



THE MAINE WOODS

A Publication of the Forest Ecology Network

"In wildness is the preservation of the world." Henry David Thoreau

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Free



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"Only after the last tree has been cut down. Only after the last river has been poisoned. Only after the last fish has been caught. Only then you will find that money cannot be eaten."

Cree Indian Proverb

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A Voice in the Wilderness by Jonathan Carter

WHOSE WATER IS IT?

Water is something that most of us take for granted. We simply turn on the tap and out flows this "blue gold". Maine is covered with lakes, rivers, ponds, and streams. This abundance has lulled us into a sense of complacency. And yet, even Ben Franklin understood the issue when he wrote, "no one knows the true value of water until the well runs dry."

Freshwater is scarce on the planet. Freshwater makes up about 3% of all the water on the earth. Two thirds of this water is locked up in ice at the poles - leaving only 1% available for all living things. Humans have polluted so many sources of freshwater it is estimated that only 0.5% is potable. In fact, one in six people on the planet, or a billion people in total, do not have local access to drinkable water. And yet, I can go down to Sandy Stream which borders my property and dip my cup for a cool drink during these hot summer days.

Nestlé and the rest of the international water cartel know that control of scarce water resources means great profits. From Bolivia to Maine, the water cartel is attempting to privatize water. The oil wars of today will be the water wars of tomorrow.

A decade ago, Nestlé, the largest bottler of water in the world, arrived in Maine when it purchased Poland Springs. Nestlé has made Maine a prime target for water ownership. They are currently mining 500 million gallons a year from Maine and have drawn up plans to take hundreds of millions, perhaps billions, of gallons more. I suspect that their long term business plan includes tankering water to drought stricken parts of the globe or using pipelines to transport it to various water-deprived regions in the United States.

Maine has laws which protect surface waters and establish public ownership. Groundwater does not enjoy such protection even though the water underground has unbroken connectivity with surface water. Pumping aquifers has a direct effect on surface waters by reducing water flow into lakes, streams, and wetlands. This can result in significant ecological damage to fauna and flora. Reduced water levels can not only shrink available habitat, but result in higher water temperatures and reduced oxygen levels. Over-pumping aquifers can also cause blockage through siltation and the redirection of water flow. It can also cause the "pulling in" and concentration of contaminants which can pollute the underground water source.

Whose water is it? It is our water! Nestlé must be stopped from stealing it. Nestlé has pursued a course in Maine of political influence pedaling and trampling citizen rights. Last November, they sent out "goons" to the polling place where citizens, including many FEN

volunteers, were collecting signatures on the Water Initiative. This Water Initiative would establish sustainability standards to protect our aquifers and require Nestlé to pay part of their huge profits into a dividend trust owned by the people of Maine. Nestlé has spent hundreds of thousands of dollars fighting the Water Initiative - in courts, in the legislature, and by employing slick pollsters and media sharks.



FEN director Jonathan Carter in a Plum Creek clearcut north of Flagstaff Lake.

photo by Janet LeClair

WE SHOULD BE OUTRAGED! The Water Initiative needs to be placed on the ballot and I am asking you in the next several weeks to help out. The H₂O for ME Campaign needs more signatures and they only have until September 23rd. Please get involved and help collect a few signatures. It is always easy to assume the other person will do it, but just remember that the other person is prob-

ably saying the same thing. Taking personal responsibility for getting 5, 10, 30 or more signatures will put the campaign over the top. So once again, PLEASE HELP.

Clean water is a universal human right. Mikhail Gorbachev

At risk is the public ownership of water resources, public sector water services, and the authority of governments to regulate corporate activity for environmental, conservation or public health reasons. Comments of Canadian trade lawyer Steven Shrubman in his legal opinion on GATS (General Agreement on Trade in Services).

Over pumping of groundwater in many of the world's important grain-growing regions will be an increasing problem" about 1,000 tons of water are needed to produce a ton of grain...as countries press against the limits of available water between now and 2015, the possibility of conflict will increase.

Central Intelligence Agency Report, December 2000

"A thing is right when it tends to preserve the integrity, stability, and beauty of the biotic community. It is wrong when it tends otherwise."

Aldo Leopold

Cover photograph by Jonathan Carter.



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H₂O for ME by Jim Wilfong

Last year, I was privileged to form H₂O for ME and to start an initiative petition drive in Maine concerning the future of the state's ground water. I asked the question at the time, "Whose water is it?" I continue to ask it today. It is clear to me that Maine people believe they own the water. It is clear to me that they do with limitations. The next important question is, "Who will control the groundwater of Maine?" It is clear to me that Maine people think they control the groundwater. It is also clear to me that they do not.



photo by Paul Donahue

Abundant freshwater is one of Maine's most precious natural resources.

In Michigan, it was also clear to Governor Jennifer Granholm that the people of Michigan may not control their water. She had a simple solution. Stop all bulk water extraction development until the legislature enacts a water policy that protects the interests of Michigan citizens. By executive order she halted all new or expanded use of water development companies. A spokesperson for Nestlé Waters North America, Inc. charged that she had overstepped her bounds. Nestlé immediately sued. The Governor has not backed down. I congratulate her for her courage and vision. They are character traits that are unfortunately lacking in Augusta.

It is interesting that our leaders in Augusta have proposed every kind of tax that one could imagine for Maine taxpayers, from hiking and canoe taxes, to sales taxes on services and increases in property taxes [because of the lack of full state funding for public education]. Yet a fee on bulk water extractors is rarely discussed. Some of us are beginning to ask why. It would raise all the money they need to make up the shortfall in our state budget. It's in the best long term interests of Mainers. What can they be worried about?

The citizen's initiative put forward by H₂O for ME is unique because it not only establishes environmental monitoring and protection of the state's aquifers but it also enhances the quality of life for Maine taxpayers and small businesses. This legislation proposed by H₂O for ME is pro-business and pro-environment at the same time. Most of all, this legislation is pro-people of Maine. Rather than providing windfall profits to corporations at

the expense of Maine resources, this legislation encourages growth of our economy and sound management of one of our most important natural resources – water.

Citizens have invested their hard earned money, publicly and privately, in cleaning up Maine's water for more than 35 years. The citizens of Maine deserve an appropriate return on that investment. This initiative delivers to the citizens of Maine a return on their extensive investment in clean water. Think about it – this legislation will provide a business development boost for the returning veteran, the struggling farmer, or the entrepreneur while ensuring a sufficient quantity of premium drinking water for all Maine people, both for today and the future.

Charging a twenty-cent per gallon extraction fee and investing this money in the Maine Water Dividend Trust can return real dividends to the people of Maine. No longer will small business owners with great ideas be forced to leave Maine to obtain adequate funding to pursue their dreams. Think about it. We can keep farmers growing food in Maine, give our veterans something to look forward to when they return home, and reverse the "brain drain" by keeping more Maine young people here. Compare this to one corporate entity that

takes our water for free, makes millions of dollars, and returns little profit to the citizens of Maine while making money for corporate investors outside of this state and, yes, outside of this country.

Money earned from this water extraction fee will also be used to define sustainability of one of our most important natural resources -- water. By creating and funding the independent Water Resource Conservation Board, we will define sustainability in terms of Maine's groundwater for the first time ever. This will further define the level of impact the citizens of Maine are willing to endure regarding groundwater extraction. Why leave the issue of sustainability to the corporate entities taking the water? Their primary motivation is maximizing profits. Water is too critical to our survival not to leave its management

to the people of Maine. I believe that Maine people see their clean water as a human right and not just a tradable commodity.

From Caribou to York, volunteers for H₂O for ME have been working hard collecting signatures for the referendum and educating small groups of opinion leaders about the water. From farmers, teachers, small business owners to senior citizens. We now have over 35,000 certified signatures. We need 20,000 more. It has not been easy. We didn't think it would be. Nestlé and their allies have nearly unlimited people and financial resources to defeat us. They have already reported having spent hundreds of thousands of dollars. We have worked with volunteers and have made do with under \$6,000. We have until the end of September to collect the necessary signatures. We need more volunteers!

Water is our most important natural resource. The public needs to protect it and to control it. Our water should not be owned or controlled by large, multi-national corporations. It is not intelligent public policy. It is against the best interests of Maine citizens. For more information, please take a look at our web-site- www.h2oforme.com. If you think that we are working for the right cause, then I sincerely ask for your help. Nestlé and the other members of the water cartel will fight us hard to win. For them, it's all about money. For us, it's about defending our birthright. This is a fight we can not lose!

Jim Wilfong of Fryeburg, Maine is a former Maine legislator and the director of H₂O for ME.

It struck me.....that all you had to do is take the water out of the ground and sell it for more than the price of wine, milk, or for that matter, oil.

Gustave Levin, past Chairman, Perrier Corporation (now Nestlé Waters)



Poland Spring tanker trucks at their plant in Poland. Photo by Jonathan Carter

An Act to Preserve Maine's Drinking Water Supply

QUESTION

Do you want the state to tax companies that extract, bottle and sell Maine water, to create a fund for business loans and conservation projects, and to regulate the amount of water removed?

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 36 MRSA c.720 is enacted to read:

CHAPTER 720 WATER

§4841. Water extracted for resale

1. Fee assessed. A fee of 3 cents for each 20 fluid ounces must be assessed for water extracted from this State for containerized resale. The fee must be adjusted annually on July 1st to reflect the change in the price of bottled water in the United States for the previous 12 months.

2. Exemptions. Water taken from private wells and not for resale, water sold by regulated utilities for domestic consumption and not for sale in containers of any kind or size and the first 500,000 gallons of water extracted each calendar year for sale by commercial water extraction enterprises, which enterprises are not related to any other water extraction enterprises, are exempt from the fee assessed in subsection 1.

3. Maine Water Dividend Trust

established. The Maine Water Dividend Trust, referred to in this section as "the trust," is established. Funds collected pursuant to subsection 1 must be deposited in the trust.

4. Use of trust funds. The trust funds must be invested on behalf of and for the long-term benefit of the citizens of this State and according to the provisions of this subsection.

A. Not less than 1% or more than 5% of the total funds collected annually from the per-20 ounce fee pursuant to subsection 1 shall be used to administer the trust and to create and pay for the Water Resources Conservation Board pursuant to subsection 7, an independent board authorized to protect and ensure the sustainability of Maine water.

