 1st, 2008.

Vermont Pure's bottling operation noticed that the number and size of tanker trucks increased significantly. In the group's first grant application to NEGEF, its target issues were "unsafe conditions resulting from using tractor trailers on a narrow dirt road with inadequate sight distances; the noise, vibration, dust and air pollution associated with increased trucking; and damage to the 'character of the area' resulting from tractor trailers operating in a rural neighborhood."³⁵ RNA soon found out that Vermont Pure was operating in violation of its local permits. Vermont Pure's response? To apply for a new permit, drilling for more water and using more and larger trucks, 24 hours a day. RNA quickly organized to appeal the permitting process. The same is true in Moultonborough, NH, where Castle Springs expanded production in 2004. "Since the facility is located in residential/agricultural zone, neighbors objected to the great increase of truck traffic for safety and other issues (noise, nuisance, hours)."³⁶

When presenting a community with the prospect of extraction, water bottlers counteract these concerns with lures of the economic incentives of doing business, like job creation, tax revenue and direct company contributions. Yet, when community members do the math, it simply doesn't add up. When the massive Nestlé bottling plant in Hollis, ME was built, the town paid \$700,000 in preparing its roads to handle Nestlé's trucks, while Nestlé itself only paid \$400,000. On top of fronting the cost of construction, local residents like Howard Dearborn of Western Maine Residents for Rural Living in Fryeburg complain that Poland Springs' extraction of water has ruined property values. Since the lake on which he lives is no longer naturally flushed by Wards Brook, the brook that feeds the aquifer Nestlé pumps, "it's warmer and there's increased growth of weeds on the bottom, which has lowered property values."³⁷ Likewise, POWWR has used this economic angle in its community outreach materials, simply explaining that "taxpayers with lakefront property account for a substantial portion of the tax base at a tax rate approximating \$1600 per foot of frontage. Should the lakes be adversely impacted by a large withdrawal of water from the area aquifers, residents fear property values could fall dramatically."³⁸

On the company's website "Creating Jobs and Economic Opportunity" is the first box that one sees. However, activists are weary of the truth behind these promises. In Rangeley, Thorup wants to see Nestlé held accountable for its promises to create 200 local jobs, estimating the reality to be closer to 45 jobs. When Poland Spring first came to Rangeley promising new jobs, the townspeople were weary that a new bottling plan would "drain the labor pool." Aside from the website touting 800 full-time and seasonal employees, we can assume that the vast majority of these are at the company's mega bottling facilities in Kingfield, Poland and Hollis, there is no way of knowing how many of those employees are working in or from the communities who are giving up their water resources. "As studies have show, when a new bottling plant comes to a town, the couple dozen jobs it does bring benefit mostly people from outside the community, not the residents who gave up control of their water for the promise of jobs."³⁹

According to the McCloud Report, Nestlé's water-bottling facility in Hollis, Maine opened in 2000 with 75 employees. Nestlé conducted a statewide job search and attracted many employees from out of the area and a "handful" from Hollis. The facility expanded over the next five years, trucking in additional water from other sources. According to a Nestlé spokesperson, 375 employees currently work full-time at the facility.... According to one source, approximately 50 employees today live in Hollis.⁴⁰ Food and Water Watch crunched the numbers nationally, and found that "in 2006, the nation's 638 water-bottling plants employed fewer than 15,000 people, so each plant averaged only around 24 employees."⁴¹ For the few local people who do secure jobs with the big water bottlers, the majority of those jobs are part-time and underpaid – compared to typical manufacturing jobs, bottled water workers earn on average \$10,000 less per year.⁴²

**"Towns across the US who have been through negotiations with Nestlé report a failure to produce the jobs, the monetary contributions, and the environmental protection or restoration promised."
Montague Alliance to Protect Our Water, 2007**

³⁵ NEGEF Small Grant application, Randolph Neighborhood Association, January 15th, 2003.

³⁶ NEGEF Survey, April 7, 2010.

³⁷ Royte, *Bottlemania*, 10.

³⁸ Flyer, NEGEF Small Grant application, Protect Our Water and Wildlife Resources, May 1st, 2008.

³⁹ Food & Water Watch, "Unbottled Truth About Bottled Water Jobs," June, 2008. <http://documents.foodandwaterwatch.org/BottledWaterJobs.pdf>

⁴⁰ ECONorthwest, "The Potential Economic Effects of the Proposed Water Bottling Facility in McCloud," October 2007, 39, <http://www.caltrout.org/docs/ECONRpt.pdf>.

⁴¹ Food & Water Watch, "Unbottled Truth About Bottled Water Jobs," June, 2008. <http://documents.foodandwaterwatch.org/BottledWaterJobs.pdf>

⁴² Food & Water Watch, "Unbottled Truth About Bottled Water Jobs," June, 2008. <http://documents.foodandwaterwatch.org/BottledWaterJobs.pdf>

Civic Engagement & Distrust of Corporate Control

For many groups, environmental and community protection help support the decision to get involved, but getting involved actually starts where local or state government ends. In almost every case, citizen groups take action because, as they see it, local government isn't acting in the public interest regarding water. "Our state did not stand behind us on preserving our natural resources. So we had to speak to and for the people."⁴³ In the community group survey, *Increasing Civic Engagement/Local Democracy* received the 5 votes as a key motivating factor, with 2 groups listing it as the most influential.

"Human and ecosystem needs for water take precedent over the needs of this company for profitable gains at the expense of our aquifer."
Save Our Groundwater, 2002

More often than not, contracts between corporations and local government are signed before the public is given notice or any time to react. "By the time Nestlé gets to your community and wants to put forth an idea, they've already been working on it for at least a year."⁴⁴ Grassroots activists respond by inserting themselves into the democratic process, and rarely waiver before the deal is made public and put to public discourse and decision. Save Our Water (SOH2O) explains that one driving force in continuing the citizen fight against water bottling was the loss of trust in local government to protect the resource on behalf of the community – if elected officials won't act on behalf of the people, it is left for the people to act. In an article highlighting the incredible citizen activity that is pouring out of this effort, the author explains that for SOH2O, "it was their persistence in reaching residents by maintaining a continued presence at public meetings and hearings; by hosting forums and writing letters; by engaging community members in grassroots efforts that gave them the edge."⁴⁵

If with the people is where the power should be, it's clear that citizens' distrust in giant corporations is another key factor in organizing around water bottling. The reason that Save Our Water gave as their initial involvement in the Nestlé extraction: "The [extraction] contract gave significant power to Nestlé, very little to the Water District and none to our community."⁴⁶ The logic is simple – with the power and control being driven by a thirst for profit, there's no explicit need to consider the well being of the resource, the community, or the future. In other words, "If the immediate needs are for profit, then how does this get accomplished without compromising future generations?"⁴⁷

"We believe that everyone benefits when government officials hear all citizens' voices."
Randolph Neighborhood Association, 2004

Many groups cite that the very fact that we don't have the right laws on the books yet to successfully govern and manage groundwater is evidence enough that corporations should not be in control. And in some communities where water bottlers are established, this disillusionment has proven true. In Fryeburg, January 2004, where Poland Spring/Nestlé had been purchasing water through the Pure Springs Water Company for years, residents went without water for an entire day. When the water came back, residents soon learned that their water was now coming from a newly dug well, and that their old well was now being used solely for Poland Springs' water bottling.

"The unanswered question is whether these 21st century water wars are merely a last stand against an inevitable corporatized future, or the beginning of a far-reaching revolt to reclaim citizenship, reassert democracy, and redefine how we interact with our environment."
Water Consciousness, 57

⁴³ NEGEF Survey, April 7, 2010.

⁴⁴ Shalit, "Whose Water is it Anyway?" 2010, 3.

⁴⁵ Steve Bodnar, "Movers and Shakers 2009: Water rights groups," *Seacoastonline.com*, January 7, 2010, <http://www.seacoastonline.com/apps/pbcs.dll/article?AID=/20100107/NEWS/1070343>.

⁴⁶ NEGEF Small Grant application, Save Our Water, January 15th, 2010.

⁴⁷ NEGEF Small Grant application, Protect Our Water & Wildlife Resources, May 1st, 2008.

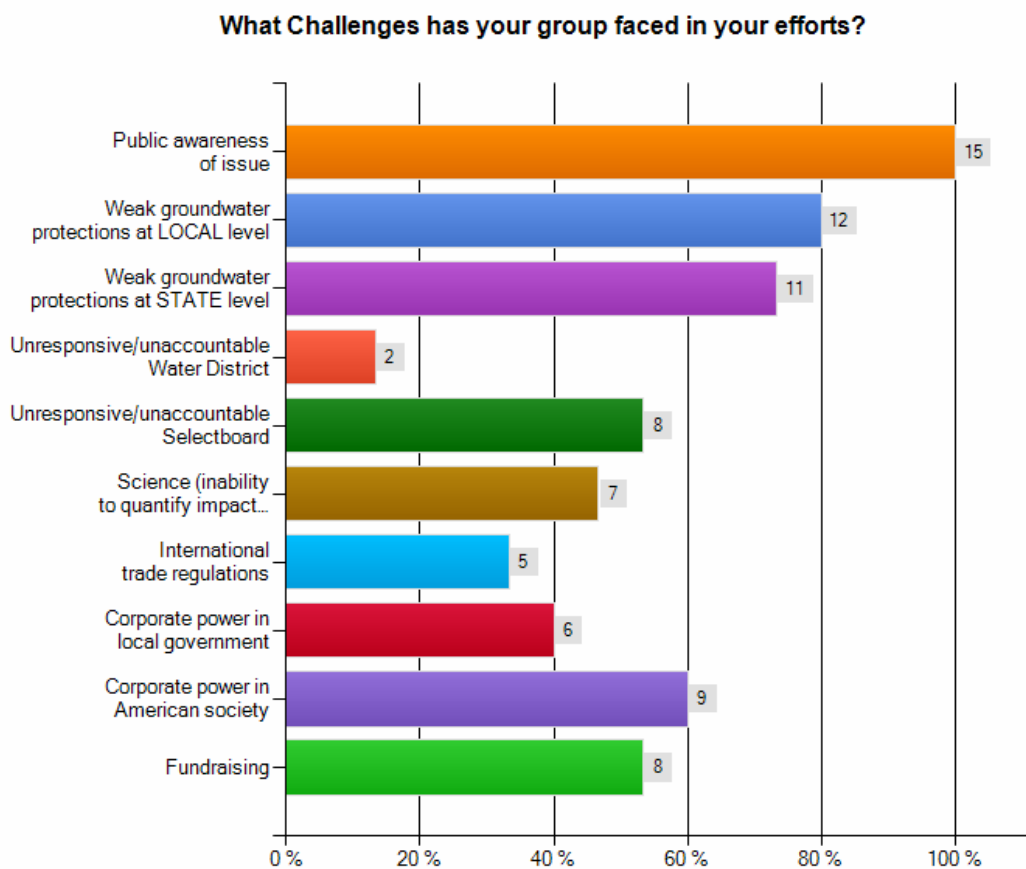
Groundwater Work: Challenges & Strategies



The reasons why groups form are diverse and inspirational and each community groups' makeup and strategy is unique. Yet within the broader issue there exist common barriers that groups must work to overcome, barriers like the lack of public awareness about drinking supplies, inadequate state laws and regulations and even international trade trends. By taking a close look at the work of groups on the ground, it is clear that these community level initiatives are making significant contributions to the way we see and protect water today.

The following sections will identify the top challenges community groups face and will explore the specific strategies groups are using to overcome them.

