



Q: How long have discussions been going on between Niagara and Bloomfield?

NIAGARA SAYS. *"Niagara began looking for a site in the northeast in 2013. Discussions with the Town of Bloomfield and the Metropolitan District Commission (MDC) began in 2014. Niagara has been straightforward in its discussions and negotiations and has followed all legal requirements. At the same time, Niagara is a business that conducts multiple expansion searches throughout the country. As this process occurs concurrently, it is important from both a competitive and contractual perspective that the company not disclose all elements of its intentions until the successful conclusion of the due diligence process and the decision on a location is announced. "*

BUT THE FACT IS... While discussions began in early 2014, they halted when Niagara decided that Ulster, NY better met their financial requirements. Fortunately for New York citizens, the environmental review required by NY state allowed citizens to ask questions, participate in discussions of Niagara's "opportunity", and educate their local government about selling a public resource for a private company's profit. Niagara ultimately left NY empty-handed.

They resumed their site search in early 2015. MetroHartford Alliance coordinated the push to attract Niagara to Bloomfield. Per a Feb. 18, 2015 e-mail marked "CONFIDENTIAL" their spokesperson notes that "the Niagara Bottling project may have life again in Connecticut!", that there have been "some challenges to the location in Ulster, NY...making the alternative Bloomfield site back on a short list!" MetroHartford Alliance also carefully notes that there was "local opposition to... the use of water drawn from the city's reservoir...[and] public opposition to the use of a public commodity for a private company's profit." The message in this e-mail is clear: don't let this happen in Bloomfield.

Bloomfield Town Staff and Officials proceeded with negotiations, being careful not to needlessly inform the public. No applications during the permitting process listed Niagara; a third-party consultant shepherded the process and that name appeared

on all applications, which also did not identify the facility as a bottling plant. Members of the Town's Wetlands and Planning & Zoning Commissions did not know the identity of the applicant. An Oct. 29, 2015 e-mail from Bloomfield Town Manager to Town Council members notes that "the Town has received Niagara Bottling's Inland Wetlands Permit application" even though that information can be found nowhere in the public record.

The proposed Niagara tax abatement was originally scheduled to be taken up by the Town Council Financial Subcommittee on Nov. 16, 2015. Prior to the meeting, Katie Booher, Niagara Economic Development Specialist, sent an e-mail to Town Planner Jose Giner stating "Will the company's name be mentioned? If so we may need to pull it from the agenda and postpone till the next. We are not ready for that to be public." Giner canceled the meeting.

With permits in order, the Financial Subcommittee met on Dec. 7 and the Town Council met on Dec. 14 to approve a \$4.1 million tax abatement (which has since increased to \$4.9 million) for Niagara. The general public learned of the proposed Niagara Bottling plant and tax giveaway from a Dec. 15, 2015 *Hartford Courant* article on the Council's action the night before.

CT residents have a right and duty to be informed about what is going on in their communities so they can make wise choices about what **THEY** consider economic development and fully understand what the potential downside may be. Niagara's actions in conjunction with the Town of Bloomfield and the MDC completely subverted this process.

Q: Why should Niagara get tax abatements?

NIAGARA SAYS. *"Tax abatements are economic development tools that governments use to attract and keep business. Niagara will be investing over \$70 million in the new plant. We will receive tax abatements totaling about \$4 million over 7 years. After that time, Niagara will be taxed at the assessed rate."*

BUT THE FACT IS... Actually the abatement totals about \$5 million, if the latest analysis provided by the Town of Bloomfield is accurate. In some cases, tax abatements or subsidies may be appropriate if they a) produce the types of business activity that the community desires and b) produce a multiplier effect that enhances economic activity throughout the community. Most often, however, tax abatements are a form of corporate welfare, brought about by companies like Niagara by

pitting municipalities against one another in a bidding competition to attract the company to their town. (And by the time the process is over, much of the supposed benefit for luring the company has been given away, so it becomes a self-defeating process.) Tax abatements should never be given to extractive, polluting, absentee corporations.

Bloomfield voted to award Niagara a projected \$4.9 million of abatement over seven years. Over the seven years they pay little to Bloomfield while the town gets: Increased municipal costs (road maintenance, police protection, fire, etc.), none of which were considered by Bloomfield in analyzing the abatement; A “big box” robotic manufacturing facility located on once-fertile farm land – development inconsistent with resident desires and the Town’s Plan of Conservation and Development; 38 to 75 mostly low-paying jobs – there is no guarantee that Bloomfield residents will receive any of the jobs; Increased truck traffic, and pollution from plastic production, diesel exhaust, etc. When questioned on the appropriateness of the tax abatement, Mayor Gamble responded to a state legislator on Jan. 12, 2016, “We are offering tax breaks, but, is this any different than what the Governor is offering to major businesses?...We do not have another taker in the economic development manufacturing line up.” Bloomfield’s motivation is desperation: they must meet Niagara’s profit hurdles so that they won’t ‘get away’ (i.e. choose a different location) as this is the only opportunity the Town sees on the horizon, regardless of the quality of the business. This is fear-based development, not economic growth, and it squanders the state's best "new business" calling card, water.

Q: Why is Niagara paying less for its water?