B. Not less than 95% of the total funds collected annually from the per-20 ounce fee pursuant to subsection 1 must be deposited into the trust for the citizens of this State.

C. Subject to sound investment practices, 65% of the trust funds must be allocated for investment in this State. Fifty percent of that amount must be allocated for loans to small businesses, as defined by the United States Small Business Administration, and small farms. Up to 15% may be allocated to fund reversed

home mortgages to pay property taxes.

D. Subject to sound investment practices, 25% of the trust funds may be allocated for investment in state, national or global financial and equity products or when authorized by an act of the Legislature used to finance the purchase of lands for Land for Maine's Future that become the unencumbered property of the State upon full payment of principal and interest set at the lowest current rate for municipal bonds.

E. Five percent of the trust funds must be allocated to the municipalities in the aquifer zones to offset, to the extent possible, the cost of improvements and maintenance of infrastructure affected by water extraction activities.

F. Five percent of the trust funds must be allocated for water conservation education and infrastructure



photo by Paul Donahue

maintenance for properties administered by the Land for Maine's Future Board and the Department of Conservation, Bureau of Parks and Lands.

The allocation of trust funds may not be changed without a majority vote of voters of this State at referendum.

5. Trust dividends. A trust dividend, when declared by the trust board, must be paid to each resident of this State who has filed a Maine income tax return for the prior calendar year. The total amount paid in dividends may not exceed 85% of the prior calendar year's trust investment earnings.

6. Trust administration. The trust must be administered by an independent 9-member board that includes the Treasurer of State, the State Auditor, 3 members appointed by the Governor, one member appointed by the President of the Senate, one member appointed by the leader of the party with the second highest number of seats in the Senate, one member appointed by the Speaker of the House and one member appointed by the leader of the party with the second highest number of seats in the House. Appointments to the board, made by the Governor, must be confirmed by the Legislature.

7. Water Resources Conservation Board. The Water Resources Conservation Board is established as an independent board with 9 members. The Commissioner of

Conservation and the Commissioner of Environmental Protection are members. The Governor shall appoint 3 members. The President of the Senate shall appoint one member, the leader of the party with the second highest number of seats in the Senate shall appoint one member, the Speaker of the House shall appoint one member and the leader of the party with the second highest number of seats in the House shall appoint one member. Appointments to the board, made by the Governor, must be confirmed by the Legislature.

8. Powers of Water Resources Conservation Board. The Water Resources Conservation Board shall monitor and regulate the amount of water removed from each aquifer to:

A. Ensure sustainability and that the extraction of water from the aquifer is in no way detrimental to the viability of the aquifer;

B. Determine that the extraction of water does not negatively affect lakes or other bodies of water, rivers, streams, wetlands, farming interests, economic development, private wells or public water supplies;

C. Ensure that all Maine people's water interests are protected.

9. License. In addition to any required local permits, a commercial water extraction enterprise requires a commercial wellhead and borehole pumping license issued by the Water Resources Conservation Board for each wellhead and borehole. An environmental impact study is a prerequisite to the issuance of the license. The term of a commercial pumping license is ten years from the date of issuance of the license. Commercial water extraction enterprises existing on the effective date of this section may be given a reasonable period

of time in which to comply with the provisions of this section.

10. Audit. The State reserves the right to audit the number of gallons of water extracted from wellheads and boreholes licensed under subsection 9 and other documents that it considers necessary in order to calculate the water fee assessed in subsection 1.

SUMMARY

This initiated bill assesses a fee of 3 cents per 20 fluid ounces for water extracted for resale. It establishes the Maine Water Dividend Trust and requires that funds from this assessment be deposited in the trust. It provides that a dividend from the trust, when declared, must be paid to each resident of this State who has filed a Maine income tax return for the prior calendar year. It establishes the Water Resources Conservation Board to monitor and regulate the amount of water removed from each aquifer; to ensure sustainability and the viability of the aquifer and to determine that the extraction of water does not negatively affect lakes or other bodies of water, rivers, streams, wetlands, farming interests, economic development, private wells or public water supplies to ensure that all Maine people's water interests are protected.

H₂💧 for ME

The Maine Water Dividend Trust

“Whose Water Is It Anyway?”

Five Point Overview of what H₂💧 for ME is proposing:

- 💧 An assessed fee of 3-cents per 20 ounces of water extracted for containerized resale.
- 💧 An estimated eighty to one hundred million dollars will be collected in the first year.
- 💧 All moneys collected will be deposited in the trust for the citizens of Maine.
- 💧 The Legislature will not have access to the funds unless they ask the people by referendum.
- 💧 The money will be used for:
 - A. Investment in small business development.
 - B. A direct payment to every income tax paying resident of the state.
 - C. Monitoring and protection of our groundwater to ensure sustainability.
 - D. Conservation and acquisition of land under Lands for Maine’s Future.

EMERGENCY REQUEST

DO YOU WANT THE NESTLÉ CORPORATION TO STEAL MAINE’S WATER?

OF COURSE NOT !!!

THE FIGHT WILL BE OVER ON SEPT.23 UNLESS YOU HELP IMMEDIATELY. WE NEED TO COLLECT ANOTHER 15,000 SIGNATURES TO GET THE WATER INITIATIVE ON THE BALLOT! WE NEED YOU TO COLLECT SOME SIGNATURES NOW!

DON'T HESITATE. PICK UP YOUR PHONE AND CALL OR E-MAIL: FEN AT 628-6404, fen@prexar.com OR
H₂💧 for ME AT 377-3404, info@waterdividendtrust.com.

IF YOU DON'T ACT MAINE'S MOST PRECIOUS NATURAL RESOURCE, WATER, WILL BE EXPLOITED BY NESTLE

PLEASE HELP NOW BEFORE IT IS TOO LATE!

Groundwater in Maine: A Basic Introduction

by Bridie McGreavy

Maine is a water rich state, evidenced by the many beautiful lakes, ponds, rivers, and wetlands that dot the landscape. But these water bodies would not exist were it not for another equally important, yet hidden, source of water: groundwater. Groundwater, quite simply, is water stored in the ground. When it rains or when snow melts, water can run-off into surface water bodies; evaporate from the land; be absorbed by tree roots; or soak into the ground to join the groundwater system. The process by which water soaks into the ground to become groundwater is called recharge. Water seeps into the ground and travels downward through interconnected openings in the soil, sand, and gravel called pores.

A groundwater source that is large enough to support a well, or many wells, is called an aquifer. Roughly 17,000 years ago, during the last glacial period, a vast sheet of ice covered Maine. As this ice sheet grew across Maine, it scoured bedrock and picked up boulders, rocks, gravel, sand, silt, and clay. When the ice melted, it deposited enormous quantities of these materials along with water. Gravel, sand, silt, and clay have different pore sizes, with gravel having the biggest and clay having the smallest. The larger the pores, the easier it is for water to flow through, resulting in quicker recharge. Most of the significant aquifers in Maine are made up of sand and gravel, because water can easily travel through these areas.

There are two basic layers of the groundwater system: where the water is and where the water is not (See Figure 1). The top layer, also known as the zone of aeration or the unsaturated zone, is the layer where the pores between the soil, sand, and gravel particles are filled with air. The water filters through the connected pores like a maze. The better connected and larger these pore spaces are, the easier the water travels through them. As water is pulled downward through the ground by the force of gravity, it reaches a level at which the pores are already filled with water. This level is commonly called the water table. When it rains and groundwater is recharged, the water table rises, and conversely, when there is a drought the water table drops. The zone below the water table is the zone of saturation, where water is stored in the pore spaces. Bedrock, or an impermeable layer of clay, forms the floor of the groundwater system. Water can be stored in fractures in the bedrock and bedrock or clay may serve as an impermeable confining layer, creating an artesian aquifer below the unconfined aquifer.

Like surface water, all groundwater drains downhill, ultimately towards the ocean. When a hole in the ground cuts below the water table, water seeps out and fills the hole in a process known as discharge. Many of Maine's lakes, ponds, and rivers have formed where depressions carved by glaciers cut below the water table, allowing groundwater to seep into and fill them. Similarly, water

discharges into dug and drilled wells and is then pulled to the surface with a pump. When water is pumped from an aquifer, the water table around the point of extraction drops, creating a cone of depression (See Figure 2). After the pumping stops, the level of the water table is restored if water is extracted sustainably, meaning at the same rate or slower than the rate of recharge. When water is taken from an aquifer at a rate that is faster than the recharge rate, the water table will drop. The drop in the water table will correspondingly affect the water level in rivers, lakes, streams, wetlands, and wells.

Over-extraction of an aquifer is an environmental and social threat for several reasons. First, a drop in the water table can affect lake and river water quality by concentrating pollutants and causing oxygen levels to decline. A lake or pond receiving groundwater discharge is considered a gaining water body. It can become a losing water body if constant pumping lowers the water table enough that the lake actually loses water to replenish the aquifer. A lowered water table also threatens wetlands, which are formed where the water table and the land surface intersect. A change in the

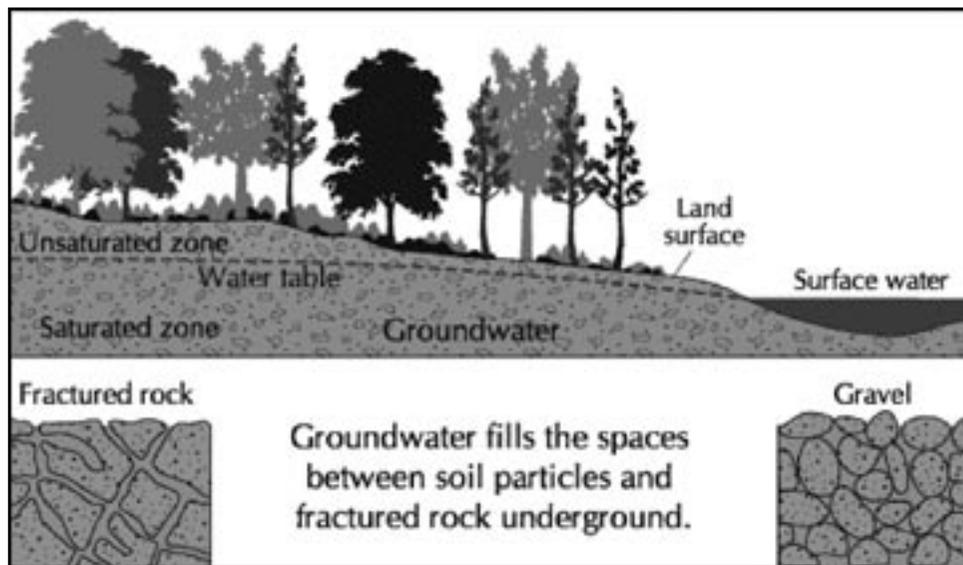


Figure 1. Image courtesy of the US Geological Survey, adapted by the Groundwater Foundation.

water table of even a few feet can destroy sensitive plant and animal communities.