FIGURE 4: Survey Response - Challenges



“Other” responses:

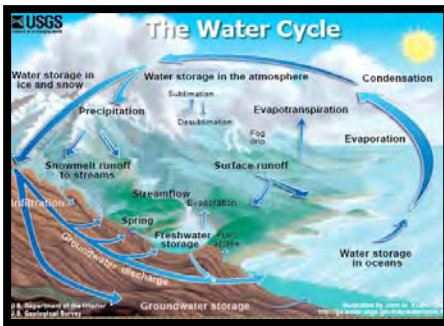
- Loopholes in laws that allow exceptions to be made through the legislature
- Lack of knowledge in many of our state officials
- Insufficient development of state integrated systems which could protect public resources
- Underfunding of state agencies (like DEP)
- Lack of access to experts to refute company claims
- Lack of legal assistance in the regulatory process
- Lack of an ombudsman in state government
- Time and energy to pursue issues and mission
- Antiquated legal structures (i.e. corporate personhood, Common Law)

Public Awareness of Issue: The Challenge

Every surveyed group noted **Public Awareness of Issue** as a challenge, making it the most prevalent challenge facing grassroots groups. The public's lack of awareness around water issues is rooted in both the lack of concrete groundwater science – explored in this section – and the successful marketing tactics used by bottled water companies – explored in the section on corporate influence. Thanks to modern plumbing, all we have to do to get

clean water is turned on a faucet. To some, the absence of science creates the logical precaution to protect water, since much is left unknown. To others, that uncertainty justifies letting it go, especially in exchange for more tangible resources like the jobs and revenue promised to a community. Indeed, the biggest challenge these groups face is “to convince the public that there really is a problem”.⁴⁸

We all know the basic functions of the water cycle as we have learned about it in grade school: springs, rivers, streams, lakes, oceans, clouds, evaporation, precipitation, condensation, runoff, groundwater flow, etc. We have also all learned that this cycle continuously renews itself. What we collectively leave out of this mining aquifers is often non-sustainable, especially if population and freshwater demands increase.⁴⁹



When water is taken, it is not destroyed, but its character and location do change.⁵⁰ Because humans impose such massive water needs onto the system, the potential result of extraction is that “water may not be *where* we want it

when we need it in the *form* we need.”⁵¹ For community groups, using this knowledge is a key part of convincing decision-makers and the public alike that major extraction is not a sound practice for the aquifer, while at the same time water bottlers benefit from taking as much as they can without having to prove that extraction causes any real problem. Nestlé has been able to use the argument, “there’s no evidence of environmental harm.”⁵² And unfortunately, it’s true. “It’s extremely difficult to prove without a doubt that groundwater pumping has dried up a well, river, or wetland. It’s easy to blame drought, another pumper, beavers, a snowless winter, or anything at all. Wells and ponds dry up even when there’s no commercial extraction. Adverse effects to stream systems, and their related wetlands, occur slowly and are affected by many factors.”⁵³

“The challenge is explaining a complex issue which has different ‘expert’ opinions as to how much water we will have in the future.”
Save Our Water, 2008

Public Awareness of Issue: The Strategy

Getting the word out about the importance of groundwater, and the detrimental effects of groundwater withdrawal, is the first action that grassroots groups take, and many assume this role before a group is even formed. In

Randolph, Vermont, citizens went so far to organize the group Water First! out of the efforts of the Randolph Neighborhood Association’s work to oppose the expansion of Vermont Pure’s bottling operation, for the express purpose of “increasing public awareness of the need to protect fresh water supply and quantity”⁵⁴ on both the local and state level. In Figure 6: Survey Responses – Current Strategies, both **Community Meetings** and **Public Awareness Campaigns** rank the highest of any other tactic in terms of commonality. Less widespread are strategies to take on public awareness of groundwater science with **Aquifer Studies** and **Extraction Monitoring**.

“Because people in the communities, town officials, state agencies, and the media were educated and aware of the importance of the sovereignty and the importance of water resources, we were able to leverage enough public opinion and state agency rulings so that Nestlé found our system to be impenetrable.”
MAPOW, 2010 Survey

💧Tactic: Public Meetings

Public hearings and public meetings are a standard part of the extraction process, some required by state or local law others prompted by the corporations themselves as a preempt to winning the hearts and minds of community members, and even others organized by the citizen groups themselves. Both serve as successful venues for concerned citizens to begin organizing.

⁴⁸ Robert Glennon, *Unquenchable: America’s Water Crisis and What to do about it* (Washington, D.C.: Island Press, 2009), 78.

⁴⁹ Sterling and Vintinner, *Water Consciousness*, 16.

⁵⁰ Glennon, *Unquenchable*, 79.

⁵¹ Glennon, *Unquenchable*, 80.

⁵² Royte, *Bottlemania*, 60.

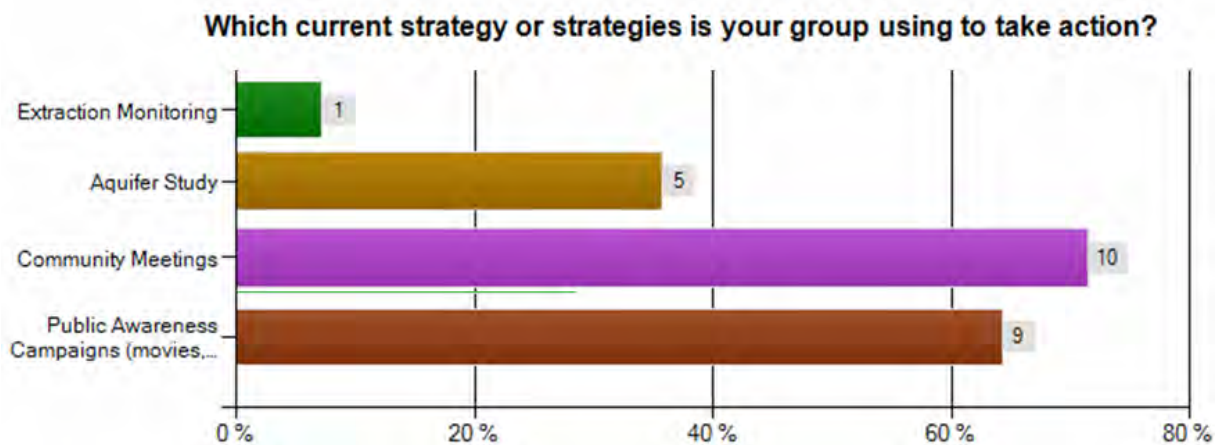
⁵³ Royte, *Bottlemania*, 60.

⁵⁴ NEGEF Small Grant application, WaterFirst!, September 15th, 2005.

Taking advantage of the built-in public soapboxes, like public comment periods and public hearings, is a clear venue for community organizing. Groups like Save Our Groundwater and Neighborhood Guardians proved this when they appealed a local Selectboard decision on the grounds that a public meeting was held in place of a public hearing before a decision to approve the site plan for a USA Springs bottling plant was made. When the Maine group Save Our Water held its first meeting after learning about an already-signed contract between the Kennebunk-Kennebunkport-Wells (KKW) Water District, it invited the District’s superintendent to attend. Three days later, at the KKW Water District’s public meeting, held to discuss the contract, only the press and five members of the public were allowed to enter. After being told that concerns could be voiced through email or phone, Save Our Water decided to hold its own meeting – a public rally outside⁵⁵. Holding decision makers accountable is as significant as empowering local citizens to find a voice. As SOG puts it, “by having to work together to protect our groundwater, our goal is to see our volunteers and concerned citizens renewed with the hope that they can make a difference.”⁵⁶ In New Hampshire as well as in Maine, such efforts have influenced policy. Recent legislation requires public meetings and hearings to be held before a public entity like a water district can enter into a large-scale extraction agreement.⁵⁷

In Shapleigh, Maine, Nestlé began conversations in summer 2005 with the Maine Department of Inland Fisheries & Wildlife, the governing body overseeing the Vernon Walker Wildlife Management Area where Nestlé had extraction interests. Nestlé’s first informational meeting for the public wasn’t until February 2008, where 60 community members attended. On the same day, citizens from Fryeburg drove an hour to stand outside of the Shapleigh Transfer Station to pass out flyers telling the story of what had happened in their community. Community group POWWR (Protect Our Water & Wildlife Resources) formed soon after, and in March, Nestlé’s second meeting brought 80 community members. By the 3rd meeting in April, the original number of concerned citizens doubled, with 125 community members present.

FIGURE 5: Survey Response – Public Awareness Strategies



💧Tactic: Media Visibility

After its first meeting, Save Our Groundwater’s first action was a press conference held at a farm abutting the proposed USA Springs water bottling facility. Two days later, then Governor Jean Shaheen announced her opposition to the proposal in a radio address. Five days after that, SOG held its first of many consecutive weekend rallies at a busy traffic circle in town. Years later, building on the support of Governor John Lynch, SOG highlighted New Hampshire’s participation in International Water Day when the governor declared March 22, 2006 New Hampshire Water Day. Partner group Neighborhood Guardians devised a Blue Ribbon Campaign to be displayed on lapels, mailboxes & trees to raise visibility for water awareness, and sent a box of blue ribbons to Lynch’s office to be worn on the 22nd.



⁵⁵ Watch the rally video at http://www.youtube.com/watch?v=Ik3dpshgQq8&feature=player_embedded

⁵⁶ NEGEF Small Grant application, Save Our Groundwater, May 1st, 2002.

⁵⁷ Maine enacted Chapter 37 (LD 238) in April 2009. In New Hampshire, groundwater permitting requirements passed in 1998 (SB 374) requires a public hearing, another bill in 2005 (HB 69) requires a second hearing after issuing the withdrawal test report.

◆Tactic: Films & Speaking Events

The recent rise in documentary films and outspoken activists for water resource protection gives community groups an entertaining venue for communicating crucial information, in addition to adding credibility to their efforts by demonstrating the work being done in other parts of the country. Screening the movie *Thirst* was one of SOH2O's first tactics just a month after forming, and before long the group's efforts were highlighted in *Flow* and most recently, *Tapped*. SOH2O used a series of *Flow* film screenings featuring Q&A with Michigan activist Terri Sweir to raise awareness among residents about voting down a Wells ordinance that would make Nestlé extraction feasible.



◆Tactic: Alternative Media

Perhaps the oldest form of grassroots organizing, creating print media like mailings, flyers, newsletters and petitions and distributing the media in public places or through door-to-door canvassing is a substantial part of these groups' work. POWWR, of Shapleigh, Maine, used its flyer to tell the stories of global water scarcity and other site fights happening in Maine, handing out 1000 flyers in anticipation of Shapleigh's selectboard vote. Groups use town festivals, markets and meetings to pass out crucial information about their work. Save Our Groundwater kept residents informed of the updates throughout its 10 year fight with regular editions of its newsletter, *Groundwater Times*. Often using information gleaned from non-profit resources, community groups use the local message to communicate to residents, telling the story through the community organizing perspective. Groups which are able to use member expertise to set up and manage a website use the internet to post press, pictures, resources and videos about the water issue to a broader audience. Members of the Community Groundwater Study Group in East Montpelier, VT, created an art mural around Montpelier City Hall's water fountain depicting the city's water source to promote public water systems.



◆Tactic: Citizen Science

Some groups approach raising awareness through citizen science, taking it upon themselves to monitor extraction levels and the health of the aquifer. In Fryeburg, the Fryeburg Aquifer Resource Group formed in 2002 to establish scientific data regarding the Wards Brook Aquifer, later setting up a monitoring system to be able to communicate regular data on the health of the aquifer to local citizens. The Community Groundwater Study Group in East Montpelier formed for the purpose of analyzing the impact of water withdrawals on the area, in response to a withdrawal and bottling operation request by a private landowner.

Unaccountable Decision Makers: The Challenge

Fighting the resources of a multinational company is clearly a challenge, but it becomes even more cumbersome when local officials are on the side of the bottler and not on the side of the residents they are supposed to represent. In Fryeburg, the Board of Appeals ruled that the town should have issued a cease and desist order against Poland Springs' subsidiary, Pure Mountain Springs, for pumping without a permit. The appointed Planning Board, which is required to give the permits for any extraction over 10,000 gpd, clearly knew about the extraction and was clearly in favor, and didn't follow protocol in requiring a permit. It showed its position one year later when it voted 4 to 1 to approve Poland Spring's application to build a trucking facility, just one month after voters approved a 180-day moratorium on any new extractions. Similarly, when residents appealed the Randolph Development Review Board's decision of a conditional permit to Vermont Pure to expand its operation, VT Pure responded by filing a new application that was subsequently accepted by the Board, making the appeal of the first permit moot.

Unaccountable Decision Makers: The Strategy

Holding officials accountable is a key part of exercising local democracy. The fact that many contracts are put before planning and selectboards before the public is aware, coupled with the fact that such boards are comprised of a handful appointed, and not elected, individuals responsible for making decisions on behalf of the entire town, is a huge injustice to community group efforts.

◆Tactic: Change Governance Structure

Directly following the Fryeburg Planning Board's decision to approve Poland Spring's trucking facility in 2005, Western Maine Citizens for Rural Living launched a petition drive to oust the planning board members and make the board elected rather than appointed, which ultimately failed. The group got the measure on the ballot again in 2006, but it did not secure enough votes to pass. At town meeting in March 2004, the Randolph Neighborhood Association attempted the same restructuring measure, but lost by a narrow margin. Still, these efforts catalyze crucial community dialogue around local democracy and decision-making. In Shapleigh, ME, the town voted to approve a rights-based ordinance and vote the pro-Nestlé Selectboard chair out of office in the same 2009 town meeting, which was enough to get Nestlé to remove its test wells and leave town.

◆Tactic: Demand Transparency

Gathering information, demanding transparency and exposing corrupt officials is a very effective way of demonstrating this issue to the broader public. While many of the closed-door dealings are completely off-record and can't be exposed, the local newspaper in the KWW watershed used Maine's Freedom of Access law to look into allegations that Nestlé lawyers had authored a letter to the editor submitted by a member of the Wells Ordinance Review Board. The Coast Star puts it perfectly: "how will the voters feel knowing public officials chosen to represent their interests were not just taking sides on this issue, but actively working with a company caught in the middle of a contentious debate?"⁵⁸ When SOH2O organizer realized that an unknown firm was calling Wells residents informing them to vote Yes for the extraction ordinance if they were against extraction, she sent a letter to the ME Secretary of State highlighting the phone calls and the 2 mailings sent by Poland Spring listing the wrong polling hours for the ordinance vote.

