

## Exhibit 1 to July 16, 2021 Comment Letter

Commissioners,

Unbottle and Protect Chaffee County Water does not agree with the legal process or the decision to grant a permit to Nestle/BlueTriton. However, in the spirit of cooperation, we propose the following conditions which have been formed with input from our members.

### **Driving Conditions**

- Specify a job quota requirement (not a target) and have BlueTriton make up any job shortages with additional dollar investments in the community equivalent to the missing wages.
- Require trucks to be identifiable and not to impede traffic. Phone number to report safety violations must be clearly visible on each truck.
- Trucks must be fueled in Chaffee County and be registered in Colorado.

### **Philanthropy**

- Blue Triton to fully fund the comprehensive plan's sustainability program, the county's recycling program, and also provide significant funding for the Chaffee County Community Foundation.
- BlueTriton to pay a royalty per gallon and out-of-state diversion fees. (CRS 37-81-104)

### **Accountability**

- In addition to publicly presenting their annual reports, the full reports should be kept publicly available online, along with the raw monthly data.
- Hire outside legal counsel, paid for by BlueTriton and chosen by the county, with extensive contract and 1041 permit experience to review the permitting process and drafted conditions.
- Permit term shortened to three years, as previously suggested by GARNA and Trout Unlimited.
- Add clear, legal language and criteria, stating how BlueTriton would formally reapply for an extension.

- All donations outside of the sustainability program must administered through the Chaffee County Community Foundation with transparency of organizations that are funded.
- Fully fund independent data collectors chosen by the county (e.g. USGS) who will not only review the BlueTriton-provided data but also be permitted to collect data on site to compare to BlueTrtion's data regarding the aquifer depth etc.
- All related parties will sign the conservation easement prior to permit issuance. BlueTriton will fund the monitoring of wetlands, noxious weed removal, and grazing requirements per the land management plans. The company's compliance should not become a financial burden to the taxpayers.
- Add consequences/penalties for not meeting a permit condition, including, but not limited to, immediate termination of the permit.
- Include clear, strong language to cancel the permit and require a new application if BlueTriton Brands, or any of its parent entities (e.g. Triton Water Holdings, Inc.), is sold to or merged with any other entity, in full or in part, regardless of the ownership of the other entity

## **Sustainability**

- Cut maximum annual pumping to the historical use amount, less than half of what was previously permitted (This has also been suggested by GARNA and Trout Unlimited). Clearly state at what level or circumstances pumping must stop and what oversight will be conducted.
- All donations of water bottles must be by requested, not just distributed for advertising/public relations purposes.
- Have a full ecological assessment completed and available to the public within the 3-year term.
- Add a condition that the water cannot be exported outside of Colorado. (CRS 37-81-101)