Another major concern in large scale groundwater pumping is pollutants. Groundwater is threatened by several contaminants, including pesticides, salt storage, leaky landfills, oil and gasoline spills, and more. When a pollution source is present, pumping can pull that pollution through the aquifer faster and can cause it to become more concentrated, as there is less water to dilute it. Adding to all of these threats is the fate of dug and drilled wells, which can dry up and cost thousands

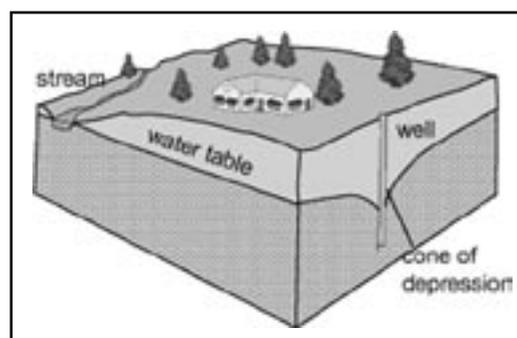


Figure 2. Image courtesy of the US Geological Survey.

of dollars to replace.

Maine's groundwater is a precious resource, one that has formed this unique and irreplaceable landscape. Groundwater stewardship requires a delicate balance that takes all of the uses for groundwater into consideration. The future of Maine depends on its appropriate use and conservation.

Bridie McGreavy is an environmental educator from Bridgton, Maine.

A Glossary of Water Terms

Acre-foot - An amount of water covering one square acre to a depth of one foot. One acre-foot is equal to 325,851 gallons, enough water to fill a football field one foot deep or supply all the needs of an average four-person American family for one year.

Aquifer - A subterranean geologic basin, composed of unconsolidated materials such as sand and gravel, or consolidated rock such as sandstone and fractured limestone. Aquifers are permeable enough to store, transmit, and yield groundwater in usable quantities.

Cone of depression - A cone-shaped lowering of the water table around a pumped well.

Confined aquifer - An aquifer with a nearly impermeable upper boundary that helps confine it from other water sources. Unconfined aquifers, by contrast, have direct contact with the water table and thus are generally more available to recharge and more susceptible to contamination than confined aquifers are.

Drawdown - A decrease in the water level of an aquifer or well as the result of pumping.

Groundwater - That portion of water beneath the surface of the earth that can be collected through wells, tunnels, or drainage galleries, or that flows naturally to the earth's surface via seeps and springs.

Potentiometer head - A measure of an aquifer's water pressure, as reflected by the height to which its water will climb when tapped by a well.

Recharge - The addition of surface water or precipitation to an aquifer. An aquifer's rate of recharge depends on the availability of water, the physical characteristics of soil and rock that the water must pass through, and the ability of the aquifer to accept the water that arrives.

Safe yield - Historically, a standard of groundwater use based on the difference between an aquifer's annual rates of recharge and discharge: that is, the volume of water an aquifer takes in minus the volume of water it loses through outflow into springs and washes and through other natural processes. If users pump groundwater at a rate that exceeds this difference, they have exceeded the aquifer's safe yield.

Water budget - Method of allocating water resources among competing uses.

Nestlé Goons Disrupt Signature Collection Drive

by Jim Wilfong

The efforts of H₂♦ for ME to place on the ballot a citizen's initiative to protect Maine's groundwater seems to have struck a raw nerve in the bottled water industry. Control is the operative term. It looks as though Nestlé (Nestlé Waters North America, Inc.) and its Poland Spring brand may want to control not only Maine's groundwater but also the debate about that very water.

Since 1908, when Maine people enacted the citizens' initiative process, Maine citizens have enjoyed the right to place before the voters of the state important issues that the state legislature refuses to tackle. Maine is one of only 24 states where citizens enjoy this right. All citizens' initiatives travel through the same pathway.

and insisted on being allowed at the polls to challenge anyone who considered signing the petitions forwarded by H₂♦ for ME. The Attorney General's office did not formally issue a ruling, but suggested that a judge might interpret in Nestlé's favor. The Secretary of State therefore ruled to allow opponents of any petition to be in the same polling place, even suggesting that opponents could be right next to proponents, as long as they were away from the voting process by a minimum of 25 feet. With that nod from the Secretary of State, Nestlé proceeded to deploy 30 to 40 goons around the state on election day to disrupt the signature collection process.

The following excerpt from a letter written by Represent-

since we arrived in Maine.

Then things changed. Suddenly a representative from Nestlé Corp. (that owns Poland Springs Water) showed up and set up shop at the adjoining table. He stood up and held up a sign that said, "Be careful what you sign," and every time someone came up to ask about the petition, he would interrupt my explanation. The voters were shocked and confused and did not know what was happening. I politely asked the rep to refrain from speaking until I could tell the voter what the initiative was about. But the interference did not stop. The man kept up the intervention all day, reminding voters that he could be there legally. Some people were annoyed by the intervention, others just threw up their hands in confusion and walked away, some signed in support, others signed just to let the man know they did not appreciate his intervention. In short, it was a very, very uncomfortable day. The people across from me who were circulating the other petition could not believe what was happening. They tried to imagine how they would have been able to conduct their work if the "opposition" had been breathing down their necks.

Representative McKee received a prompt response from the Governor that echoes a response I have received from the Secretary of State indicating that they both will seek legislation to close this loophole in a process that clearly didn't intend for public debate to be happening in or near the voting place. We don't object to the debate – as we have said, "We will debate anyone, anytime and any place, just not the polling place."

Obviously, H₂♦ for ME's efforts have troubled Nestlé Waters of North America. The corporation's concern over the proposed legislation drove them to legally challenge the Secretary of State's office and, hiding behind the First Amendment, to disrupt the signature collection phase of the citizens' initiative process. This is clearly about continuing to enjoy control of our water without citizen intervention. It is also clear by their actions that Nestlé will attempt to stifle any effort H₂♦ for ME brings remotely causing public debate on this issue. With pressure increasing exponentially on our water (we now estimate that more than one half a billion gallons of water are leaving our borders every year) and access to the largest and best aquifers being locked up almost daily, it is also clear that Maine people must stand up now on behalf of their water. We need to heed the quote from Ben Franklin: "When the well goes dry, we know the value of water."



photo by Paul Donahue

Signature collection at the polls the way it is supposed to be.

Once the proposed legislation its title and ballot question have been written and approved by the Secretary of State's Office, the signature collection process begins. For the proposed legislation to eventually make it onto the ballot, a total number of signatures of registered voters equal to or greater than 10% of the number of people who voted in the last gubernatorial election must be collected (currently 50, 519 signatures). Typically, signature gathering has happened at the polls on election day to take advantage of the large number of voters who gather on that day. Our State Constitution has allowed the signature gathering under very strict rules (a small sign, the petition form and limited Q & A).

Nestlé first reared its ugly head when it challenged the Secretary of State's drafting of the ballot question as "misleading" and asked that the judge not allow the petition process to go forward. They eventually withdrew the legal challenge "without prejudice" because a preliminary discussion suggested that it was difficult to prove the question misleading if nobody had ever seen the question. Nonetheless, by filing their retraction "without prejudice", they preserve the right to a legal challenge once H₂♦ for ME gets the necessary signatures.

Meanwhile, Nestlé moved forward with another legal challenge. In a September 23, 2004 letter to the Secretary of State, they asserted their First Amendment rights

tative Linda McKee to Governor Baldacci describes the atmosphere she experienced at the polls. Representative McKee volunteered to sit at the Gray polls and was one of the lucky volunteers who were allowed to stay inside.

Dear Gov. Baldacci,

Tonight, on Maine Connection you spoke eloquently about the sanctity of the citizen-initiated referenda in the state of Maine. As Democrats, we have always supported and preserved the rights of citizens to petition our government and I hope that we always will. However, I want to share with you an assault on that right that occurred on Election Day.

I agreed to circulate a petition for "Water for Maine" and was sent to the Gray-polling site. Calling ahead, I was pleased I would be inside, as it was quite cold and rainy, and I am asthmatic. Upon arrival, I was impressed with the town's voting site, an old school gym that could accommodate large numbers of voters as well as space for citizens to circulate petitions. Two other circulators were there--one for the Chamber's petition for the Maine Tax Relief Act and another for a Maine Taxpayers Bill of Rights. Nothing was unusual, and the day began early. I arrived at 7 a.m. and voters were already pouring in. Any who were interested in the petitions stopped on their way out, inquired, and signed. It was a familiar scene that I have been accustomed to for the past 32 years

... the 20th century has been characterized by three developments of great political importance: The growth of democracy, the growth of corporate power, and the growth of corporate propaganda as a means of protecting corporate power against democracy. Alex Carey, Australian social scientist

Everybody's for democracy in principle. It's only in practice that the thing gives rise to stiff objections. Meg Greenfield, Pulitzer Prize winning editorial page winner of the "Washington Post" and a "Newsweek" columnist
The most effective way to restrict democracy is to transfer decision-making from the public arena to unaccountable institutions: kings and princes, priestly castes, military juntas, party dictatorships, or modern corporations. Noam Chomsky, Professor Emeritus of linguistics at the Massachusetts Institute of Technology, well-known liberal intellectual, and outspoken critic of US foreign policy

The Range Pond Water Contract

H₂O for ME representatives have received a legal opinion that states, in the event of a disagreement, a State contract with Poland Spring would likely be subject to International Law under the North American Free Trade Agreement (NAFTA) not Maine Law. “This legal concern and concerns about sustainability cause us to applaud recent actions by Michigan Governor Jennifer Granholm’s moratorium on water development permits until more protections are in place,” said Jim Wilfong, Director of H₂O for ME.