Weak Groundwater Protections at Local Level: The Challenge

Sited as the #2 challenge by community groups, **Weak Groundwater Protections at the Local Level** is a consequence of the issue knowledge/science problem. The sole federal law protecting water, the Clean Water Act, applies to surface water but not groundwater, largely because so little was and is known about the nature groundwater, let alone how to protect it. As a result, the federal government "has turned the problem of protection over to the states (EPA). Many states, citing the importance of land use controls, have left it to local governments to solve the problem."⁵⁹ With the onus on local level regulation, the ambiguity of groundwater protection makes municipalities both a target for water bottling, as well as an open door for local citizens to make a big impact.

"The hydrogeological facts combined with weak groundwater rules have made Fryeburg a perfect example of water's shift from a public good to an economic force"
Bottlemania, page 15

On the local level, water bottlers are required to apply for permits pertaining to local land use ordinances to build bottling plants, dig wells, and transfer water. In Fryeburg, ME, the Board of Appeals ruled that a cease and desist order should have been given to Poland Spring since it had not obtained an extraction permit by the Fryeburg Planning Board, required for any extractions over 10,000 gpd. Even though the town eventually lost due to Pure Mountain Springs' intermediary role, local extraction ordinances and zoning regulations written into the town plan can prove effective. However, the challenge with local protections is that most land use plans for rural New England towns were written before the concept of water extraction was ever considered, so few adequately address it. Considering groundwater protection within the boundaries of an individual municipality also limits the scope of watershed-wide protection. What's more, the majority of towns and conservation commissions lack the resources and time to update their plans to incorporate more modern zoning requests.

Weak Groundwater Protections at Local Level: The Strategy

Community group members quickly learn that local government lies at the intersection of most accessible and biggest potential impact. Even in cases where local government is clearly on the side of the bottler, the citizens' voice in local democracy can't be denied.

◆Tactic: Extraction Moratoriums

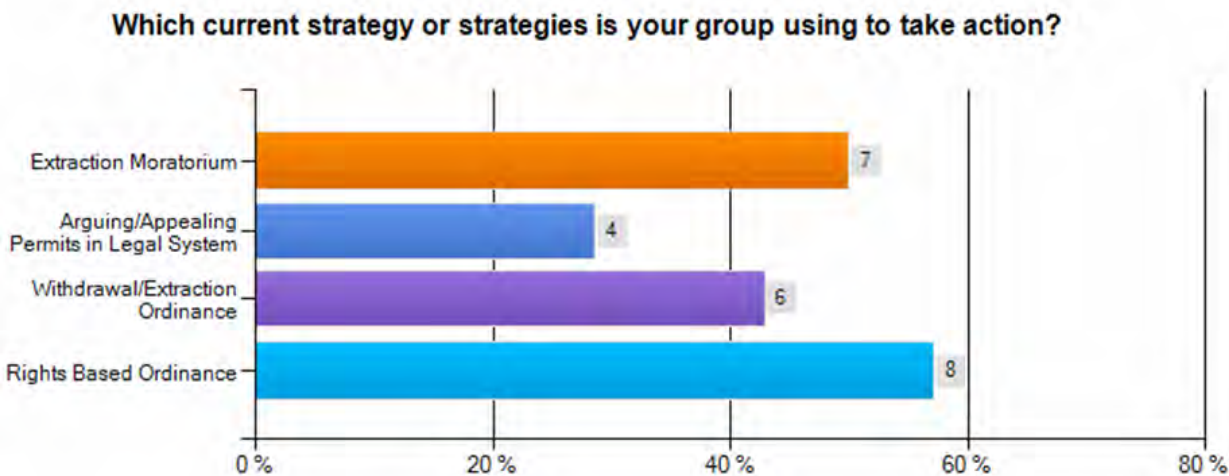
Presenting a moratorium is the first, and also most temporary, local governance level strategy. Moratoriums give

⁵⁸ <http://www.seacoastonline.com/apps/pbcs.dll/article?AID=/2009/11/19/OPINION/911190378>

⁵⁹ John R. Powell, David J. Allee, and Charles McClintock, "Groundwater Protection Benefits and Local Community Planning: Impact of Contingent Valuation Information," *American Journal of Agricultural Economics*, December 1994, 76. <http://www.jstor.org/pss/1243393>.

communities time. The temporality and neutrality of moratoriums prove that it is a tactic shared by groups with sympathetic town officials and by those who are taking on their selectboards' rulings. In East Montpelier, it was the passing of a three-year extraction moratorium that sparked the formation of the Community Groundwater Study Group, which is charged through the language in the moratorium to use the three years to gather information regarding the impact of water withdrawals on citizens and natural resources in the area. The same moratorium, which is still in effect, also bought the community enough time for Vermont's potent groundwater protection law to be passed by the legislature in summer 2008. In Wells, ME, the first extraction moratorium was passed by the town in November 6th, 2008 and has been renewed by town-wide vote every six months. SOH2O member Bob Walker is concerned that Nestlé will make another move towards extraction in the coming months when the most recent moratorium finally expires.

FIGURE 6: Survey Response – Local Protection Strategies



“Other” Responses:

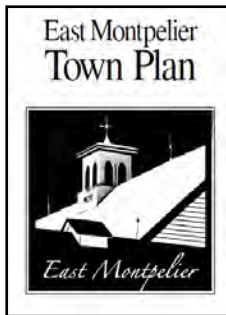
- Write letters to state agencies and Commissioners, Town Council
- Put protection for groundwater in both town plan and in town Land Use Regulations
- Map the groundwater in the town so we have some understanding of what is here.

◆Tactic: Appeal Local Decisions

A viable option for groups with access to legal counsel and standing in court is the filing of legal appeals of local decisions. Legal battles are often long, arduous, and expensive, and if not successful local groups can be left exhausted and in debt to the tune tens of thousands of dollars. Local decisions are appealed in regional Superior court. From Superior court, some cases have gone to the state Supreme Court level. In most cases where appealing has reached the Supreme Court, the judge's decision reverts to the original local decision and relies on language in the local planning regulations and town plan. In Fryeburg, Western Maine Citizens for Rural Living's court case against Nestlé lasted 3 years. Though initially the Board of Appeals found that the Fryeburg Planning Board had violated due process rights of citizens during its review of the Nestlé proposal, ultimately the Maine Supreme Court ruled in favor of Nestlé's trucking facility. The Supreme Court's reasoning was that the town's comprehensive plan, lacking specific language, was designed for guidance and not regulation.

Appealing decisions do provide community groups with a useful tool: more time. Save Our Groundwater and Neighborhood Guardians appealed local and state decisions over the course of 10 years, ultimately with the 2006 Supreme Court ruling in favor of USA Springs/DES. Appeals were initially filed in 2001, and the Supreme Court decision came in 2004. SOG continued to appeal state DES decisions, and was ultimately denied for not having legal standing in court. Largely as a result of the amount of time the process took, several of the permits USA Springs held had expired and the company filed for bankruptcy in 2008. Though an outside investor might save the company from financial trouble, the appeals process put forth a clear message that residents were going to spend as much time and money as they had to in order to drive USA Springs out.

♦Tactic: Rewrite Land Use Regulations & Town Plans



Clearly presenting factual information and limits about groundwater extraction in a town's plan is one of the more fail-safe strategies, but it takes a lot of time and effort on the part of community leaders. As a result of its efforts opposing the expansion of a Vermont Pure bottling operation, the Randolph Neighborhood Association was invited by town leaders to review and respond to the new draft of the Town Plan, initiating town-wide discussion about local responsibility for protecting water resources. The East Montpelier Community Groundwater Study Group benefits from a core group of citizens dedicated to strengthening the town's plan, and when it realized that an Act 250 case (Vermont's Land Use & Development Act) can turn on the content of a town plan, it proposed changes to the East Montpelier Town Plan to specify that the town will closely monitor and place restrictions on withdrawal of groundwater. However, such attempts must still pass through town governance which is not always successful. In East Montpelier, the Planning Commission did not accept the proposals, and the town plan was approved by the selectboard without such language.

♦Tactic: Enact/Defeat Regulatory Ordinances

Local ordinances that limit extraction amounts or put in place new regulations for water bottling operations can be used to strengthen municipal enforcement, though few groups have found success with this tactic to date. In Fryeburg, the Western Maine Residents for Rural Living was successful in petitioning for a special town meeting vote on an extraction ordinance that regulated new applications for water withdrawal of over 10,000 gpd, but it was defeated 125 to 53. In towns like Wells, ME, where large-scale water extraction is prohibited, withdrawal ordinances can be used a tactic from the opposition. After the town voted to pass an extraction moratorium, the pro-Nestlé Wells Selectboard put forward



an ordinance that would set a precedent for water extraction by stating withdrawal "limits". In signs urging voters to "Vote Yes: Protect Our Water", community groups Save Our Water and Protect Wells Water organized a clear Vote No campaign with signs that read "Stop Nestlé: No on 1". Making it even more confusing, Poland Spring sent mailers to every resident's home posting the wrong polling hours for the vote. Ultimately, Wells voters turned down the ordinance by a vote of 3,194 to 1,420, and information discovered soon thereafter made it clear that Nestlé lawyers played a heavy hand in the ordinance language.

♦Tactic: Enact Rights-based Ordinances

Beyond strategies to raise public awareness, the most common emerging trend used by community groups is the implementation of a rights-based ordinance. Pioneered by the Community Environmental Legal Defense Fund, this strategy is based on the premise that current environmental laws like the Clean Water Act "legalize environmental harms by regulating how much pollution or destruction of nature can occur under law."⁶⁰ Instead, rights-based ordinances "change the status of natural communities and ecosystems from being regarded as property under the law to being recognized as rights-bearing entities,"⁶¹ and in doing so strip corporations of their rights to nature while asserting the community's inalienable rights to govern itself. Gail Darrell, a member of Citizens of Barnstead for a Living Democracy and now a staff person of CELDF, reasons that "CELDF used to go to court and argue the permit, until we realized that we were actually helping the corporation develop a better permit – and the communities were still being ravaged."⁶²

Rights-based ordinances have successfully passed by town vote in several towns facing water extraction: the first in Shapleigh, ME, Newfield, ME, and later in Nottingham, NH. In Shapleigh, Nestlé agreed to remove its test wells just three months after the ordinance passed. A rights-based ordinance was attempted in Wells, ME, drafted by Protect Wells Water at the same time as the pro-Nestlé extraction ordinance, but like the extraction ordinance, failed to pass. Proactive towns like Barnstead, NH, having witnessed the struggles of nearby Nottingham and Barrington, passed a rights-based ordinance preemptively to protect its resources before a threat is apparent. No entity has yet to challenge the standing of a rights-based ordinance, and it remains to be seen how this sort of tactic will stand in court or against state, federal, or international trade regulations.

⁶⁰ <http://www.celdf.org/>

⁶¹ <http://www.celdf.org/>

⁶² NEGEF Survey, April 7, 2010.

Weak Groundwater Protections at State Level: The Challenge

Water law in each New England state is guided by the early English common law, or “case-law” system, wherein each court decision influences the next and is implemented through litigation or private negotiation. Each state can choose to uphold different levels of authority within the common law system. Unlike surface water and the reasonable use doctrine which subjects a landowner is subject to few restrictions as long as the amount withdrawn is “reasonable” and does not interfere with water use by other streamside landowners, groundwater policy and ownership in New England is historically governed by the Absolute Dominion Doctrine (also known as Absolute Ownership). “Under this doctrine, the landowner overlying an aquifer has an absolute right to extract all ground water from the aquifer beneath the landowner’s property. The overlying landowner can pump as much water as needed without regard to the needs or effect on other overlying landowners.”⁶³ In other words, the landowner with the biggest straw gets the most water.

“Water policy suffers from a profound discontinuity between science and law. ... The result epitomizes the tragedy of the commons: limitless access to a finite resource”
Unquenchable, page 324

More recently, states are beginning to see the need for better protection and have looked towards the Public Trust Doctrine as the answer. This doctrine, although so far only enacted in two New England states (New Hampshire and Vermont) “holds that certain natural resources [i.e., groundwater] belong to all and cannot be privately owned or controlled because of their inherent importance to each individual and society as a whole”⁶⁴. The language and viability of the Public Trust doctrine have yet to be truly tested; in the court case brought against USA Springs by Save Our Groundwater and the groups in Nottingham and Barrington, the state Supreme Court justices ruled that the doctrine was not legally effective as the language is only stated in the preamble, putting it to the legislature to take on. The reasonable-use rule and correlative-rights rule are then used to regulate a more specific action within either the public trust doctrine or absolute dominion doctrine.

