

Great Lakes for sale! Michigan's Odawa Indians lead anti-Nestle fight

by *Brian McKenna*

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If water is the oil of the 21st century, then Michigan, smack dab in the middle of the Great Lakes, is Saudi Arabia. And after banging their straws at the Big Dipper for years, Nestle Corporation has finally succeeded in plunging into the liquid gold.

On February 28th Michigan Governor Granholm signed a bill that will, for the first time, permit a multinational corporation to scoop up given amounts of the Great Lakes and sell bottled water across the world. For the first time in history the concept of the Great Lakes as a commons for all to enjoy has been breached. And NAFTA, as we'll see, might insure a run on the Great Lakes.

The new Michigan law allows Nestle Corporation to continue its five-year takings of up to 250,000 gallons per day and sell them at a markup well over 240 times its production cost. Nestle's profit from drawing this water could be from \$500,000 to \$1.8 million per day. A key proviso is that the bottles can be no larger than 5.7 gallons apiece.

Nestle had been ferociously fighting in court to prevent Granholm from exercising her veto power against diversion, but with her acquiescence to the 250,000 limit, Nestle dropped its suit.

The irony is that most mainstream environmentalists compromised with Nestle and the Governor. James Clift the policy director of the Michigan Environmental Council (MEC), a coalition of about 70 environmental organizations, called the new law, "a huge step forward for Michigan." Not so says Dave Dempsey, the former Policy Director of MEC. "I think Nestle is dancing in the streets." Dempsey is author of "On the Brink, The Great Lakes in the 21st Century."

NAFTA's Trojan Horse

Few Midwesterners are aware that the ubiquitous Nestle bottled water filling their shopping carts is really the peoples' water. How could they know? Nestle calls the water "Ice Mountain," and they adorn their plastic containers with a majestic snowy Mountain, even though there are no such places in Michigan, let alone Mecosta County where it draws the water from four wells 60 miles North of Grand Rapids.

Truth in advertising might require Nestle to label the bottles, "Your Great Lakes for Sale Plundered at a 24,000% mark up."

Under NAFTA's Chapter 11 corporations are protected from differential treatment meaning that Pepsi could line up next. Once one corporation gets its foot in the door to extract a resource there are no restrictions on others to do the same. If barriers were put up against Pepsi, for example, they could sue Michigan government for a potential loss of profits.

For years there has been talk about ocean tankers loading up the Great Lakes water for the Far East, or a pipeline diverting the bounty to the dry Southwest which has already mined the Colorado River. Michigan environmentalists succeeded in stopping those types of water diversion - for the moment at least - but they failed to stop this Trojan horse of privatization on the Great Lakes. Nestle came to Michigan after former Republican Governor Engler enticed with a sweetheart \$10 million deal to create jobs after Wisconsin's citizens and tribes kicked them out.

Largest gathering of Great Lakes Tribes since 1764

First Nations people are at the forefront in mounting challenges to Nestle and the nation state sovereigns along several fronts. Frank Ettawageshik is Chair of the Little Traverse Bay tribe of Indians. In February, 2002 the tribe filed suit against Nestle and Governor Engler in federal

court contending the Ice Mountain project violated the 1986 Water Resources Development Act which protected water as a public trust. It was later dismissed in June 2002, the judge claiming the tribes had no right to sue.

Ettawageshik fought on, telling audiences he feared, "soon there will be bus tours of the sunken ships of the Great Lakes," if this goes forward. He calls the Lakes, "the white pine of the 21st century," referencing the logging assault which felled most of Michigan's forests in the nineteenth century.

Angry that the U.S. and Canadian governments disrespected the tribes in its 2001 Great Lakes Charter, where tribes were treated as "stakeholders" not sovereign nations, Ettawageshik deliberated with other tribes about a response. After a while he joined John Beaucage, Grand Council Chief of the Union of Ontario Indians to form a coalition of more than 140 tribes to sign the historic Tribal and First Nations Great Lakes Water Accord.

The organization is called the United Indian Nations of the Great Lakes (UINGL) and it was officially launched in April 2005 in Niagara Falls, Ontario. The location is historically significant. It was the largest gathering of Great Lakes native leaders since the Treaty of Niagara in 1764. That Treaty grew out of the Royal Proclamation of 1763 which provided all land west of the Ottawa River as Indian land.