Range Pond State Park, one of Poland Spring’s pumping sites.

“In their haste to create a contract with Nestlé,” according to Wilfong, “the State of Maine has subjected its water from Range Pond State Park to international rules and regulations for tradable goods. In essence, this means if we have an issue with how much water is taken out of the Range Pond aquifer, we would likely have to make our claims to an International tribunal, not a Maine court. In fact, any contract, private or public, with an international water entity would likely preempt local regulations and State/Federal law. We won’t be able to use our own Maine laws and the wishes of Maine people to protect Maine water – that is not right for Maine”

“I hope,” Wilfong added, “there are no other contracts between the international water barons and the state regarding Maine water or related natural resources.”

This legal opinion about the State of Maine’s only bottled water contract underscores what those at H₂O for ME have been saying for the last year or so – the world of water as we know it has changed and we can no longer be careless with how we protect our water. We are losing control of our water every day and will soon wake up with little or no control – just like our friends in Colorado and other western States. In many western states owners of land do not own the rain that falls on it and can’t even have a rain barrel. “Whose water is it?”, Wilfong asked.

Wilfong’s comments came after a citizen’s presentation to the Maine Citizen’s Trade Policy Commission regarding a legal opinion rendered by a Canadian International Trade law firm, Sack Goldblatt Mitchell. The opinion reviews the contract between the Maine Department of Conservation and Nestlé Waters North America, Inc.. The firm advises, “The State has no authority to alter the rights of foreign investors under international law, either

by law, regulation or contract.”

The opinion letter concludes by saying, “There is much more that might be said about the nature of the risks posed by the new generation of international trade agreements for state and local governments. We trust, however, that this broad overview will make the point that it is best for these risks to be thoroughly assessed before commitments are made that may expose governments to the onerous claims that private investors may now assert under these regimes.”

“How could the State of Maine be so careless with our water which is one of the State’s most valuable assets?” asked Wilfong. “How could the State enter into such a contract with no apparent legal review by the Attorney General’s Office? How could the state issue a contract without competitive bidding as required for most state contracts? It is obvious that their haste has

potentially caused us trouble in the future. We need to make sure that our water is protected and this contract is an example of why we must do so.”

Nestlé in Fryeburg

Not too many years ago, a town on the border of Maine and New Hampshire, in the heart of the White Mountains and the Saco River Valley, only saw a huge influx of traffic at certain times of the year. This town, Fryeburg, until recently, has only had major traffic occur during the summer recreation and vacation season, foliage season, and the week surrounding the Fryeburg Fair, the largest agricultural fair in northern New England. Fryeburg regularly has seen hundreds of thousands of people arrive for the fair, but now has the distinction of being the number two entry point into the State. Families, campers, people, young and old, annually canoe the Saco River in the summer, and along with the many more, drive our roads enjoying the mountains, rivers, lakes, ponds, and the scenic splendor that this part of what Western Maine offers.

All that was true before Nestlé came to town. But, now the residents, as well as those who come to enjoy our scenery are forced to share the road with the hundreds of thousands of gallons of water leaving Fryeburg’s aquifers. A citizens group recently spent a 24 hour period counting the number of Nestlé trucks leaving the facility owned by the Fryeburg Water Company in Fryeburg village. In one 24 hour period, they counted 90 trucks filling up and leaving the pumping facility for Nestlé bottling plants in Hollis, and Poland in Maine, and Framingham Massachusetts. Each water trailer hauls from 6,300 to 8,000 gallons per trip. And remember, each gallon of water weighs 8 pounds, so each trailer was carrying water weighing at least 50,400 to 64,000 pounds. And in that one period, 500,000 to over 700,000 gallons of Maine’s water left her aquifers, possibly never to return. Nestlé is telling the town that they are pumping only 300,000 gallons a day, or about 120,000,000 million gallons a year, amounting to more than is used by the town’s people that are on the water company lines.

Nestlé is not happy just pumping the aquifer in Fryeburg. Now, they want to pump yet another spring from another aquifer that lies in the shadow of Pleasant Mountain. Applications have been submitted to the Fryeburg Planning Board and to the Denmark Board of Selectmen for facilities to do just that. The Denmark application is for the pumping station and the share of the pipeline that lies within the town. The application for Fryeburg is for the pipeline, and terminus that would be a truck load station in the heart of the historic rural residential neighborhood of East Fryeburg. Nestlé is madly negotiating with landowners and securing options for their pipeline and are asking many property owners to allow them to place monitoring equipment within their private wells. Nestlé is establishing an elaborate monitoring system to assure the residents of Denmark that there will be no impact to its wells, aquifers, rivers, brooks, lakes or ponds. But when queried at a public hearing in Denmark last month, Tom Brennan, Nestlé’s Natural Resources Manager, would not commit to the public that Nestlé was willing to turn off their pumping should their monitoring program identify a problem.

Now even more truck traffic could be added to the roads in Fryeburg and throughout the State if and when these applications are approved and Nestlé begins pumping water from Denmark. AND, many more hundreds of thousands of gallons of pristine Maine groundwater will be leaving the State for nothing in fully loaded tanker trucks.



Brownfield Bog, a biologically important wetland at risk from Poland Spring’s pumping operations .

photo by Jonathan Carter

photo by Paul Donahue

Nestlé's Plans for Kingfield - Beware of Nestlé Trucks Carrying Water by Jonathan Carter

Nestlé's plans to build a pumping station and bottling plant in Kingfield should be carefully examined. At first glance, one might be lulled into thinking that having a foreign corporation and the largest food and beverage company in the world move into Kingfield would be a positive boost to the local economy. We all agree that rural Maine is in desperate need of jobs. But we need to ask ourselves whether the benefit of a few jobs is worth the transformation of our rural way of life into a large, industrial, commercial zone and the potential that non-sustainable extraction can cause aquifer blockage and contamination with resultant damage to surface aquatic systems and wildlife?

Maine is blessed with an abundant groundwater supply. The central question is, "Whose water is it?" While Nestlé Waters North America, Inc. and its high priced

Last year Nestlé was exploring the possibility of a bottling plant in Fryeburg. They eventually withdrew their proposal when it was clear that public sentiment was not in

their favor. One of the chief concerns of Fryeburg citizens was the impact of the plant on traffic. One analysis suggested vehicular traffic would increase by 500,000 annually - tanker trucks, maintenance vehicles, and employees going into and out of the plant. This works out to an increase of 1370 per day! If Nestlé's Kingfield project goes forward, I think it is reasonable to expect at least 500-600 eighteen wheeler tanker trucks will pass through town everyday, Tanker trucks will be coming from and going to the Spruce Spring well head near the Bigelow Preserve, coming from a well head in Rangeley region, and from the additional well heads Nestlé has stated it is planning to establish in the unorganized territories..

Nestlé has run into citizen resistance to bottling plants

nities who utilize Kingfield as our center of commerce - gas, groceries, lumber, restaurants etc. We all have a stake in what decision is reached. It is imperative that we do not simply accept the Nestlé proposition on face value. Water extraction must be deemed sustainable as determined by independent analysis - not Nestlé guarding the henhouse. The environmental impact must be exhaustively examined - again not by the fox. A bottling plant and pumping station will have a major impact on our rural way of life, on our communities, on our roads, on our schools, and on our environment. At the very least we need to establish our ownership of the water, the right to control the faucet, and the ability to regulate traffic as well as demand a fair share of the profits.

The other option is to just say NO because it is clear that any benefits are far outweighed by the risks and costs.

Jonathan Carter is the Executive Director of the Forest Ecology Network.

Blue Gold: The Fight to Stop the Corporate Theft of the World's Water

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Today, two France-based corporations, Suez (yes, the ones who built the canal) and Vivendi operate in over 130 countries and control 70 percent of the world market—but you ain't seen nothing yet. We may be running up against the natural limits of the world's water supply, but there's still plenty of it that hasn't been privatized and capitalized. In fact, only 5 percent of the world's population currently receives their water supplies from private sources. Corporations are rushing to rectify that situation—bottle by bottle, reservoir by reservoir.

Certainly these are difficult times for the world's anti-privatization forces who find themselves not only swimming against the political tide, but also confronting growing numbers of well-paid corporate shills who argue that in holding out for public control of natural resources they are also flying in the face of reason. Barlow and Clarke consider the matter far from settled, however, and they write to provide sustenance for those fighting the good fight. They point out that South Africa has adopted the world's first constitution guaranteeing a citizen's right to water, while localities that we might think ideologically predisposed to privatization, such as Birmingham, Alabama and Orange County, California, have recently rejected proposed buyouts of their water systems.

There is a certain "the harder they come, the harder they fall" aspect to the privatization wave. Throughout history, capitalism has distinguished itself by its myopia—excelling at rationalizing the operations of individual industries at the same time that it unleashes chaos on the world, insisting that an "invisible hand" or the "magic of the marketplace," rather than democratic decision-making should determine matters like the distribution of wealth.

The privatizers may be able to successfully run a lot of things, but they can't hide their failings in the long run. A recent World Health Organization report, for instance, notes the fact that privatization just might have something to do with the growing disparity in the availability of health care to rich and poor around the world. And, as Cochabamba reminds us, things can sometimes turn around in a hurry.

Tom Gallagher



Poland Spring's new Spruce Spring wellhead near the Bigelow Preserve. Poland Spring/Nestlé plans to pump 80 million gallons a year from this spring in the Cold Brook/Black Brook watershed located in Pierce Pond and Spring Lake Township.

lawyers from Pierce Atwood would like us to believe that the groundwater is owned by nobody and thus available to those who want to exploit it, I think that water is a human right, owned by all of us, and should not be viewed as a natural resource free for the taking by a private commercial entity. After all, Mainers have spent billions of dollars protecting groundwater - every septic system and water pollution control process. Why should a foreign corporation like Nestlé be able to take it for free? Mainers should demand a fair return on their investment.