FIGURE 7: State Groundwater Law

State	Governing Law	Extraction Threshold	Bottled Water Regs.
Vermont	Public Trust & correlative-rights	>57,600 gpd	Yes
New Hampshire	Public Trust & reasonable-use	>57,600 gpd	Yes
Maine	Absolute Dominion	>50,000 gpd	N/A
Massachusetts	Absolute Dominion*	>100,000 gpd	N/A
Connecticut	Absolute Dominion*	>50,000 gpd + associated fees	N/A
Rhode Island	Absolute Dominion*	Supply statute repealed	Yes

*The research herein is supported by other reports⁶⁵ that date from 2003 to 2007. As the issue continues to gain attention, groundwater rights rules are constantly changing as they are applied and challenged. Information as stated for these three states may be outdated, yet more accurate information is not easily accessible. NEGEF will work with the Vermont Law School to conduct a more thorough review and will issue an update to this section by fall 2010.

Weak Groundwater Protections at State Level: The Strategy

Barring strong local protections, it is the absence of state level protection, and the consequent default to antiquated common law, that has allowed water bottlers to become so well situated in New England. As Gail Darrell, from Citizens of Barnstead for a Living Democracy, puts it: “when we challenge the illegitimacy of certain laws and assert our rights to say “no” locally, we run right up against the legal structure that has been in place for over 140 years, if we are talking about corporate rights, and over 400 years, if we are talking about English Common Law – that treats nature as property.”⁶⁶ Grassroots groups recognize best the need for stronger protections to be in place at the state level, and can play the role of de facto experts in guiding state-level efforts on water extraction.

⁶³ Matthew Chapman and Stephen Glasser, “U.S.D.A Forest Service Sourcebook of State Groundwater Laws in 2005,” June 2006, http://www.propertyrightsresearch.org/2006/articles07/usda_forest_service_sourcebook_o.htm.

⁶⁴ Alexandra Klass and Yee Huang, “Restoring the Trust: Water Resources and the Public Trust Doctrine, A Manual for Advocates,” September 23, 2009, Center for Progressive Reform. <http://ssrn.com/abstract=1477556>

⁶⁵ See the Water Systems Council’s [Who Owns the Water?](#) Handout (Oct 2003), Trout Unlimited’s [A Glass Half Full](#) report (Dec 2006) and Jacques Delleur, *The Handbook of Groundwater Engineering*, Boca Raton, FL: CRC Press, 2007, 32-4.

⁶⁶ NEGEF Survey, April 7, 2010.

◆ **Tactic: Support Effective Statewide Legislation**

After so much time and dedication to the protection of water, community activists are the first to note that even some of the strongest state level protection leaves plenty to be desired. For virtually all extraction regulations, bottling operations pumping under the regulatory limit, or operations that existed before the regulation was put into place, are not regulated or monitored in any consistent way. What's more, over-extended and under-funded state offices rely on the bottlers themselves to file reports to ensure their operation within permit limits, and little follow-through is done when companies fail to file their reports. Once water is in a bottle, it is treated as food just like it is on the federal level, so precautionary environmental measures like the Massachusetts Interbasin Transfer Act, which governs the transfer of water and wastewater between river basins, are moot. Even in Vermont, the most comprehensive groundwater law that just recently passed is not enough of a safeguard. As Johanna Miller of the Vermont Natural Resources Council puts it: "Passing strong legislation that declares groundwater a public trust resource and sets up a system to manage it takes Vermont far down a path toward long-term protection. Such action, however, is not enough. Commercialization, privatization, and trade agreements further complicate the situation. That's why, when it comes to this essential, common resource, concerned citizens must remain actively engaged in ongoing community conversations about water."⁶⁷

◆ **Vermont**

Newly protected groundwater resources in Vermont have the Vermont Natural Resources Council to thank for the 2008 legislation, which will go into effect this year. VNRC had been working for years on comprehensive groundwater protection when the extraction proposal surfaced in East Montpelier. Amplified by the work of grassroots groups, like the outreach and testimony of Water First!, the ClearSource expansion in Randolph and the fight put up by the Randolph Neighborhood Association against it, and the work of a group fighting gravel extraction atop an aquifer in Danby, VNRC saw 2008 as the perfect time to elevate the water issue.

◆ **New Hampshire**

Save Our Groundwater, the group that waged a ten year fight against a USA Springs proposal to pump and bottle in Nottingham and Barrington NH, has learned this the hard way. When SOG put the 1991 & 1998 legislation that protected groundwater as a public trust to the test through a series of appeals, the final NH Supreme Court case ruled that the Public Trust language was not specific enough and needed to be applied more specifically to groundwater via the legislature. Save Our Groundwater learned early on in its efforts that the DES, which is charged with regulation authority to protect groundwater via the 1998 law, wasn't necessarily making decisions true to its water policy that "surface water and groundwater are an integrated public resource to be conserved, protected, and managed for the public good", and that SOG needed to appeal their decisions as well. This was particularly evident when in July 2004, after a series of appeals, DES reversed its decision to deny USA Springs its withdrawal permit on the condition that USA Springs be responsible for cleaning up the contamination caused by DES-approved site test pumping in 2002. Costing more than \$1 million to clean up, community members couldn't help but speculate that the permit was granted so that DES wasn't stuck with the clean up bill. Throughout the 10 years, both towns and SOG filed appeals with the DES, the NH Water Council, the NH Wetlands Council, and the Department of Transportation.

Despite ultimately losing the Supreme Court case, SOG's dedication has proven valuable towards state level water protection efforts. Members of SOG currently sit on the NH Commission to Study Issues Relative to Groundwater Withdrawals as well as the NH Citizens Trade Policy Commission. SOG has testified and publicly supported the passage of Senate Bill 386, which allows local communities impacted by large groundwater withdrawals to participate in the permitting process. SOG was also heavily involved in the 2007 decision by the NH Legislature to pass resolutions that require federal trade negotiators to consult with the state before completing new trade agreements that affect the traditional authority of state and local governments.

◆ **Massachusetts**

The Montague Alliance to Protect Our Water used already existing state law to keep Nestlé off of state-protected lands. Nestlé approached the MA Division of Fisheries and Wildlife about potential extraction on the Montague Plains in April 2007. The Plains are protected by MA Article 97, which states that "natural resource removal from DFW property will not be allowed unless said removal is clearly in the best interest of wildlife and wildlife habitat."

⁶⁷ Johanna Miller, "Who Owns Vermont's Water? Exploring a Vital Part of Vermont's Commons," *Vermont Commons*, March 12, 2008, <http://www.vtcommons.org/journal/2008/03/johanna-miller-who-owns-vermont%E2%80%99s-water-exploring-vital-part-vermonts-commons>

MAPOW, along with its allies in the town of Leverett, the Water Supply Citizens Advisory Committee and the Massachusetts Rivers Alliance, used the language in Article 97 to send a clear message to the Division of Fisheries and Wildlife that their decision to allow Nestlé to conduct pump tests was clearly against the law. Though Article 97 doesn't include language specific to water, and though there was always a risk of the legislature making certain exceptions to the law, the complexity of going up against the state law mixed with the clear anti-Nestlé sentiment was enough for Nestlé to suspend its investigations of the Plains in October 2007. Organizers in MAPOW understand the need to strengthen Article 97 and to promote more strong laws on the statewide level. Currently, there are two pending water bills in Massachusetts: H-834 – An Act Relative to Sustainable Water Resources – that would promote sustainable water conservation; and H-778 – An Act Establishing a Two-Year Moratorium on New and Expanded Commercial Water Extraction and Bottling. When Senators Pam Resor and Fran Smizik read a July 2008 op-ed piece in the Boston Globe titled “Putting a Cap on the Bottled Water Industry,” members of MAPOW and CIC of Sterling, MA were asked to testify before the Joint Committee on the Environment, Natural Resources and Agriculture. This testimony informed Smizik and Resor as to the development of H834, and the Senators gave the local activists encouragement for the development of H778. The hearing for H778 was Dec. 1, 2009.

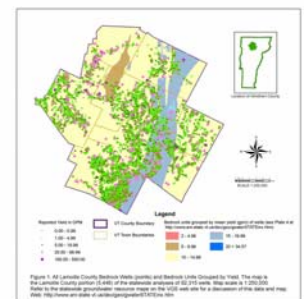
◆ Maine

The majority of grassroots efforts for statewide legislation come from a group called H2O for Maine, led by Jim Wilfong, a former Maine legislator and former Clinton administration trade official. Wilfong's premier idea is to tax water bottlers at a rate of \$0.20/gallon extracted for the purpose of creating a water dividend trust. Attempted in 2004, the bill didn't pass, but it did cause Nestlé to temporarily suspend the construction of its proposed bottling plant in Fryeburg. Wilfong tried again in 2006 to push for a referendum that would change Maine's absolute dominion rule over aquifer use, but failed to acquire enough signatures to put it on the ballot. In 2007, H2O for Maine was behind legislation that required environmental review for large water withdrawals and placed groundwater in the public trust. Ultimately, the legislation passed, but did not include the public trust provisions. It did, however, require that Nestlé have an independent review of its permit applications by a third party hired by DEP, to eliminate Nestlé's undue influence in permitting matters.

The height of activity in Shapleigh/Newfield, Kennebunk/Kennebunkport/Wells and Fryeburg in late 2008 led to 14 distinct bills being proposed before the Maine legislature in 2009, including bills that would place groundwater as a public trust, place a penny-a-gallon tax on extraction, and propose that municipalities enact ordinances that take away a corporation's constitutional rights – just like the rights-based ordinances passed in Shapleigh and Newfield a month later. LD #238, sponsored by Rep. Ed Legg of Kennebunk and backed by 18 other Representatives, would have required a citizen vote of approval before any new extraction could take place – a direct result of the opposition voiced by community groups SOH2O and PWW in Kennebunk, Kennebunkport and Wells. After a 4 hour hearing in February 2009, the bill was tabled after opposition from citizens, including the KWW Water District Superintendent. Largely due to the wide array of proposed solutions, only one bill (LD 238) was passed that requires public hearing to take place before groundwater extraction contracts can be signed by public water entities; a victory largely influenced by the role local groups play in the public arena. Grassroots groups did attend many of the hearings and some offered testimony. Currently, various grassroots groups in Maine are beginning to meet to form a more unified statewide policy strategy.

◆Tactic: Facilitate Groundwater Mapping

Local community groups can play a key role in creating sounder groundwater science and knowledge. Strong state level groundwater laws are critical, but not all that is needed to manage this resource. Mapping groundwater resources so that regulation and monitoring can be properly implemented is also critical. The primary responsibility for groundwater mapping for the country lies with the US Geological Survey. States lack so much knowledge about their groundwater resources due to underfunding⁶⁸ of the Survey on a federal level. Local and state efforts, therefore, are being spearheaded by grassroots and non-profit groups, who see mapping as a key step towards realistic and effective legislation and regulation. Though the Vermont Legislature originally instructed the Agency of Natural Resources to map groundwater as far back as 1985, Vermont's 2008 groundwater has jump-started the process again, and the members of the Community Groundwater Study Group in East Montpelier, as well as other local advocates in Randolph, Dorset and other towns across the state, are ready to help in the effort as soon as state funding is secured.



⁶⁸Food & Water Watch, “Unmeasured Danger,” November 4, 2009, <http://documents.foodandwaterwatch.org/groundwater.pdf>.



MAINE

- ◆ Groundwater held under the absolute dominion doctrine;
- ◆ Public Utilities Commission (PUC) is in charge of regulating the permitting system for groundwater extraction;
- ◆ 2007 law increases oversight of extraction applications by an environmental review committee, independent review of permit applications, monitoring and review requirements, and consolidation of oversight to Maine DEP;
- ◆ 14 different bills are put before legislature in 2009 regarding water protection.
- ◆ LD 238 passes (2009) requiring public meetings/hearings for extraction contracts with consumer-owned water utilities.

NEW HAMPSHIRE



- ◆ NH Groundwater Protection Act (1991) places groundwater in the public trust; DES is regulating/permitting authority.
- ◆ Uses the reasonable-use rule, stating that the landowner is entitled to use groundwater on his own land without being wasteful, and if this use exceeds reasonable use, he is liable for the damages;
- ◆ SB 374 (1998) articulates permit process requirements, including testing and public meetings and hearings.
- ◆ Section 485-C:1 (1998) pertains specifically to extraction, setting threshold of 57,600 gallons per day;
- ◆ Groundwater Study Committee (2003) formed to investigate how groundwater withdrawals are managed in NH and the role of municipalities in the regulation of groundwater withdrawals.
- ◆ HB 69 (2005) requires a second public hearing after withdrawal test report and the ability to appeal permit decision, requires DES to share correspondence with municipality.
- ◆ SB 386 (2006) Moved permitting requirements from rule to law – language relates protection criteria to protecting public trust, requires DES



VERMONT

- ◆ VT SB304/Act 199 (2008) abolishes common law of absolute dominion & placing groundwater in the public trust;
- ◆ Uses correlative-rights rule, which states that if the groundwater supply is inadequate to meet the needs of all users, each user could be judicially required to reduce his use until the overdraft ends;
- ◆ Specific legislation pertaining to bottled water regulation and a groundwater extraction threshold of 57,600 gallons per day.