Ettawageshik was influenced by the Water Walkers of the Great Lakes. In 2003 Indian women began journeys around the Great Lakes carrying a copper bucket full of water. They want to recall the traditional Anishnabe role of women as protectors of water, what they call the lifeblood of Mother Earth. So far they have completed treks around Lakes Superior, Michigan and Huron. They begin their walk around Lake Ontario on April 29, departing from Niagara. "We're not stakeholders but bonafide owners," Bob Goulais, a spokesperson for the Union of Ontario Indians, told me. "The Great Lakes are not for sale."

The tribes are supporting Clean Water Action which is beginning a petition drive to amend Michigan's Constitution to stop privatization. "Enshrining Great Lakes diversion protection in the Michigan Constitution may be the best and the only way, in the end, to keep our waters from being privatized and sold off to the highest bidders," said CWA's David Holtz.

Nestle Votes with Its Feet on March 16th

Nestle claims it cares about Great Lakes preservation but it was a no show on March 16th when Senators Clinton, Obama, Jeffords, Levin and other dignitaries assembled at the U.S. Senate Committee on Environment and Public Works to hear testimony from Great Lakes Governors for \$20 million to preserve and protect the Lakes. Yellow perch have declined by 80% in Lake Michigan over past 25 years due to the zebra mussel. Raw sewage is a huge problem as are exotics like the sea lamprey which preys on native fish.

"Some of us joked that the Great Lakes should be in pristine condition for Nestle Waters to ship it out in millions of little 12 oz. bottles!" said Mary Lindemann, a tribe spokesperson. No matter, Senator James Inhofe, Republican from Oklahoma, said that funding for Great Lakes restoration is unlikely in these tight fiscal times. The nation has other priorities.

The story was different that day in Mexico City. On March 16th about 10,000 protesters marched outside the Fourth World Water Forum in Mexico City, some "armed" with wooden rifles. Water diversions, long water lines and sewage stink are propelling outrage. Protesters organized an alternative forum, a few miles away, claiming that the official summit is a cover for companies that want to privatize water services.

Nestle was central to the gathering, sponsoring five grade school students to the official summit. Two were 12-year-old girls from Wisconsin, which sits in the Great Lakes basin. They are part of the American Indian Science and Engineering Society whose work focuses on the use of rice to clean and filter water. According to Nestle, they "created awareness about the spiritual and ecological importance of this traditional Native American plant." Meanwhile Nestle

fighters the Great Lakes Indians tooth and nail in Michigan, while absenting itself from the Senate Meeting that day in D.C. Nestle, which brought us the infant formula scandal (in which hundreds of babies died after Nestle persuaded moms to forego their breasts in favor of the formula which they mixed with polluted water) has no shame.

Michigan as Tap and Dump

Picture two trucks passing one another at Michigan's border. One is taking away tons of Michigan's fresh water while the other is bringing in tons of Canadian garbage.

That's the reality.

As the estimated 190,000 diesel powered Nestle trucks ship out Michigan water every year, another 295,000 dump trucks enter, bearing Canadian trash. In fiscal year 2005 the 11.5 million cubic yards of Canadian mess was equivalent to a trail of bumper to bumper trucks stretching 1,233 miles long, each with 40 cubic yards of waste. Thanks to NAFTA, Michigan governments cannot stem the tide, as privatized landfills make enormous profits from the commodities in circulation, against citizen outrage. Michigan's soil and water are available to capital at bargain basement prices. Meanwhile the polluted air from all the trucks wafts over the Mitt, just another social cost shouldered by the lungs of Michigan's citizens.

In short, the Wolverine state is now host to a neoliberal orgy of environmental profiteering and pollution.

Tribes represent a counterculture to neoliberalism, putting forth a public politics that underscores a collective responsibility to resist capital encroachments.

Michigan Governor Granholm herself called the tribes "Michigan's original environmentalists," when she signed an Intergovernmental Accord with them in May 2004. But she didn't listen closely enough when the tribes told her that "Preserving the environmental quality and quantity of Great Lakes water resources for the present and for the next seven generations is absolutely essential to the Tribes."

Indians are at the forefront of establishing an anti-corporate discourse and movement. They were at the fore in Bolivia against Bechtel, on the march against multinationals in Mexico City, and are now at the lead in the Great Lakes. But mainstream environmentalists typically resemble the nation's Democrats willing to accommodate and concede, rather than stand their ground.