Water extraction is not a science. No matter what Nestlé says about its monitoring program - there is never a guarantee that aquifer problems will not occur. I was contacted by a resident of Poland who claims that her well went dry during the last drought because Nestlé, dba Poland Spring, did not reduce its pumping. As is the case often when over-drafting occurs, naturally occurring heavy metals and other contaminants concentrate and are sucked down into the aquifer. When adequate rains recharged the Poland aquifer, the Poland resident's well filled with water, but the water was toxic and unsafe for drinking. Of course, Nestlé will claim it was not their fault even though they continued to pump during the drought.

and water extraction all across this country. They were run out of Wisconsin and sued in Michigan. Most recently they struck a deal with the officials in McCloud, California for a half a billion gallons of water per year for 50 years. They agreed to pay the town \$300,000 per year - or a paltry .06 cents per gallon. This gallon when sold in smaller containers can retail for as much \$7.00. Quite a profit margin! Fortunately, a group of citizens sued the town officials and a judge has halted the project.

Another legal action took place in 2003 which directly impacted Maine. A class action suit was brought against Nestlé in federal court for alleged false and misleading labeling of Poland Spring Water. Nestlé's huge effort to control Maine's groundwater is motivated partially by the federal court settlement agreement in which Nestlé was ordered to seek within the next five years "new spring sources by purchase, lease, or water contract within the state of Maine". In addition, Nestlé, while admitting no wrong doing, agreed to make millions of dollars in "charitable contributions". I wonder if it is these "charitable", but politically expedient, dollars funded the Central School driveway re-paving?

Ultimately, the decision of whether or not to allow Nestlé to overrun Kingfield is up to local residents. However, there are many of us in surrounding commu-

Who Owns the Earth's Water?

by Paul Donahue

Water promises to be to the 21st century what oil was to the 20th century: the precious commodity that determines the wealth of nations. Fortune magazine, May 2000

Imagine for a moment what life will be like in the corporate-controlled world of the future. A handful of huge, powerful corporations will be responsible for all the societal services now handled by local, state and national governments - schools, police, prisons, military, mail, elections, social security, and so on. Even more importantly, corporations will control those things essential to human survival, namely food and water. If they can figure out a way to commodify the air we breathe, they surely will attempt to exert their control over the planet's oxygen, as well. Services once provided by government agencies, accountable to voters, will be provided by corporations, accountable only to stockholders. With our governments in the sway of the corporations, our minimal democracy having eroded even further, and ultimate authority ceded to corporate run international trade organizations, we will have lost the power to control the things most important to our survival.

Is this some remote and unlikely futuristic scenario? I wish it was, but a corporate-owned and controlled planet is closer than you might think - much closer - and unless we wake up soon and start taking back the reins, it will become a reality. One of the most important struggles being waged around the world against corporate control is over who owns our water. Water is essential to all life on the planet, from microbes to humans. If ever there was a natural resource that should remain part of the commons, this is it.

On a world scale, freshwater is scarce and becoming scarcer, with demand growing greater each year as the human population of our planet continues to swell. The rate of global water consumption is currently doubling every 20 years. With more than one billion human inhabitants of the Earth already lacking access to safe drinking water, and that number growing daily, the scenario for the future is already very frightening. The World Health Organization predicts that 48 nations will face severe water shortages by 2025, and the World Bank has predicted that by the year 2025, two-thirds of the world's population will run short of fresh drinking water.

As fresh drinking water becomes more and more scarce, the world can expect violent conflicts over water to become more commonplace, destabilizing entire regions of the world. Hotspots where water reserves are dwindling include the Middle East, northern China, Mexico, California and almost two dozen countries in Africa. The Israeli-Palestinian conflict is a ready example of a water war already in progress, but the situation in the Middle East and around the globe will undoubtedly grow worse in the years ahead. If you think the current oil wars are bad, wait until the water wars really kick in.

Making a bad situation even worse, much worse, we have entered the brave new world of water privatization, where huge, predatory, multinational corporations are gradually gaining control over our once publicly-owned

water supplies. With growing scarcity, the market value of water will undoubtedly rise. It is with good reason that *Fortune* magazine has dubbed water the oil of the 21st century. According to *Fortune*, the annual profits of the water industry now amount to about 40 percent of those of the oil sector, and are close to \$1 trillion.

Water privatization around the globe is occurring on several fronts. One front is the water services industry, with corporations aggressively working to privatize the world's public water systems. European corporations dominate this global water services market, with the largest being the French companies Suez (and its U.S. subsidiary United Water), and Vivendi Universal (Veolia, and its U.S. subsidiary USFilter). These two corporations control over 70 percent of the existing world water market. Following Vivendi and Suez are the German company RWE-Thames (and U.S. subsidiary American

way they are causing serious harm to the environment, pumping springs dry, pulling toxins and other impurities into the groundwater, devastating wetland ecosystems, and draining aquifers.

A third front in water privatization is the bulk export of water from water-rich countries to water-starved regions. Corporations are currently investing in several schemes to transport freshwater in bulk, including the construction of pipelines, supertankers, and giant, sealed water bags. According to the World Bank, "One way or another, water will soon be moved around the world as oil is now."

All this water privatization is proceeding at a frightening pace. As an example, analysts now predict that within the next 15 years for-profit water corporations will control 65 percent to 75 percent of what are now public water systems. The reasons this privatization is moving so rapidly is because the water cartel has worked closely with the World Bank and other international financial institutions to gain a foothold on every continent. The corporations involved aggressively lobby for legislation and trade laws to force municipalities to privatize their water and they also set the agenda for debate on solutions to the world's increasing water scarcity.

International "free" trade agreements have given a tremendous boost to water privatization. The World Trade Organization (WTO) and the North American Free Trade Agreement (NAFTA), established by and for large multinational corporations, promote deregulation and privatization of goods and services, including water. As a result of these trade agreements, it is now difficult for a nation to control exports of its water beyond its borders, or to prevent foreign corporations from establishing water operations inside the country. As an example, under NAFTA's rules, Canada may be forced to allow

the bulk export of water to the United States. Already, a California company is suing the Canadian government for \$10.5 billion because the province of British Columbia banned the commercial export of bulk water.

The international water cartel also receives a tremendous amount of help from international lending institutions, such as the World Bank and the International Monetary Fund (IMF). Working hand-in-hand with the water giants, these lending institutions are both actively pushing water privatization, forcing developing countries to abandon their public water systems and contract with the corporations to provide water to their citizens. The World Bank has recently changed its policy from pressuring countries to privatize their water systems, to making water sector loans contingent on privatization.



The international water cartel.

Water Works), the French company Bouygues Saur, the British companies United Utilities, Severn Trent, AWG plc, and Kelda, and the US company Bechtel. Between them, they are now controlling once-public water systems in 150 countries.

The result of water privatization is predictable. With the bottom line being the only thing that really matters to these corporations, price hikes and water quality problems often follow on the heels of privatization. In developing countries, the poorer customers who cannot pay the inflated water bills see their water service cut off. This same pattern is being repeated over and over again as public water systems around the globe fall victim to the wave of privatization.

A second front of water privatization is the bottled water industry, one of the fastest-growing and least regulated industries in the world. It is led by corporations such as Nestlé, the world leader in bottled water, Coca-Cola, PepsiCo, and Danone. This is already around a \$25 billion a year industry and it is expanding at an annual rate of about 20 percent. These corporations are going around the world securing access to springs and groundwater supplies, aggressively fending off citizens' groups and governments that attempt to regulate them, then bottling the once publicly-owned water and selling it back to us at exorbitant prices. Along the

To Get Involved

Below are the website addresses for some of the organizations working to protect our water resources from privatization.

- Public Citizen's 'Water for All' campaign
<http://www.citizen.org/cmep/Water/>
- Alliance for Democracy's 'Defending Water for Life Campaign'
<http://www.thealliancefordemocracy.org/html/eng/2037-AA.shtml>
- Sierra Club's Water Privatization Task Force
<http://www.sierraclub.ca/atlantic/water/who.htm>

With the water systems in many developing countries in desperate need of repair, the countries have little choice but to accept the terms dictated.

The challenge ahead of us is formidable. The corporations involved in water privatization are extremely powerful, with strong allies in government. In the words of Maude Barlow, author of *Blue Gold, The Fight to Stop the Corporate Theft of the World's Water*, "It's important to remember that it's a very small, incestuous circle - these water companies, the World Water Council, the World Bank, the World Trade Organization, the IMF. There's a lot of money to be made from the commodification of water, and these people know that whoever controls water is going to be both very rich and very powerful." The momentum for privatization is considerable. If we are to protect our public water resources and prevent the nightmare scenario of for-profit corporations meting out costly water to a thirsty world, the time to act is now.

Suggested Reading

Water privatization is a vital but complex issue and this article is only a brief overview. For further information, please refer to the suggested reading list below.

- *Blue Gold, The Fight to Stop the Corporate Theft of the World's Water*, by Maude Barlow and Tony Clarke, published by The New Press, 2002, ISBN 1-56584-731-8
- *Water Wars: Privatization, Pollution, and Profit*, by Vandana Shiva, published by South End Press, 2002, ISBN 0-89608-650-X
- *Global Water Grab - How Corporations Are Planning to Take Control of Local Water Services*, Polaris Institute, http://www.polarisinstitute.org/pubs/pubs_pdfs/gwg_english.pdf
- *Will the World Bank Back Down? ...Water Privatization in a Climate of Global Protest*, a special report by Public Citizen's 'Water for All' program, <http://www.citizen.org/documents/world-bank2004.pdf>
- *Every Drop for Sale: Our Desperate Battle Over Water in a World About to Run Out*, by Jeffrey Rothfeder, published by Jeremy P. Tarcher, 2004, ISBN 158542367X
- *The World's Water, The Biennial Report of Freshwater Resources 2002-2004*, by Peter Gleick, published by Island Press, 2002, ISBN 1-55963-949-0
- *Water Follies, Groundwater Pumping and the Fate of America's Fresh Waters*, by Robert Glennon, published by Island Press, 2002, ISBN 1-55963-223-2
- *Whose Water Is It?, The Unquenchable Thirst of a Water-Hungry World*, edited by Bernadette McDonald and Douglas Jehl, published by National Geographic Society, 2003, ISBN 0-7922-6238-7
- *Inside the Bottle - An Exposé of the Bottled Water Industry*, by Tony Clarke, published by the Polaris Institute, 2005,
- *The Water Barons*, The Center for Public Integrity, <http://www.icij.org/water/>
- *Trading Away Our Water-How Trade Agreements Promote Corporate Water Profiteering and What Citizens Can Do to Stop the Corporate Attack*, Alliance for Democracy, <http://www.thealliancefordemocracy.org/html/eng/2122-AA.shtml>
- *Water*, by Marq de Villiers, publ. by Stoddart Publishing Co. Limited, 2000, ISBN: 0618127445