MASSACHUSETTS



- ◆ Natural resources placed trust doctrine, though not specific to groundwater;
- ◆ Extraction limit required for permit at 100,000 gallons per day;
- ◆ No laws regarding bottled water; safety regulated by MA Department of Health & Human Services

CONNECTICUT



- ◆ Natural resources placed under public trust doctrine, though not specific to groundwater;
- ◆ Extraction limit required for permit and fee at 100,000 gallons per day.

RHODE ISLAND



- ◆ Groundwater held under the absolute dominion doctrine;
- ◆ Uses reasonable-use rule for groundwater;
- ◆ No extraction limits as water supply management statutes have been repealed.
- ◆ Of all the New England states, water scarcity is the biggest problem for Rhode Island, resulting in issues of managing its water for residential and agricultural use, and as such is not a likely target for water bottlers.

Corporate Influence: The Challenge

Like using the faucet, buying and drinking a convenient single-serving bottle of water rarely causes consumers to think twice. Add to that the recent trend of “bluwashing”, water bottles like Poland Springs’ new “Eco-Shape bottle”⁶⁸ and the bombarding of advertising that touts bottled water as the health alternative to soft drinks, residents in New England often consider the bottled water industry as a responsible and “green” possibility for their community. Helping community members understand that bottled water has significant negative impacts, too, is a needed and appropriate role for these local groups. Is bottled water a good or sustainable product? Is an extraction site or bottling facility a good economic development opportunity for the town? One of the biggest challenges groups face is “countering the vast amounts of money which bottling companies have to tell their stories employing professional publicists and advertising agencies through their national headquarters.”⁶⁹



The biggest unknown in these David versus Goliath challenge of small local groups going up against big business is that multinational corporations are protected on a level far above the municipal, and beyond state and national government. As part of the North American Free Trade Agreement (NAFTA), which protects trade within North America in “goods” and “products,” and protects foreign investments from unfair, discriminatory treatment, big bottlers like Nestlé can ultimately take towns or governments to court for inhibiting business with moratoriums, ordinances and bans on bottled water. While Poland Spring’s website makes it clear that NAFTA could not prohibit a state from regulating the withdrawal of groundwater, a position echoed by the New Hampshire Attorney General in 2002, activists fret that NAFTA could apply to water that is extracted and bottled, and becomes a product.

“Our biggest challenges are the quality, quantity and sophistication of strategies required to confront, minimize and/or exert control over a well-experienced organization of extensive political, financial and business power, including its legal prowess.”
POWWR, 2008

In Nottingham, a resident asked then-Congressman John Sununu about this issue specifically regarding the USA Springs operation. Sununu turned the question over to U.S. trade representative Robert Zoellick, who echoed Poland Spring’s stance on the issue: “In our view, nothing in the WTO Agreement would require local authorities to permit bulk extractions of water that would be contrary to sound resource management and conservation or that would create hazards to human health.” He goes on, however, to articulate many local activists’ concerns: “Of course, once local authorities decide to permit bulk water to be extracted from an aquifer, bottled and sold as an article of commerce, WTO rules would likely apply to the sale of that article of commerce.”⁷⁰ The precedent has already been set in Canada, where U.S. Company Sunbelt Ltd. Filed a lawsuit against the Canadian government in 1998 declaring it was against NAFTA rules to refuse it permission to ship fresh water from a British Columbia river to the U.S. The company wanted \$1.5 billion for alleged loss of profits, a case it eventually lost.⁷¹ It remains to be seen how local fights against corporations regarding water withdrawal and water bottling will stand in U.S. court.

Corporate Influence: The Strategy

Despite the huge amount of dollars and resources that bottlers are able to pay lawyers, advertising agencies and offer communities to sweeten bottling deals, grassroots groups function as one of the checks and balances of local public policy development as they work to defend their shared resource. By educating the public about the impact that bottled water has on our environment, sharing the stories of neighbor communities, community groups are a necessary voice in the conversation around bottled water, and becoming engaged citizens in the policy-making.

FIGURE 8: Survey Response – Corporate Influence Strategies



⁶⁸ <http://www.polandspring.com/DoingOurPart/EcoShapeBottle.aspx>

⁶⁹ NEGEF Small Grant application, Save Our Water, February 15th, 2010.

⁷⁰ Jack Kenny, “Panel probes impact of trade deals on N.H.,” *New Hampshire Business Review*, January 18, 2008.

⁷¹ <http://government.cce.cornell.edu/doc/pdf/Sun%20Belt%20Appendix.pdf>

◆Tactic: Consumer Action Campaigns

Offering an alternative to convenient single-serving bottled water, many community groups take on a consumer action campaign to demonstrate the ease of living bottled-water free. A proactive and positive way to communicate the negatives of bottled water, encouraging community members to use refillable water bottles and boycott bottled water, these campaigns can often engage a portion of the public that isn't already a part of the choir. Some groups, like SOH2O pictured right, create their own bottles for marketing, while others pick up on the *Think Outside the Bottle* campaign of Corporate Accountability International, or the *Take Back the Tap* campaign of Food & Water Watch. As a member of the Montague Alliance to Protect Our Water notes, a "BYOB" campaign can "expose the bottled water industry, and alert people to the necessity of protecting our water rights."⁷² A group in Burlington, Vermont, named Kick the Bottle, organized around a "tap map" that pinpoints public water fountains and businesses that welcome the public to fill their own reusable bottles.



◆Tactic: Sharing Stories

It's a hard fact that bottlers have marketing budgets grassroots groups will never match. One priceless tool that groups do have is the power of story telling. As more communities are affected by Nestlé and other water bottlers, community groups are using the stories of other affected towns to spell out the measures that bottlers are prepared to take in order to gain control of local water resources. A national blog, <http://stopNestléwaters.org>, is dedicated to the sharing stories and strategies against Nestlé, proudly stating its purpose: "Right now, it's a site. But it's destined to become a community". Visit any of the local groups' websites or read any of their literature, and there are many links and stories of other communities who have faced years of lawsuits and legislation. Indeed, this sort of collaboration proves fruitful not just for outreach. As Joanne Sunshower explains, "Massachusetts law still leaves us vulnerable to "absolute ownership rights", under which a pump on adjacent land could still endanger the aquifer, the wildlife it supports, as well as individual and town wells. So our research and outreach now needs to be more intensive with our neighbors."

◆Tactic: Grassroots Organizing

Of course, what community groups lack in marketing prowess and influential campaigns, they make up with gumption, and plenty of it. Even though Save Our Groundwater was taking on a corporation as big as USA Springs, it didn't fail to host a rally every single week at the Lee traffic circle to get its local message heard. And as the local newspaper explains of Save Our Water's efforts to educate the community about the pro-Nestlé extraction ordinance in Wells, ME: "While the Nestlé folks were rolling out their glossy campaign, local organizers from across the region spent countless hours wearing through shoe leather, knocking on doors and reaching out to voters."⁷³ The faces of these groups are faces of friends and neighbors, people they can trust, even if they don't agree, and as bottlers continue to move to new towns in search of new water sources, the communities can and should evaluate the possibilities and impacts these new operations would bring to their municipalities.

◆Tactic: Civic Engagement in Trade Policy

Grassroots groups play a big role in solving the international trade and water bottling puzzle. From the resident in Nottingham who raised the issue to Congressman Sununu to group members serving on statewide commissions, water activists are at the forefront of examining how trade policy impacts local environmental decision-making. Coming out of the very active but inconsequential 2009 Maine legislative year, the attorney general, the Water Resources Planning Committee and the Citizen Trade Policy Commission (established in 2004) recently took on the task of compiling a comprehensive study regarding the potential impact of international trade agreements on the state's ability to regulate groundwater. The report confirms that "international trade agreements, which are currently negotiated without sufficient consultation with states, contain provisions that could expose Maine laws to challenges in international tribunals whose decisions take precedent over state and federal law. There is potential for these treaties to undermine our state's capacity to put laws into place that protect the health and well being of our citizens."⁷⁴ Next door in New Hampshire, Save Our Groundwater founder and leader Denise Hart sits on the citizen' Trade Policy Commission established in 2007, representing the environmental community while looking at the same issues. Vermont has also established the Commission on International Trade & Sovereignty around the same time as New Hampshire.

⁷² NEGEF Small Grant application, Montague Alliance to Protect Our Water, September 15th, 2007.

⁷³ [Seacoastonline.com](http://www.seacoastonline.com), "Glossy campaigns sometimes wear thin," November 5,

2009. <http://www.seacoastonline.com/apps/pbcs.dll/article?AID=/2009/11/05/OPINION/911050379&emailAFriend=1>

⁷⁴ Read the full report at <http://www.maine.gov/legis/opla/WRPC-CTPC%20final%20report.pdf>.

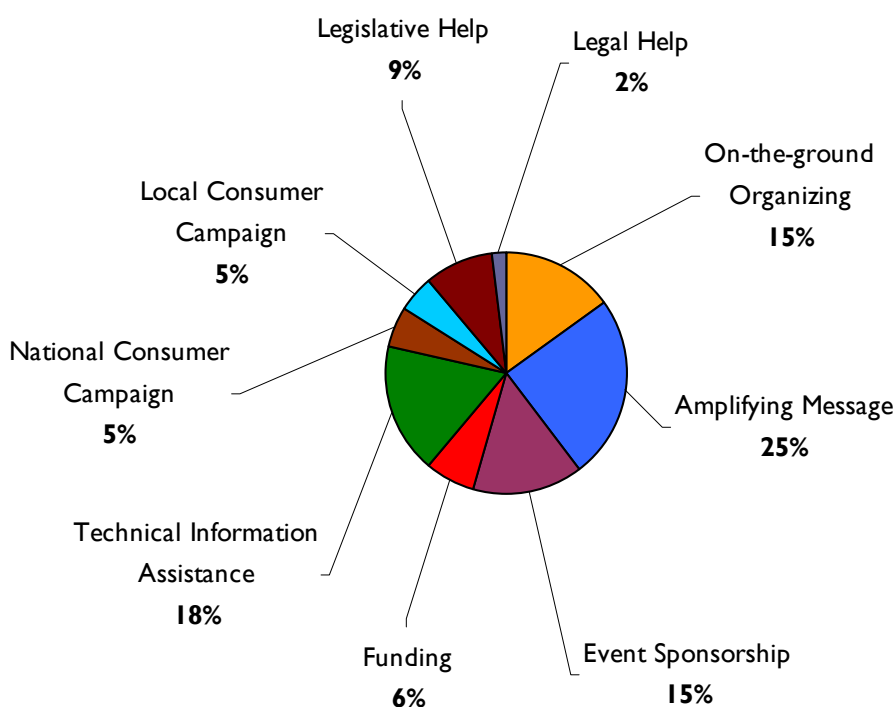
Groundwater Work: Needs & Resources



Clearly, grassroots groups are resourceful and clever in devising strategies to overcome big issue challenges. However, all groups have some fundamental needs in order to carry out those strategies. This section will highlight the top needs of grassroots groups, and describe the organizations, models and programs being accessed as key resources for community-level work.

The surveyed groups indicated a wide variety of resources used for various needs. Similarly, the needs illustrate a range of assistance required to implement the strategies outlined in the previous section. Surveyed groups were asked to complete a grid that listed Needs on the X axis and Support Organizations & Programs on the Y axis. This way, groups could indicate all of the possible outside resources without being limited by the need category. It is important to remember when viewing this data that the survey question asked about only needs being met by outside resources; many grassroots groups are able to meet various needs from within the group itself.

FIGURE 9: Survey Response – Distribution of Needs Met by Outside Resources



Needs Being Met by Outside Resources

◆ **Need: Amplifying Message.** Need most met by resource groups, this coincides with the #1 challenge of Public Awareness. Grassroots groups leverage the larger reach and audience, as well as the refined messaging strategies, of resource groups by using their materials, outreach strategies, and public awareness campaigns.

◆ **Need: Technical Information Assistance.** Resource groups have experience and resources needed to research and communicate science, legislation, and broader environmental and social context of water extraction issues to community level groups through brochures, reports, books and internet articles (2nd highest need).

◆ **Need: On-the-ground Organizing.** 3rd most met need is to find an organizing model that fits the group and community. Organizing models are brought by resource groups to community groups as trainings in civic engagement, local democracy, raising visibility, and issue messaging.

◆ **Need: Event Sponsorship.** Tied with On-the-ground Organizing as 3rd most met need, adding the name of a larger resource group to an event can draw a larger crowd and raises the profile of the event; likewise, larger groups benefit in reach & membership from groups at community level. Sponsorship can help to bring notable speakers to an event.

◆**Need: Legislative Help.** 4th most met need. Resource groups help grassroots understand state policy, local regulations and context of work in broader environmental law.

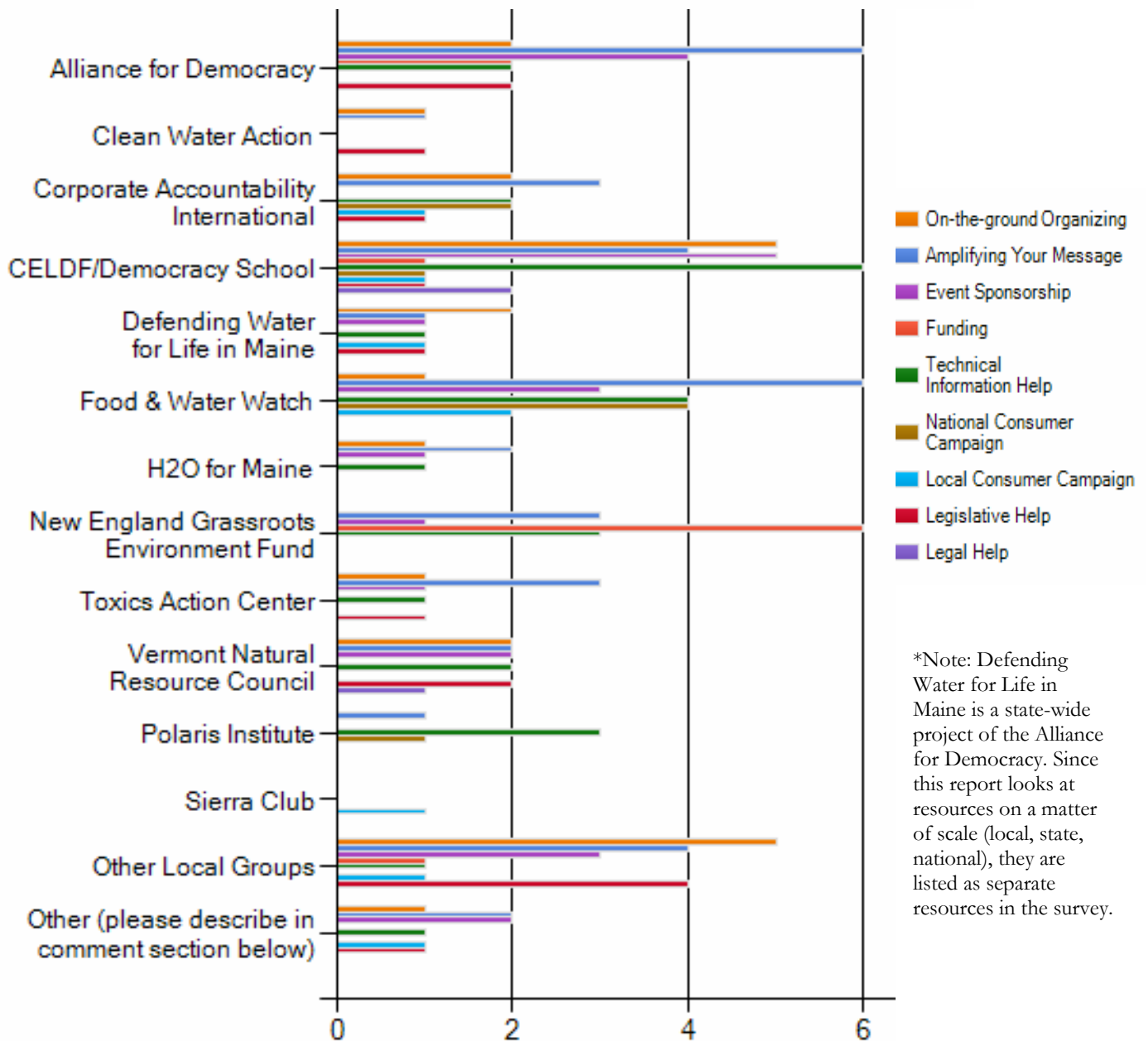
◆**Need: Funding.** 5th most met need. Foundations and non-profits with funding programs offer scholarships and grants to fund operational costs of community-level work: materials, office space, travel costs, website maintenance, events, outreach and organizing, organizer stipends, legal and expert fees.

◆**Need: National & Local Consumer Campaigns.** 6th most met need. Groups that work on the lessening demand strategy often partner with national non-profits, mobilizing their own.

◆**Need: Legal Help.** Need least met by outside resources. When legal help is needed, groups hire a local attorney. While an attorney is clearly an outside resource, the scope of the survey was to identify broader support/resource systems, and legal counsel is not set up to offer such broad support generally to grassroots group, but rather crucial services on an individual case basis.

FIGURE 10: Survey Response – Needs & Resources

Which of the following organizations, campaigns, resources and tools has your group used to support your work?



*Note: Defending Water for Life in Maine is a state-wide project of the Alliance for Democracy. Since this report looks at resources on a matter of scale (local, state, national), they are listed as separate resources in the survey.

“Other” Responses:

Resource

Need

- Trout Unlimited Eastern Water Project
- House Representative
- Advocates for Community Empowerment
- Vermonters For a Clean Environment
- Individual leaders (Terri Sweir, Maude Barlow, etc.)

- Technical Information re: New England water resources & laws
- Legislative help, General Support
- Scholarship funds for Democracy School trainings
- Legislative Help, Amplifying Message
- Issue Knowledge, Amplifying Message

National & International Resources

National and International organizations are some of the most effective venues local groups can access for information and amplifying their message. Those that have a large programmatic focus on bottled water, like **Food & Water Watch**, **Corporate Accountability International**, and **Polaris Institute**, each have their own consumer-driven campaigns that discourage buying bottled water. Other conservation and policy focused groups, like **Clean Water Action** and **The Sierra Club** offer technical information in the context of broader environmental policy. Groups that facilitate organizing trainings, like **Alliance for Democracy** and **Community Environmental Legal Defense Fund/Democracy School**, provide democracy-driven tactics that give groups the skills and confidence to effect local level change.

Alliance for Democracy: <http://www.thealliancefordemocracy.org/>

Alliance for Democracy is a “new Populist movement” led by long-time water activist Ruth Caplan. Their mission is to end the corporate domination of American government, economy and culture. AfD is comprised of local chapters working on a variety of issues, including privatization, globalization, clean elections, and promoting water in the public trust through its Defending Water for Life campaign. AfD helps offer testimony in specific water cases, posts links to broader campaigns and information on its website, and chapters promote specific policy. Alliance chapters came together in Northern California to work with local watershed groups to publicize the issue of a proposed water extraction deal, organize public meetings, and submit “protest forms” to the state. AfD’s national office is in Waltham, MA, and it has a New England Alliance (<http://www.newenglandalliance.org>), a New Hampshire Alliance and a Maine group called Defending Water for Life in Maine (see more in State Resources section below).

SURVEY SAYS: Alliance for Democracy

Alliance for Democracy, tied with Food & Water Watch, is the #1 named resources for **Amplifying Message**, meeting 16% of that need, which is met with a wide range of resources. AfD’s biggest influence is in **Event Sponsorship**, in which 4 activists sited its resource. AfD helped two groups with **Technical Information**, **On-the-ground Organizing**, **Legislative Help** and **Funding**.

Need	# Votes	% of Need Met
Amplifying Message	6	16%
Event Sponsorship	4	17%
Technical Information Assistance	2	7%
Legislative Help	2	14%
On-the-ground Organizing	2	9%
Funding	2	9%

Clean Water Action: <http://www.cleanwateraction.org/issue/protecting-americas-waters>

Clean Water Action’s involvement in water policy originated around clean water and water pollution in the 1970s, playing a key role in the Clean Water Act, and that focus remains to this day. Clean Water Action works to put into place “important environmental protections through grassroots organizing, expert policy research and political advocacy focused on holding elected officials accountable to the public.” For example, Clean Water Action’s Massachusetts chapter has recently formed the Massachusetts Campaign to Protect Drinking Water, a statewide alliance working to advance policies and practices that protect habitat and watershed resources and prevent contamination of drinking water. Part of this initiative is the Campaign to Protect Local Water, which will “build public awareness and support for stronger legal and regulatory frameworks to protect water supplies in Massachusetts from excessive extraction.” This campaigns focus seems largely around statewide legislation and less around local work. Many local land trust and watershed organizations are listed as part of the alliance, but no groups organizing around water extraction are listed. Still, Clean Water Action is a supporting organization of current HB 834: An Act Relative to Sustainable Water Resources.

SURVEY SAYS: Clean Water Action

Clean Water Action provided help to one group in MA with **Amplifying Message**, and one NH group with **Legislative Help** and **On-the-ground Organizing**.

Need	# Votes	% of Need Met
Amplifying Message	1	3%
Legislative Help	1	7%
On-the-ground Organizing	1	4%

Community Environmental Legal Defense Fund (Democracy School): <http://www.celdf.org/>

The Community Environmental Legal Defense Fund is a “non-profit, public interest law firm providing free and affordable legal services to communities facing threats to their local environment, local agriculture, the local economy, and quality of life.” CELDF offers an approach that is outside of the regulatory arena. CELDF has worked directly with 110 communities in Pennsylvania, New Hampshire, Maine, and Virginia through community organizing, outreach and education, and technical assistance in drafting local rights-based ordinance language regarding water withdrawal, coal mining, factory farming, and spreading toxic sludge. CELDF’s primary organizing tool is the Democracy School, which is a three-day intensive seminar that community members can attend to learn about asserting their rights and the rights of nature, and limiting the corporate rights, through passing ordinances. CELDF is the creator and organizer of Democracy Schools and the promotion of rights-based ordinances. In New England, its NH organizer Gail Darrell is also a lead organizer for Citizens of Barnstead for a Living Economy, which organized to pass the first rights-based ordinance on water withdrawal in 2006. CELDF has partnered with consultants of Advocates for Community Empowerment to deliver Democracy School trainings and offer support to Northeast communities.

SURVEY SAYS: CELDF

CELDf is the top ranked resource in the **Technical Information** need, largely due to the fact that CELDF is the sole group promoting rights-based ordinances through the Democracy School process. For the increasing number of water groups considering rights-based ordinances, CELDF is the best (and only) resource available. Two groups listed CELDF as a resource in **Legal Help**, making up 67% of that need being met by outside resources. CELDF ties with Other Local Groups in assistance with **On-the-ground Organizing**, again its Democracy School program. Five groups noted CELDF as a help with **Event Sponsorship** of the Democracy School trainings. Darrell’s group COBALD noted that CELDF has helped with **Funding**.

Need	# Votes	% of Need Met
Technical Information Assistance	6	22%
On-the-ground Organizing	5	33%
Event Sponsorship	5	22%
Amplifying Message	4	11%
Legal Help	2	67%
Legislative Help	1	7%
Funding	1	10%
Nat. Consumer Campaign	1	13%
Local Consumer Campaign	1	13%

Corporate Accountability International: <http://www.stopcorporateabuse.org/>

Corporate Accountability specializes in consumer campaigns against corporate abuse that result in significant policy changes. CAI been working against Nestlé since 1977, when the group (then called *Infact*) launched a boycott of Nestlé’s infant formula, heavily marketed to mothers in poor countries, which caused widespread malnutrition and death. Similar to Food & Water Watch, CAI promotes policy investing in public water infrastructure while using its own consumer campaign, *Think Outside the Bottle*, to educate and encourage communities, state government and college campuses to boycott bottled water. CAI primarily engages with communities through *Think Outside the Bottle*, encouraging community activists to petition their local governments to axe bottled water contracts in favor of tap, saving tax dollars, and offering its own reports, fact sheets, petitions and outreach materials. Recently, CAI began partnering with Toxics Action Center (see Regional Resources below) to assist with on-the-ground organizing for communities facing water withdrawal. CAI has an Action Alert List which it has used to reach its members regarding actions and of water groups in Wells, ME, and Montague and Gloucester, MA.



SURVEY SAYS: Corporate Accountability International

Corporate Accountability has not reached as many local groups as its counterpart, Food & Water Watch, likely because it just recently began its community organizing work on the issue. Three groups noted CAI’s help in **Amplifying Message**, and only two sited CAI as a resource for **Technical Information**. CAI reached two groups with its **National Consumer Campaign**, *Think Outside the Bottle*. While no groups mentioned CAI’s help with event sponsorship, the *Think Outside the Bottle* director mentioned sponsoring the three-day *Tapped* film series that SOH2O hosted before the extraction ordinance vote, including helping to pay for Terri Sweir’s travel to Maine.

Need	# Votes	% of Need Met
Amplifying Message	3	8%
Technical Information Assistance	2	7%
On-the-ground Organizing	2	9%
Nat. Consumer Campaign	2	25%
Local Consumer Campaign	2	13%
Legislative Help	1	7%

Food & Water Watch: <http://www.foodandwaterwatch.org/>

Food & Water Watch is an international group that advocates for “common sense policies that will result in healthy, safe food and access to safe and affordable drinking water.” Food & Water Watch’s current water policy focus is creating a national Clean Water Trust Fund. Their bottled water organizing focuses on strengthening public water systems and dispelling the myths created by the advertising blitz for bottled water. It’s consumer-focused bottled water campaign, *Take Back the Tap*, encourages consumers, campuses, and municipalities to choose tap water over bottled whenever possible and to use refillable water bottles. It serves primarily as an organizing and information resource for community groups. Its New England Organizing Director, Denise Hart, is the co-founder of Save Our Groundwater in Barrington, NH, and joined the F&WW staff as a direct result of her SOG organizing. Staff like Denise helps local community groups understand the issue by offering several reports, fact sheets and guides on water bottling, and provide strategic meetings with various community groups. In late 2009, Food & Water Watch convened grassroots groups in Washington D.C. to share strategies and work on policy. In sharing information, Denise stresses that all of the material that F&WW creates can be freely used by any community group, and she hopes that materials should be tailored to best fit a local message.