Nestlé's Horrific Corporate Record

continued from page 14

remain financially involved in Myanmar (Burma) despite the potential of any business to directly or indirectly strengthen the illegal military junta there. *Source: Burma Forum Los Angeles*

Nestlé has been involved in extensive union-busting activity in Colombia since it first arrived there 50 years ago. In the words of a spokesperson for SINALTRAINAL, the Colombian Foodworkers Union, "Nestlé converts the factories into camps for the public security forces in order to create terror in the community, destroy the unity of the workers, and misinform the members of the union, with the goal of pitting them against the leaders and destroying the movement. This is the policy of Nestlé all over the world." Since the 'dirty war' erupted in Colombia in the early 1980s, trade unionists have been on the front line of targeted, but unofficial, repression. SINALTRAINAL was formed as an industrial union in 1982. According to SINALTRAINAL seven of its members working at Nestlé have been assassinated since then. The principal perpetrators of such disappearances are the paramilitary death squads. Although there is a certain separation between the agents of repression and official entities, the links are an open secret. *Source: <http://www.globalpolicy.org/reform/business/2002/09Nestlé.htm>*

In early 2005, Nestlé Purina sold thousands of tons of poisoned animal food in Venezuela. The local brands included Dog Chow, Cat Chow, Puppy Chow, Fiel, Friskies, Gatsy, K-Nina, Nutriperro, Ferrarina and Pajarina. Over 500 dogs, cats, birds and cattle died. It was reported that it was caused by corn that was stored incorrectly, which lead to a proliferation of a fungus with

a high quantity of aflatoxin causing hepatic problems in the animals that ate the food. In March 2005, the National Assembly of Venezuela stated that the company Nestlé Purina was responsible for the quality standards and compensation must be paid to the owners of the affected animals.

In the town of São Lourenço, in the state of Minas Gerais, Brazil, Nestlé's over-pumping in an historic mineral water park is blamed for ruining the healing springs on which tourism in the small town is based. In addition, contrary to federal law, Nestlé de-mineralized the water to process its Pure Life brand of bottled water. Nestlé built its Pure Life bottling plant and its surrounding wall in an area of high risk to the aquifer, also contrary to federal law.

Nestlé's Ice Mountain bottling facility in Michigan had plans to extract 400 gallons of water per minute from Sanctuary Spring in the headwaters of the Little Muskegon River in Mecosta County. In a suit filed by Michigan Citizens for Water Conservation, Michigan Circuit Court Judge Lawrence Root concluded Nestlé's water operation would unlawfully diminish the lakes, streams, and wetlands at issue and ordered Nestlé to stop pumping. Nestlé, with the help of Michigan's Department of Environmental Quality, arrogantly circumvented the Judge's order and continued its pumping.

Is this a corporation we want controlling Maine's groundwater, one of our most precious natural resources? It is time for us to wake up and pay attention before it is too late.

Much of the above information has come from: <http://www.oligopolywatch.com>



The international water cartel has used "free" trade agreements and the pro-privatization policies of the World Bank and the International Monetary Fund to expropriate public water systems throughout the developing world.

Photo by Paul Donahue.

Bad to the Last Drop

by Tom Standage

It's summertime, and odds are that at some point during your day you'll reach for a nice cold bottle of water. But before you do, you might want to consider the results of an experiment I conducted with some friends one summer evening last year. On the table were 10 bottles of water, several rows of glasses and some paper for recording our impressions. We were to evaluate samples from each bottle for appearance, odor, flavor, mouth, feel and aftertaste - and our aim was to identify the interloper among the famous names. One of our bottles had been filled from the tap. Would we spot it?

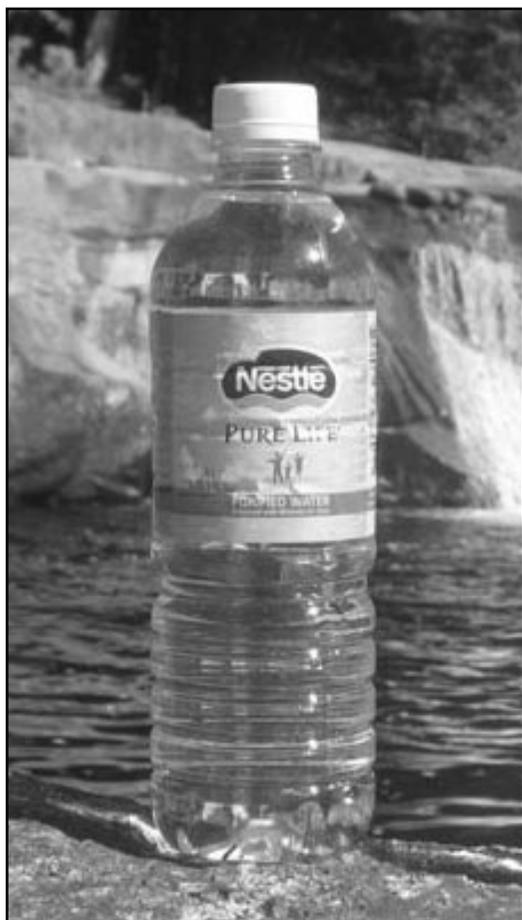


photo by Jonathan Carter

We worked our way through the samples, writing scores for each one. None of us could detect any odor, even when swilling water around in large wine glasses, but other differences between the waters were instantly apparent.

The variation between waters was wide, yet the water from the tap did not stand out: Only one of us correctly identified it. This simple experiment seemed to confirm that most people cannot tell the difference between tap water and bottled water. Yet they buy it anyway - and in enormous quantities.

Globally, bottled water is a \$46 billion industry. In 2004, Americans, for example, drank 24 gallons on average, making it second only to carbonated soft drinks. Ounce for ounce, it costs more than gasoline, even at today's high gasoline prices; depending on the brand, it costs 250 to 10,000 times more than tap water. Why has it become so popular?

It cannot be the taste, since most people cannot tell the difference in a blind tasting. Much bottled water is, in any case, derived from municipal water supplies, though it is sometimes filtered, or has additional minerals added to it.

Nor is there any health or nutritional benefit to drinking

bottled water over tap water. In one study, published in *The Archives of Family Medicine*, researchers compared bottled water with tap water from Cleveland, and found that nearly a quarter of the samples of bottled water had significantly higher levels of bacteria. The scientists concluded that "use of bottled water on the assumption of purity can be misguided." Another study carried out at the University of Geneva found that bottled water was no better from a nutritional point of view than ordinary tap water.

Admittedly, both kinds of water suffer from occasional contamination problems, but tap water is more stringently monitored and tightly regulated than bottled water. New York City tap water, for example, was tested 430,600 times during 2004 alone.

What of the idea that drinking bottled water allows you to avoid chemicals that are sometimes added to tap water? Alas, some bottled waters contain the same chemicals anyway - and they are, in any case, unavoidable.

Researchers at the University of Texas found that showers and dishwashers liberate trace amounts of chemicals from municipal water supplies into the air. Squirting hot water through a nozzle, to produce a fine spray, increases the surface area of water in contact with the air, liberating dissolved substances in a process known as "stripping." So if you want to avoid those chemicals for some reason, drinking bottled water is not enough. You will also have to wear a gas mask in the shower, and when unloading the dishwasher.

Bottled water is undeniably more fashionable and portable than tap water. The practice of carrying a small bottle, pioneered by supermodels, has become commonplace. But despite its association with purity and cleanliness, bottled water is bad for the environment. It is shipped at vast expense from one part of the world to another, is then kept refrigerated before sale, and causes huge numbers of plastic bottles to go into landfills.

Of course, tap water is not so abundant in the developing world. And that is ultimately why I find the illogical enthusiasm for bottled water not simply peculiar, but distasteful. For those of us in the developed world, safe water is now so abundant that we can afford to shun the tap water under our noses, and drink bottled water

instead: Our choice of water has become a lifestyle option. For many people in the developing world, however, access to water remains a matter of life or death.

More than 2.6 billion people, or more than 40 percent of the world's population, lack basic sanitation, and more than 1 billion people lack reliable access to safe drinking water. The World Health Organization estimates that 80 percent of all illness in the world is due to water-borne diseases, and that at any given time, around half of the people in the developing world are suffering from diseases associated with inadequate water or sanitation, which kill around five million people a year.

Widespread illness also makes countries less productive, more dependent on outside aid, and less able to lift themselves out of poverty. One of the main reasons girls do not go to school in many parts of the developing world is that they have to spend so much time fetching water from distant wells.

Clean water could be provided to everyone on earth for an outlay of \$1.7 billion a year beyond current spending on water projects, according to the International Water Management Institute. Improving sanitation, which is just as important, would cost a further \$9.3 billion per year. This is less than a quarter of global annual spending on bottled water.

I have no objections to people drinking bottled water in the developing world; it is often the only safe supply.

But it would surely be better if they had access to safe tap water instead. The logical response, for those of us in the developed world, is to stop spending money on bottled water and to give the money to water charities.

If you don't believe me about the taste, then set up a tasting, and see if you really can tell the difference. A water tasting is fun, and you may be surprised by the results. There is no danger of a hangover. But you may well conclude, as I have, that bottled water has an unacceptably bitter taste.

Tom Standage, author of A History of the World in Six Glasses, is technology editor of The Economist. This article first appeared in the International Herald Tribune on August 2, 2005.



photo by Paul Donahue

While consumers in wealthy countries can afford to drink expensive bottled water, many citizens throughout the developing world, such as in this slum in Lima, Peru, are left without access to safe drinking water.