SURVEY SAYS: Food & Water Watch

Food & Water Watch tied Alliance for Democracy for the #1 named resource for **Amplifying Message**, but Food & Water Watch only meets 16% of that need as it is met by a wide range of resources. Food & Water Watch’s biggest influence is in its **National Consumer Campaign**, *Take Back the Tap*, which reached four groups and 50% of the need. Food & Water Watch ranked as the 2nd most used group in offering **Technical Information**. Food & Water Watch helped one group with **On-the-ground Organizing** and three groups with direct **Event Sponsorship**.

Need	# Votes	% of Need Met
Amplifying Message	6	16%
Technical Information Assistance	4	15%
National Consumer Campaign	4	50%
Event Sponsorship	3	13%
Local Consumer Campaign	2	25%
On-the-ground Organizing	1	4%

Polaris Institute: <http://www.polarisinstitute.org/>, <http://www.insidethebottle.org/>

Polaris Institute, based in Canada, “is designed to enable citizen movements to re-skill and re-tool themselves to fight for democratic social change in an age of corporate driven globalization.” Like Food & Water Watch and Corporate Accountability, Polaris Institute has a specifically marketed water bottle campaign called *Inside the Bottle* which encourages municipalities, schools and the general public to go bottle-free with information, how-to guides and examples. A recent Polaris Institute report highlighting a bottling proposal in Smith Falls, Ontario, lists Wells group SOH2O as a “case study” of communities resisting bottled water operations. Polaris Institute’s director, Tony Clarke, has authored two useful books specifically on bottled water: *Inside the Bottle: An Expose of the Bottled Water Industry* and *Blue Gold: The Battle Against the Corporate Theft of the World’s Water*, with Maude Barlow.



SURVEY SAYS: Polaris Institute

Three groups listed Polaris Institute as a resource for **Technical Information Assistance**. One group listed Polaris Institute as a resource for its *Inside the Bottle* **National Consumer Campaign**, the least used of the three major national campaigns.

Need	# Votes	% of Need Met
Technical Information Assistance	3	11%
Amplifying Message	1	3%
Nat. Consumer Campaign	1	13%

Sierra Club: http://www.sierraclub.org/committees/cac/water/bottled_water/

The Sierra Club’s efforts on bottled water are minimum at best, perhaps because unlike some of the above groups, the Sierra Club’s focus goes far beyond the issue of water. Specifically on bottled water, a brochure and webpage do little more than identify the problems with bottled water and additional information resources. The Sierra Club does little to push this information forward. Like Clean Water Action, there is a possibility that local chapters could be doing more to support local work, but there is little evidence supporting that.

SURVEY SAYS: Sierra Club

One group listed Sierra Club as a resource for a **Local Consumer Campaign** using their bottled water brochure.

Need	# Votes	% of Need Met
Local Consumer Campaign	1	13%

Regional Resources

New England Grassroots Environment Fund: <http://grassrootsfund.org>

The New England Grassroots Environment Fund supports local grassroots environmental projects through grant funding, skills-building, and connecting. A non-profit, NEGEF's focus is on funding the volunteer, ad hoc groups that need financial support and are unable to secure funding from traditional foundations, while advocating for grassroots level work in the funding and non-profit communities. NEGEF staff provides coaching to grant applicants, connecting groups to each other as a way to share resources, and offers skills-building and leadership trainings through its annual grassroots retreat and by partnering with other organizations. Water in the Public Trust is one of NEGEF's six major issue areas. This white paper is one of six NEGEF is writing to highlight the role that local community groups play in the broader issues, and has started to convene support coalitions in different issue areas to strategize about the best ways to offer support to community-level work.

SURVEY SAYS: New England Grassroots Environment Fund

NEGEF is the #1 used resource to meet the **Funding** need, as the only regional funder of grassroots work on water. Three groups listed NEGEF as a resource for **Technical Information Assistance**, and three also noted NEGEF as a resource for **Amplifying Message** through its newsletter and communications with the grassroots community.

Need	# Votes	% of Need Met
Funding	6	60%
Technical Information Assistance	3	11%
Amplifying Message	3	8%
Event Sponsorship	1	4%

Toxics Action Center: <http://toxicsaction.org>

Toxics Action Center has specialized in helping neighborhood groups organize around toxic pollution. Its partnership with Corporate Accountability International is organization's first move into water withdrawal work. TAC organizers visit with community groups and conduct living room trainings on organizing, messaging, fundraising, building a group, and getting media and press. Corporate Accountability partnered with TAC so that it could offer its branded trainings to water groups in need of organizing assistance, while Corporate Accountability helps with technical assistance, strategy and amplifying the local message.

SURVEY SAYS: Toxics Action Center

TAC's most widespread help is in **Amplifying Message**. TAC helped SOH2O with **On-the-ground Organizing** around the extraction ordinance in Wells, ME with door-to-door canvassing outreach. SOH2O also noted TAC's help with **Event Sponsorship** and **Technical Information Assistance**. While TAC is considering working in new issue areas like energy and water, the group noted that less direct organizing has been needed than they originally thought since all of the communities fighting Nestlé in ME and MA came to some resolution by the end of 2009. TAC is helping to facilitate a statewide coalition of water groups in Maine, along with Corporate Accountability and Food & Water Watch.

Need	# Votes	% of Need Met
Amplifying Message	3	8%
Legislative Help	1	7%
On-the-ground Organizing	1	4%
Event Sponsorship	1	4%
Technical Information Assistance	1	4%

Trout Unlimited, Eastern Water: <http://www.tu.org/conservation/eastern-conservation/eastern-water>

Trout Unlimited's scientific conservation and advocacy focus on preserving waterways and coldwater fish hatcheries prompted it to become a key source of useful information to water groups. Namely, groups have sited Trout Unlimited's Eastern Water project report titled "A Glass Half Full: The Future of Water in New England" as the best resource on water in a regional perspective. The report advocates for local development decisions, water conservation, and the overturning of Absolute Ownership common law. In addition to offering valuable information, Trout Unlimited works with local watershed groups to promote sound conservation policy, and like Clean Water Action is a supporting organization of MA House Bill 834.

Statewide Resources

State-level resources on water bottling and extraction are active in Maine and Vermont. In Maine, statewide groups address the very real need to see communities targeted by Nestlé/Poland Spring as interconnected, begging for strong protections and bigger capacity. In Vermont, as the startup and work of Randolph group WaterFirst! demonstrates, statewide efforts that support strong groundwater protection play a big role in getting the work accomplished. In other New England states like New Hampshire and Massachusetts, it is the grassroots groups themselves, like Save Our Groundwater and the Montague Alliance to Protect Water Resources, that are sparking

the state-level conversation. Note that the survey results for statewide organizations show understandably smaller returns given that statewide groups act as resources to only a portion of all survey respondents.

Defending Water for Life In Maine: <http://www.defendingwaterinmaine.org/category/maine/>

A project of the Alliance for Democracy, Defending Water for Life in Maine has counterparts in other states that face water withdrawal as a major issue: California, Oregon and Washington. Defending Water for Life in Maine assists local groups in every way by organizing rallies, sharing news and resources, connecting the public to consumer campaigns of Food & Water Watch, Corporate Accountability and the Polaris Institute, offering links to local groups’ websites, supporting statewide water legislation, encouraging communities to attend CELDF Democracy Schools and enact rights-based ordinances, and by serving as the face of united water work in Maine. It was Emily Posner who linked POWWR activists in Shapleigh and Newfield with CELDF organizer Gail Darrell to work on rights-based legislation there. The Defending Water for Life in Maine website also hosts a page for POWWR. Organizer Emily Posner is a name known by all community groups working on water in Maine, and she is among a few leaders working to create a coalition of “water warriors” to collaboratively strategize.

SURVEY SAYS: Defending Water for Life in Maine

Defending Water for Life in Maine was ranked highest in **On-the-ground Organizing**.

Need	# Votes	% of Need Met
Legislative Help	1	7%
Amplifying Message	1	3%
Event Sponsorship	1	4%
On-the-ground Organizing	2	9%
Funding	1	10%
Technical Information Assistance	1	4%
Local Consumer Campaign	1	13%

H2O for Maine: <http://waterdividendtrust.com/>

Led by Jim Wilfong, H2O for ME is one of the top statewide advocates for statewide water policy in Maine. After attempting to get legislation passed that would place a tax per gallon on extracted water and set up a statewide dividend trust, H2O for ME lobbied hard in the Maine legislature for years before the 2007 law that places stricter review standards on extraction applications was passed. Less focused on supporting grassroots work, Wilfong and his role with H2O for Maine (as well as his previous experience in the Maine legislature and in trade within the Clinton administration) has emerged as more of a spokesperson for the Maine water issue, appearing in film documentaries like *Tapped* and speaking at informational meetings and events held by grassroots groups around the state.

SURVEY SAYS: H2O for Maine

H2O for Maine is ranked highest in **Amplifying Message**. Not surprisingly, H2O for Maine is offering few direct resources to grassroots groups, but rather serves to amplify the broader message in the capitol.

Need	# Votes	% of Need Met
On-the-ground Organizing	1	4%
Amplifying Message	2	5%
Event Sponsorship	1	4%
Technical Information Assistance	1	4%

Vermont Natural Resources Council: <http://www.vnrc.org>

The Vermont Natural Resources Council is “Vermont’s leading statewide environmental organization dedicated to protecting our natural resources and environment through research, education and advocacy.” VNRC played a major role in passing the 2008 groundwater legislation. VNRC used science and lobbying to make a strong case to the Vermont legislature, and benefited from highlighting the work of local groups like WaterFirst! and Randolph Neighborhood Association while at the same time raising their visibility. VNRC regularly holds educational events, including film screenings of many important water documentaries, and works with both Food & Water Watch and Corporate Accountability to educate the public on bottled water.

SURVEY SAYS: VNRC

Vermont Natural Resources Council is one of 2 resources listed in **Legislative Help**. For the 2 Vermont groups represented in the survey, VNRC proved a useful resource in almost every category.

Need	# Votes	% of Need Met
On-the-ground Organizing	2	9%
Amplifying Message	2	5%
Event Sponsorship	2	9%
Technical Information Assistance	2	7%
Legislative Help	2	14%
Technical Information Assistance	2	7%
Legal Help	1	33%

Vermonters for a Clean Environment: <http://vtce.org/drinkingwater.html>

Vermonters for a Clean Environment is a statewide environmental advocacy non-profit. VCE was founded in 1999 by citizens in southwestern Vermont who joined together to deal with an inappropriate industrial development project. Its issues focus on land use and development, drinking water resources, toxic pollution like mercury and chloramines, agriculture and energy. Specifically, VCE is “committed to providing facts and information so that

people can make informed decisions.” VCE’s drinking water site provides pertinent information about local group efforts like those in East Montpelier and Randolph, providing links to local and state press on water issues, informative resources, and commentary on Water Board decisions and other water policy. Both Vermont groups noted VCE’s help in providing state-specific information and helping to advocate for the 2008 groundwater law.

Local Resources: Other Local Groups

Interestingly, Other Local Groups were ranked as the 3rd most used resource overall, after CELDF and Food and Water Watch, respectively. While it’s clear that there are plenty of resources and information regionally and nationally, the most pertinent information comes from the experience, research, and perspective of fellow water activists.

Other Local Groups were voted the #1 resource for **Legislative Help**. Groundwater legislation, as explored in the Challenges & Strategies section above, is no straightforward manner. While some states benefit from advocates focusing specifically on groundwater, like VNRC staff in Vermont, few resources embody the combination of being well versed in local and state policy and being easily accessible to the grassroots. Taking just one glance at the Save Our Groundwater timeline (see attachments) gives one an idea about how well informed groups become after going through the arduous process of arguing or promoting certain legislation.

Need	# Votes	% of Need Met
On-the-ground Organizing	5	22%
Legislative Help	4	29%
Amplifying Message	4	11%
Event Sponsorship	3	13%
Funding	1	10%
Technical Information Assistance	1	4%
Local Consumer Campaign	1	13%

Other Local Groups are also cited as a key resource for **On-the-ground Organizing**, second only to CELDF and its Democracy Schools, and are also a top resource for **Amplifying Message**. Many believe that knowing what to do in a specific situation, and how to do it, is best learned from those who have done it before. Thus, this is one of the reasons that NEGEF has put so many resources into developing the New England Grassroots Network, supporting it with its new website design and offering the connectivity it provides when local groups contact it via phone or internet. Similarly, as articulated in the Sharing Stories tactic for overcoming the Corporate Power challenge, groups are finding that their message becomes louder and clearer when the share each others’ stories.

Needs Not Being Met by Outside Resources

In an open-formatted survey question, groups were asked “What are the resources that your group needs that are currently NOT available.” From their responses, 3 major needs emerged.

Need: Funding

Six of the 13 submitted responses listed funding as a major need not being met, making funding the most common need response. As Gail Darrell from COBALD explains, “we run on a shoestring budget – mostly contributions from volunteers and donations.”⁷⁵ Funding needs span from tens of thousands of dollars for legal and expert fees in court – Save Our Groundwater estimates that it has spent upwards of \$65,000 over its 10 years on legal fees – to general operating expenses like office space, printing and mailing materials, and stipends for leaders’ time.

Community groups do turn to fellow community members for support in time and donations, and are able to raise money to cover some basic expenses. In some cases, groups have been successful in securing municipal funds for their work. The Committee for Informed Citizens (CIC) of Sterling, MA got organized after realizing that the neighboring town of Clinton had allowed Nestlé to explore the Wekepeke aquifer, which sits in Sterling but is owned by Clinton, for water extraction. In an unusual case in which Sterling had to not only go up against Nestlé, but also the town next door, Sterling citizens voted to use tax dollars for the town solicitor to look more in depth into the legal rights that Clinton had regarding the aquifer, relieving an expense that CIC would likely have encountered. Similarly, in Rangeley, ME, voters at the March 2006 town meeting voted to support the appeal filed by Rangeley Crossroads Coalition of the Maine Land Use Regulatory Commission’s decision to allow Nestlé extraction with the town’s tax dollars. However, these funding options came about in the heat of the battle, in towns that were on the side of the group and against the bottlers, and as such are more the exception than the rule. Regardless of the circumstances, expecting municipal funding at a time when local budgets are tighter than ever, is a false hope.

⁷⁵ NEGEF Survey, April 7, 2010.

Still, the expenses that most water groups face are simply too much to sustain on their own. In volunteer organizing, time is money. As one member from Save Our Water points out "...my family has sacrificed at least \$100,000 in lost income to fight this battle. It is unfortunate that I was forced to go back to work because we could not sustain my level of involvement and loss of income."⁷⁶ When canvassing, petitioning, attending meetings and conducting public outreach campaigns becomes a full time job, funding is needed to keep dedicated leaders going. The Nottingham Water Alliance, after successfully passing the rights-based ordinance regarding water withdrawal, now wants to move onto other issues, but finds that being short of funds is getting in the way. "We would like to expand our current rights based ordinance to include the dumping of sludge. However our funds are low and we have no money for more education."⁷⁷

◆Need: Strong Groundwater Laws & Advocates

Five survey respondents named support for stronger legislation one of the key resources needed for their work. Montague Protect Our Water Resources suggested "strengthening state-wide groups focused on integrated water laws and policies" as a solution, and Save Our Groundwater confirmed that during their 10-year fight, "lobbyists help at critical times." Unsurprisingly, both groups from Vermont, the state with the strongest groundwater protection, didn't mention needing such a resource. In New Hampshire, where groundwater protections already exist, SOG noted that "lobbyists help at critical times in the state legislature."⁷⁸ In Maine, where absolute dominion is still in effect and several attempts at legislation have died, groups dominantly respond to this need. Both POWWR and SOH2O noted "legislation for ground water" and "legislative help" as top needs the groups face. More particularly, POWWR notes that even when they can find strong legal or legislative advocates, the biggest challenge in Maine is "finding an Attorney that dares to buck the system."⁷⁹ In a state that has been doing business with Poland Spring for decades, groups seek an answer to "how to counterbalance actual decades of groundwork by well connected corporations that have great influence with our state officials."⁸⁰

"Water quantity issues are generally not considered in federal legislation or at the state level. This hampers a watershed approach to water management. Most local planning boards are not equipped to fend off a bottled water grab. Many states are not prepared either, or have no thought through the implications like what happens if it is a multinational corporation."⁸¹

◆Need: Organizational Development/Capacity Support

Three survey responses referred to organizational capacity as an unanswered need – while there seem to be plenty of resources that provide information and give trainings on how to organize, there are few resources to support the development of these groups. "Along the way, we often sought help for organizational development – this is a real need when community volunteers tackle a bottled water company."⁸² While some community-based groups have no intention to expand and develop, others like Save Our Groundwater have become the go-to resource for local water work, state-wide policy, and trade issues. As the SOG survey puts it, "the dream: an office and taking what we have learned to the New England region and beyond."⁸³ Many organizational development needs can be met through funding – in the example above, money for renting and office space and providing salary or stipends to coordinators to be able to talk vital lessons to new communities. For others like WaterFirst!, a group that eventually disbanded after the VT legislation passed, "time and energy of supporters, leadership"⁸⁴ is what is needed most, a sentiment that SOH2O seconds simply by needing: "more manpower."

⁷⁶ NEGEF Survey, April 7, 2010.

⁷⁷ NEGEF Survey, April 7, 2010

⁷⁸ NEGEF Survey, April 7, 2010.

⁷⁹ NEGEF Survey, April 7, 2010.

⁸⁰ NEGEF Survey, April 7, 2010.

⁸¹ NEGEF Survey, April 7, 2010.

⁸² NEGEF Survey, April 7, 2010.

⁸³ NEGEF Survey, April 7, 2010.

⁸⁴ NEGEF Survey, April 7, 2010

Key Findings



Water as a Public Asset, or *The Water Commons*, redefines the issue of water in the environmental movement.

On the local, national and global level, the impact of the private water industry has given birth to a new concept for water resource protection, advancing more traditional foci like water quality monitoring. The concept of the *Water Commons* encapsulates the perspective that many water activists articulate in balance between distrust of corporate ownership and control and promotion of community-wide resource management (and here, community should be interpreted liberally). “Put simply, the water commons means that water is no one’s property; it rightfully belongs to all of humanity and to the earth itself. It is our duty to protect the quality and availability of water for everyone around the planet. This ethic should be the foundation of all decisions made about use of this life-giving resource. Water is not a commodity to be sold or squandered or hoarded.”⁸⁵ Phrases and concepts like “Water in the public trust,” “public vs. private ownership”, and “who owns the water” are the current ways that water issues are being framed.

New England is an active location for this new water debate, though far from alone.

The water-rich areas in North America and beyond are of great interest to private water companies that are seeking to secure legal control over sources for current and future needs. The companies apply economic and private sector rules to make deals to control the water without regard to the needs and interests of the local communities in which they want to do business. Citizen groups are forming to keep their public officials accountable and to raise issues about the present and future management of their groundwater resources – both critical and appropriate actions that advance civic engagement and the environmental movement.

Grassroots, community groups and the larger state, regional, national and international advocacy groups have roles to play in this public dialogue, but need to better coordinate and be more strategic.

There is good interaction among resource groups, but it could be much more strategic and coordinated. The mainstream, established groups each have their specific strategies and theories of change. Even though many larger groups and campaigns share more similarities than differences, little coordinating and communication is being done to strategize around how to best serve local groups and win victories on the ground. New grassroots groups find resource groups helpful as sources of information and support, but find it difficult to determine which one or ones best match to their local needs. Local groups also find frustration when resource groups offer their support but don’t meet more tangible needs like funding, event sponsorship or advocacy. As a result, the local groups often have too many options with little time to wade through the details, which can cause confusion and conflict within their group as they organize their local campaigns. Often, community level groups glean information and resources from larger groups, but design their own materials and carry out their own campaigns to best suit their local work.

Successful Organizing Must Start from Within the Community

While larger resource providers can offer crucial insight, information, and strategy, there can easily emerge a strong bias from within a community to anything or anybody from outside. As organizers with the TAC/Corporate Accountability partnership work in Maine have discovered, there is a strong stigma against any intervening or guidance from larger outside entities when local debates become contentious. In Wells, the pro-Nestlé constituency in the town publicly criticized the role of the regional and international non-profits, positioning the Maine-based Nestlé/Poland Spring as the local contender. For this reason, leaders of community groups, or any representatives of one’s own community, are more effective in

⁸⁵ <http://www.onthecommons.org>

organizing at the community level than even the most skilled community organizers of larger organizations. Opportunities for those community leaders to improve their organizing skills from experts in the field are a key part of success and further the growth of individual leaders and the community, but it is those community leaders who should be at the helm of any local campaign.

Reaction vs. Pro-action: The Rights-Based Approach

The towns where the community can be credited for successfully driving out a water bottler, rather than the bottler leaving for its own reasons, are the towns that have enacted rights-based ordinances. In that regard, this can be seen as the most effective tool in staving off the bottlers, and communities are catching onto this trend. Cited as one of the most useful resources in the survey, CELDF and the Democracy School model provide a unique, specific tactic that must be learned through their organizing strategy in order to be implemented. The Democracy School model does engage and empower citizens in an effective way, and enacting an ordinance is not only providing activists with the pride of accomplishment, it also seems to be working. However, focusing on a rights-based approach has proven to be divisive within communities, splintering the effectiveness of a unified group into multiple groups focused on multiple outcomes (rights-based ordinance versus regulatory or other approach). In Wells, the Chamber of Commerce came out in favor of the extraction ordinance that would give Nestlé “permitted use” of pumping the aquifer because it viewed the rights-based ordinance as anti-business, causing SOH2O to reason that rights-based ordinances will only find success in more rural towns with less of a commerce community. It remains to be seen which communities, and how many of them, will go this route.

One could argue that Nestlé willfully retreated from Shapleigh and Newfield because the public made it known that the company was not welcome through passing the rights-based ordinances, but the argument could also be made that Nestlé left because it was not a huge loss to leave. With some of the state’s best hydrogeologists on staff, Nestlé has undoubtedly targeted dozens of other potential pump sites to move on to. In a meeting attended by Nestlé and the Montague Alliance to Protect Our Water, Nestlé spokespeople named 14 potential new sites in Massachusetts alone. Insofar as one community is able to fend off bottling barons from its precious water supply, the burden is simply shifted to other towns and watersheds with potentially weaker local protections and engaged citizenries.

Both Nestlé and USA Springs have demonstrated, in Fryeburg and Nottingham, the lengths that they are willing to go in terms of investing time and money to win rights to water. Ultimately, bottlers will be ready to challenge the legality of rights-based ordinances and there is no telling how these ordinances will stand up against state, federal or international law and trade regulations (for cases involving multinational corporations). Until then, while it is crucial for individual communities to become informed, organized and empowered through exercising democracy, a long and unified strategy needs to be put in place.

Strategies for Moving Forward



Work Collaboratively

In order to truly meet the challenge that Nestlé and other bottlers are putting before communities, water activists and those that support them need to think now about collaborative strategies that move beyond defending a single water source. Montague Alliance to Protect Our Water noted that the #1 need not being met now by outside resources is a “New England Regional Working Group” to help develop strategy, pool efforts and resources to take on water extraction as a broader issue.

Larger support organizations should strive to leave their campaigns, branding and goals at the door when offering support to grassroots organizations. Because of a personal rift between leaders of the two organizations, Food & Water Watch and Corporate Accountability refuse to collaborate and share capacity in terms of their nearly identical consumer campaigns and community organizing tactics. While direct support does seem to be becoming more of a priority for these larger support organizations, there should be more opportunities for grassroots leaders themselves to create a plan and identify needs, and then a shared strategy by support organizations for how to deliver those needs.

NEGEF will work with other New England funders and support coalitions to convene grassroots groups in the fall of 2010 to build on current collaborations and develop a shared strategy.

Support Local Work Directly

When asked what recommendations groups have for making support around water extraction more effective, every single group spoke to the importance of communicating this issue and engaging their community early on. “Any new town getting involved with ‘massive water extraction’ should immediately get information out to the public. We walked the streets, worked at Recycling Centers, worked the phones, but my advise would be to fund startup advertising. Community involvement is step one on all fronts.”⁸⁶ Support organizations must remember that it is the people of the community who know best how, what and where to communicate to their peers; where the most visible spots for rallies are, and what kind of information will be digested the most effectively. Rather than supplying groups with materials stamped with the many brands of bottled water campaigns, support should come in the form of funding and implementing the community group’s strategies.

Groups also overwhelmingly voiced a need for direct funding, “The organizations that receive the big funding need to recognize that the local groups are the boots on the ground and they need financial support, too, to succeed in their mission.” When support from outside organizations is delivered to the grassroots groups, “we are asked to share expenses of events organizing with the groups who get funding such as Defending Water in Maine and Food and Water Watch.”

NEGEF will continue the conversation with local groups to identify the needs of community groups and will organize a system of support with funders and support coalitions that provides direct support to meet those needs.

⁸⁶ NEGEF Survey, April 7, 2010.

Attachments

Click on the links below to access Attachments.

Attachment I: Nine Timelines detailing the development and work of grassroots groups, organized by town.

[\[http://grassrootsfund.org/docs/WaterWithdrawalATT1.pdf\]](http://grassrootsfund.org/docs/WaterWithdrawalATT1.pdf)

Attachment II: Working list of bottled water presence in New England.

[\[http://grassrootsfund.org/docs/WaterWithdrawalATT2.xls\]](http://grassrootsfund.org/docs/WaterWithdrawalATT2.xls)