Five Reasons Not to Drink Bottled Water

1. Bottled water is for the wealthy

Bottled water is not necessarily safer or cleaner than tap water, yet it costs more than gasoline and is up to 10,000 times more expensive than tap water. Bottled water is a choice only for those who can afford it. More than one billion people around the world lack reliable access to safe drinking water. Clean water could be provided to



photo by Paul Donahue

Plastic beverage containers, including those of bottled water (two of the three containers in this photograph), have added considerably to the plastic trash along Maine's coastline.

NRDC test, water from an industrial parking lot next to a hazardous waste site was marketed as "spring water" from a pristine source.

4. Bottling water harms the environment

The water bottling industry profits from the sale of this common resource at the expense of the environment.

Pumping can dry out springs, devastate wetland ecosystems, and drain aquifers. Transporting water from its source to the supermarket shelves is an expensive waste of energy. Additionally, hundreds of thousands of tons of non-recycled plastic water bottles sit in landfills worldwide. Less than five percent of the 40 billion pounds of plastic produced every year are actually recycled. Plastics are now the fastest growing sector of the waste

stream and presently take up more than 25 percent of the volume of material sent to landfills every year.

5. It is our water, not theirs

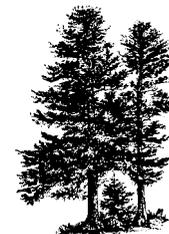
The \$22 billion a year bottled water industry is dominated by huge multinational corporations such as Nestlé, Danone, Coca-Cola, and PepsiCo. These corporations are actively engaged in trying to privatize and commodify a natural resource that belongs to all of us. When citizens' groups, communities or states have tried to regulate the commercialization of this vital resource by the water bottling companies, the companies have fought back aggressively, thwarting or attempting to thwart the will of the people. Every dollar we give them helps them grow stronger and further endangers our public resource.

The above information has come largely from:

"Bad to the Last Drop" by Tom Standage, published on August 2, 2005 by the International Herald Tribune

"Fact Over Fiction: Why pick tap over bottled water?", published by Public Citizen and available at www.citizen.org

"What's in That Bottle?", Consumer Reports, January 2003



everyone on Earth for about \$1.7 billion a year, less than a quarter of global annual spending on bottled water. The wealthy often buy bottled water while ignoring the decaying conditions of public water systems, leaving the disadvantaged to deal with their water source.

2. Bottled water is NOT safer

Approximately one-third of the bottled water brands recently tested by the Natural Resources Defense Council (NRDC) violated, in at least one sample, an enforceable standard or exceeded microbiological-purity guidelines. In one study, published in *The Archives of Family Medicine*, researchers compared bottled water with tap water from Cleveland, and found that nearly a quarter of the samples of bottled water had significantly higher levels of bacteria. The scientists concluded that "use of bottled water on the assumption of purity can be misguided." Admittedly, both kinds of water suffer from occasional contamination problems, but tap water is more stringently monitored and tightly regulated than bottled water. And then there are the plastic containers. Eight of the ten 5-gallon polycarbonate jugs tested by *Consumer Reports* left residues of the endocrine system disrupter Bisphenol A in the water. Many of the smaller bottled water containers are made of Polyethylene Terephthalate (PET) which can leach DEHP, another endocrine-disrupting chemical and probable human carcinogen.

3. Bottled water often carries misleading labeling

Approximately 25% of bottled water is merely tap water that has been processed and repackaged. Rules allow manufacturers to call their product "spring water" even if it has been chemically treated. In one case in the

Bottled Water – Liquid Gold??

Comparison of the Operating Expenses of the Oil Industry Versus the Bottled Water Industry

	Oil Percentage	Water Percentage without tax
Processing and Packaging	19.0%	3.0%
Distribution and Marketing	9.0%	97.0%
Taxes	26.0%	0.0%

How Much Water Profit?? 24-Ounce Bottle Water Calculator

Cost of one acre foot of water An acre foot of water is 43,560 cubic feet or roughly 326,000 gallons	\$ 1,630.00
Cost of Bottling	\$.10
Selling Price of 1 Bottle	\$.85
GROSS PROFIT for ONE ACRE FOOT SOLD	\$1,300,875.50

Nestlé's Horrific Corporate Record

by Paul Donahue

Nestlé S.A. or Société des Produits Nestlé S.A., headquartered in Vevey, Switzerland, is not only Switzerland's largest industrial company, but it is also the world's largest food and beverage company. With tens of billions of sales annually, it is one of the world's ten largest companies. It is the world leader in bottled water and coffee and is also one of the world's largest baby-food makers.

Nestlé USA, a subsidiary of Nestlé S.A., manufactures a wide variety of food products from chocolate to frozen dinners to pet food. The company also produces personal and health care products. Nestlé USA employs 21,000 people and reported sales of \$8 billion in 2004.

Nestlé Waters, another subsidiary of Nestlé S.A., with its 77 bottled water brands worldwide, is the largest bottled water company in the world and represents 9% of Nestlé's total sales. Nestlé is the largest bottled water company in the United States, where their brands have captured more than a 40% market share.

Most importantly, the huge multinational corporation is a noted corporate villain. Given the corporation's record, it is not surprising that it was selected as the "World's Most Unethical Company" by *Ethical Consumer Magazine* and voted one of "The Ten Worst Corporations of

1989" by *Multinational Monitor*. A detailed listing of all the corporation's crimes would take up more time and space than is available, but below are some of the highlights in the corporation's career of crime.

Nestlé is perhaps most notorious for its overly aggres-



sive marketing of baby formula throughout the developing world. An estimated 1.5 million infants die each year because they are not breastfed. Mixing the formula with unsafe water poses a significant health risk to the infants, with these bottle-fed children up to 25 times more likely to die as a result of diarrhea than a breastfed child. By the time a child is sick, the mother may well

have stopped producing her own milk for the child. Since 1977 (with a break from 1984-1988), Nestlé has been the target of a boycott, now reaching to 20 countries, because of its aggressive and immoral marketing of artificial baby milk. Nestlé's tactics are in violation of the World Health Organization's International Code of Marketing of Breast-Milk Substitutes and contribute to the death and suffering of infants around the world. These marketing tactics helped get the corporation voted one of "The Ten Worst Corporations of 1989".

Nestlé has an appalling record when it comes to labor and human rights violations. The company purchases a portion of its cocoa from the Ivory Coast, where it has been found that children have been forced or tricked into leaving their homes to work as indentured servants on cocoa plantations. It is estimated that between 10,000 and 15,000 children work on these plantations, some as young as 11 years old. The International Labor Rights Fund has sued Nestlé, Archer Daniels Midland, and Cargill in Federal District Court in Los Angeles for involvement in the trafficking, torture, and forced labor of children who cultivate and harvest cocoa beans that the companies import from Africa. They filed suit on behalf of a class of Malian children who were trafficked from Mali into the Ivory Coast and forced to work twelve to fourteen hours a day with no pay, little food and sleep, and frequent beatings. *Source: International Labor Rights Fund and www.responsibleshopper.org*

Nestlé is among those companies who have chosen to
continued on page 11

Nestlé's Many Brands

Nestlé's brands are many, indeed. Below is a partial listing of some of the better known brands found in the US. Much more extensive listings can easily be found on the web. We suggest joining the boycott against Nestlé by avoiding these brands when shopping.

Bottled Water

Aqua Cool
Aqua Spring
Aquarel
Arrowhead
Calistoga
Deer Park
Great Bear
Hidden Spring
Ice Mountain
Oasis
Ozarka
Perrier
Poland Spring
Pure Life
San Pellegrino
Utopia
Valvert
Vitell
Zephyrhills

Baby Foods

Alete
Beba
Beech-Nut
Carnation
Good Start
Lactogen
Neslac
Nestlé Babymilk
Nestogen
Nestum
Nido

Dairy Products

Carnation
Coffee-Mate
Dairy Farm
Dreyer's
Fruit Joy
Gloria
Häagen Dazs
Klim
La Lechera
Nespray
Nido
Omega

Beverages
Bonka
Chase & Sanborn
Hills Brothers
Juicy Juice
Kern's Juice Nectar
Libby's
Milo
Nescafé
Nescau
Nespresso
Nesquik
Nestea
Ricoré
Taster's Choice

Chocolate & Confectionery

Aero
After Eight
Baby Ruth
Baci
Bit O Honey
Butterfinger
Chunky
Crunch
DeMets Turtles
Do Frozen Juice Bars
Goobers
KitKat
Oh Henry
Perugina
Polo
PowerBar
Smarties
Snowcaps
Sunmark Raisinets
Wonka

Prepared Foods

Berni
Buitoni
Chef America
Chef Benedict
Condipasta
Contadina
Crosse & Blackwell
Davigel
Hot Pockets

La Cocinera
Lean Cuisine
Libby's
Maggi
Ortega
Stouffer's

Other Groceries

Albers
European Style
Jung
Mosline
Saaso
Toll House

Personal Care Products
Alcon Eye Care
Biotherm
Garnier
L'Oreal (almost 50% owner)
Lancome
Warner Cosmetics

Petcare

Alpo
Chef's Blend
Come 'n Get It
Dr. Ballard's
Fancy Feast
Felix
Fido
Friskies

Go Cat
Gourmet
Mighty Dog
ONE
Pro Plan
Purina
Spillers
Tidy Cats
Vital Balance

Restaurants

Borel's
Cheese Cellar
Chicago
J.B. Winberie
James Tavern
One Nation
Parker's Lighthouse
Pier East
Rusty Scupper
Stouffer's
The Roxy
The Whole Grain

Food Services

Chef
Davigel
Minor's
Tino

The Forest Ecology Network Bookshelf

Blue Gold: The Fight to Stop the Corporate Theft of the World's Water

by Maude Barlow and
Tony Clarke
Paperback: 296 pages
April 2003
W. W. Norton & Company
ISBN: 1565848136



In 1998, the World Bank refused to guarantee a \$25 million dollar loan for an upgrade of Cochabamba, Bolivia's water system

unless the government would first agree to sell the system off to a private company. In this, the Bank was operating within what Maude Barlow and Tony Clarke characterize as the "so-called Washington Consensus," the post-Cold War understanding between governments and multinational corporations that "everything is for sale, even those areas of life such as social services and natural resources, that were once considered the common heritage of humanity."

As its title indicates, however, *Blue Gold: The Fight to Stop the Corporate Theft of the World's Water* maintains that the "consensus" often excludes crucial parties—in this case, the actual population of Cochabamba. The World Bank had also required that the water system's new private owner—a subsidiary of the San Francisco-based Bechtel Corporation formed for that express purpose—bill all customers at full-cost, with no subsidies for anyone who might have trouble paying. The policy resulted in tens of thousands of angry Cochabambans taking to the streets in January 2000, shutting their city down for four days to protest the increased water rates. With some spending more on water than food, pollsters found 90 percent of city residents in favor of Bechtel returning the water to public control. In the end, the President of Bolivia voided the contract (Bechtel is suing for \$40 million)—but not before declaring martial law.

Samuel Taylor Coleridge's ancient mariner saw "Water, water, everywhere, and not a drop to drink," and Canadian activists Barlow and Clarke have actually run some of the numbers on the mariner's observation: available fresh water constitutes less than a half of one percent of the overall water on earth, the rest being either sea water, or frozen in the polar ice caps, or underground and inaccessible. Meanwhile the demands placed upon this water have grown immensely since the days of men sailing the seas with birds hanging from around their necks, as the earth's population has burgeoned from 1.6 to 6.0 billion during the 20th century and altered the planet's water system more radically than all of the human race's other centuries combined.

By 1900, about 9,000 of the planet's rivers and streams had been altered for navigation purposes; Barlow and Clarke estimate that by the year 2000, the number had reached 500,000.

At mid-20th century, there were approximately 5,000 large dams; by the beginning of the 21st, 40,000. The Global Water Policy Project describes the limits of such changes: "The Nile in Egypt, the Ganges in South Asia, the Yellow River in China, and the Colorado River in

America are among the major rivers that are so dammed, diverted, or over-tapped that little or no fresh water reaches its final destination for significant stretches of time."

You will probably not be shocked to read that there are major differences in water's availability and use from continent to continent, but the degree of this disparity may shock you. The typical North American uses 1,289 cubic meters of water annually; the average European, 694; Asians, 535; South Americans, 311; and Africans use only 186 cubic meters a year. Within this global "water market" that the "private sector" aims to crack and corner, households and municipalities currently account for 10 percent of total usage, industry 20 to 25 percent, and agriculture the rest.

Blue Gold's real subject is not these physical facts, though, but the political and ideological ones, such as the North American Free Trade Agreement (NAFTA) and World Trade Organization declarations of water as a "good," "service," and an "investment" that provides private corporations grounds for challenging any nation's controls on water export or import as an unfair barrier to free trade. Fortune magazine predicts that in the 21st century water will be "what oil was to the 20th century: the precious commodity that determines the wealth of nations," and estimates that "the annual revenues of the water industry amount to approximately 40 percent of the oil sector...already one-third larger than the pharmaceutical sector."

continued on page 9

Water

by Marq de Villiers
Paperback - 368 pages
2000
Stoddart
Publishing
Co. Limited,
Toronto, Ontario, Canada
ISBN:
0618127445

"You don't know what you've got 'til it's gone"... a popular folk song refrain, even a worn out cliché. Never has it seemed so true until reading Marq de Villiers' *Water*. As I write this there is fighting in the Middle East, Israelis versus Palestinians in an internecine war that at its base is a war over resources, in particular, water. Other potential fights between nations in numerous parts of the world could also be attributed to the problem of water distribution as much as to religious and political differences. Despite the fact that the mainstream media almost totally ignores the vital issue of water, the rest of us can not afford to do so.

Indeed, after reading Marq de Villiers' book, entitled *Water*, I am more amazed that the evening news reports

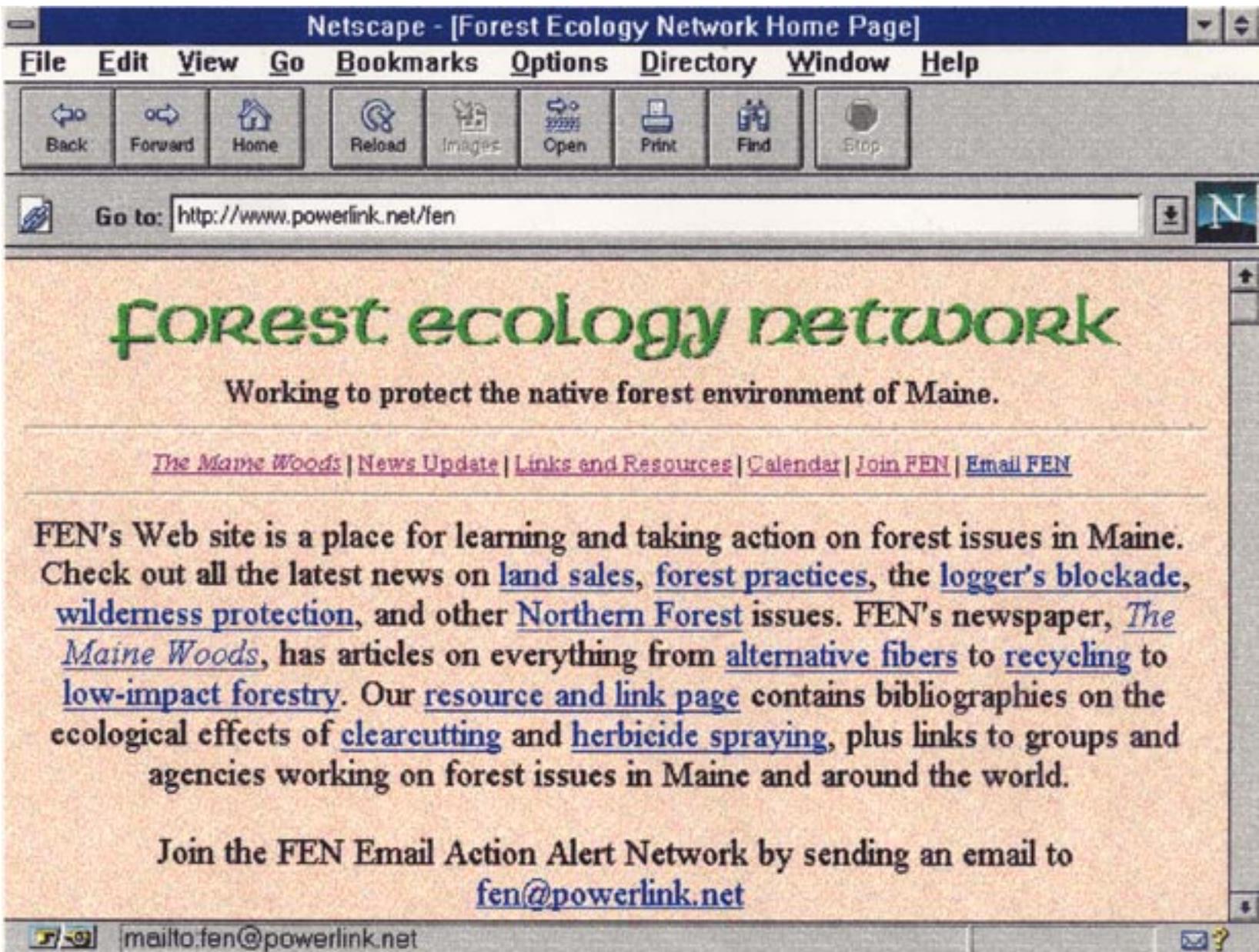
do not pay more attention to water issues globally. This well-written book points out very graphically the challenges "developed" and "developing" nations all share concerning water resources. As a caveman might be able to demonstrate easily, we can do without petroleum products, but we can not survive without water.

Luckily, water is a resource that generally has not required much careful consideration for those of us who live in the Northeast. We have had abundant snow in the winter and adequate rain in the spring and summer to recharge homeowners' wells and deeper, municipal aquifers, and to keep rivers flowing, and lakes full. However, recently this seems to be changing. Winters are warmer with less snow, rain comes when the ground is still frozen and can not be absorbed by the ground. In general, there has been less precipitation. Although the newspapers in Maine this winter and spring have been full of headlines using the words drought and decline and shortage, most of us truly do not have an inkling of what it means to genuinely suffer from a lack of water. For that we must look to the drier parts of our nation and beyond, to countries where peoples' very daily existence revolves around the search and procurement of water with which to drink, cook and clean. Marq de Villiers helps us do just that as he reports his findings from worldwide journeys.

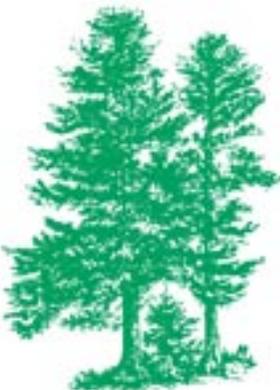
de Villiers' easily read book on the state of water resources worldwide is a sobering text. It reports what we have done historically to use and abuse water from the earth's rivers, lakes, ponds and wetlands, and increasingly, from underground aquifers. The author explains the hydrological cycle, the global distribution of water resources, and the pressures on the system, such as contamination and pollution, from rapidly growing, increasingly industrialized populations around the globe. de Villiers does an excellent job of describing how politicians, farmers, ranchers, and industrialists from southern Africa to northern Russia, North and South America, the Middle East, the Indian Subcontinent and China have wrangled historically over water rights. He continues right up to today's headlines, chronicling global conflicts, some taking place in board rooms, others in government offices, yet others in the streets of desperate communities. Fortunately, we have often been able to negotiate solutions to our differences and have not always resorted to warfare and subterfuge. Marq de Villiers' book, *Water*, eloquently explains why there is so much conflict over water rights. This text puts in perspective and explains many current and potential conflicts in the world. The author quotes scientists, businessmen and politicians on both sides of water resource issues, using anecdotes about these persons and the places they care about to make the stories flow smoothly. His descriptions of the earth's arid locations make you feel as if you are there with him as he visits a massive pumping project in Libya or the dried-out polluted shores of the Aral Sea or a California reservoir.

His conclusions in this riveting book are dire, so I hope that the last chapter and afterword, which are optimistic in tone, come to pass. In my own view, it seems obvious that we will continue our fights in the coming decades over who gets how much water and whether it is potable. Even worse, the potential certainly exists for the escalation of these water wars. I highly recommend this very engaging and thought provoking book.

Teresa Wood
Machias, Maine



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network**



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