NIAGARA SAYS. *"Niagara will pay the same rate as every other customer for the first 500,000 gallons per day. Beyond that, Niagara will pay a reduced rate, which is not at all uncommon for high-volume industrial users. Other water providers in Connecticut offer similar discounts for large users."*

BUT THE FACT IS... While it may not be uncommon, discounts for high-volume users discourage conservation and are unsound public policy. This is particularly true here, where the MDC is promoting this policy as a way to “pay for our infrastructure.” At full production of 1.8 million gallons per day of water, Niagara will receive a discount of over \$300,000 annually. High-volume users like Niagara who are tapping into the system not to meet human needs but to generate profit, should pay at least full price – if not more – for accessing the infrastructure

paid for by residents of all MDC towns. At a basic level, the discounts contradict the MDC's stated reason for selling to Niagara – they are not requiring Niagara to fully pay for the infrastructure. At a higher level, the MDC is transferring the value of the water system from the citizens of the MDC towns – the owners – to Niagara. Perhaps we should be like Alaska: if our water is such a valuable resource to sell, then selling water to Niagara should generate dividend payments to MDC customers.

Q: What About the Special Sewer Service Fee Discount?

NIAGARA SAYS. *"This is a question that Niagara doesn't pose to itself; believe us, they and the MDC do not want you to know about this. You will not find discussion of this giveaway in either Niagara's or the MDC's documents."*

BUT THE FACT IS... While the water rate discount is bad enough, this discount is worth substantially more: between \$1.5 and \$1.6 million annually when Niagara is running at full 1.8 mgd production. The MDC assesses a Clean Water Project Charge (CWPC), formerly known as the Special Sewer Service Charge (SSSC), from all users of both MDC water and sewer in order to pay for the Clean Water Project. For 2016, the charge for the CWPC is \$3.25 per ccf of water, a rate over 20% higher than the water charge of \$2.66 per ccf. At the same time that the MDC amended their water rate structure for "large users" (read "Niagara"), they also amended what those same users pay for the CWPC, allowing such users to apply special rules that dramatically reduce what they pay. At full production, Niagara would pay a rate of only \$0.65 per ccf on the majority of their usage and a blended rate of approximately \$1.37 per ccf on their total usage (versus everyone else's rate of \$3.25 per ccf).

What lead to this discount? An August 20, 2015 memo titled "Niagara Bottling, LLC General Business Matters: Exemption for Special Sewer Service Charge" from Todd Uhlick, Director of Expansion and Real Estate at Niagara, to MDC CEO Scott Jellison states directly: "At this stage, the Special Sewer Service Charge ("SSSC") imposed by the MDC, if not mitigated in some way, makes our move to an area within MDC jurisdiction essentially cost prohibitive."

What follows in September is a scramble by the MDC to revise their pricing to suit Niagara (sending the proposed ordinance changes to Niagara for review!) and, like the Town of Bloomfield, to make sure that this one doesn't 'get away.'

Q: How much water will Niagara actually draw from the MDC's water supply?

NIAGARA SAYS. *"Niagara will not put stress on the MDC's water supply. When we are at full capacity, we would use 2.3% of the MDC's daily supply. So while 1.8 million gallons a day may seem like a large number, in the context of the 77.1 million gallons per day that the MDC has available at capacity, this is a reasonable amount. Right now, the actual average daily usage is 47.87 million gallons – a healthy spread between usage and capacity."*

BUT THE FACT IS... As BloomfieldCitizens.org and numerous other groups have noted in reviewing this proposal and the proposed UConn pipeline in 2013, no one knows what the current MDC "capacity" really is. The "safe yield" of 77.1 million GPD cited by the MDC was established in the late 1990s using earlier data and hence is a 20 year old benchmark that has not been updated for hydrological and climate change.

Beyond the question of whether there is sufficient excess 'margin' to draw another 1.8 million GPD from the MDC system, this assertion sidesteps the larger issues of a) what should be the maximum draw and b) if there is excess beyond that, what should be done with it. The view of many Connecticut residents is that the water is not an asset for the MDC to hoard in its piggy bank waiting to sell to a water bottler but rather a part of the environment that should be released back into the river system to restore it to health. This would have the benefits of a) creating healthy communities, which will ultimately generate real economic benefit to the people of Connecticut (rather than monetarily transferring profit to Niagara) and b) potentially reducing the MDC's infrastructure costs (their stated goal for the Niagara deal).

Q: With all of the problems municipal water systems are having – Flint Michigan being the most tragic recent example – how can we trust that our representatives are telling us the truth?

NIAGARA SAYS. *"Niagara will have absolutely no control over how your water is delivered or treated. We will simply be a customer, just like any other commercial user. The situation in Flint is a tragedy, but it in no way relates to Bloomfield. In fact, Niagara is donating a significant amount of the bottled water that the people of Flint are using. Your Metropolitan District Commission is an outstanding water system."*

BUT THE FACT IS... While comparing the situation in Bloomfield to Flint is like comparing apples to oranges in many ways, on a macro level they can be linked quite simply: mismanagement of the public water system largely motivated by finance. While it is true the Niagara's plant will have no control on how water in the MDC system is "delivered or treated," they are already having an effect on the management of the system: the MDC is focusing on selling water and turning it into a private commodity rather than their stated charge of managing a public resource. This is evident from the discounts constructed to "entice" Niagara – not collecting the full load for infrastructure could produce a result similar to Flint here in the future. (One can argue that short-term thinking and undercharging for water are what lead to the consent decree between the MDC and the EPA for the Clean Water Project.)

As for donating bottled water to Flint, this is a band-aid on a much larger problem. While we certainly want Flint citizens to have a source of safe potable water, we aren't surprised that water bottlers would jump on this opportunity to promote themselves as humanitarians. It would have been more effective and environmentally sound to send tanker trucks.

Q: How does Niagara plan to make a positive impact on the Bloomfield community?

NIAGARA SAYS. *"Niagara has a 50-year tradition of giving back, both on its own and in partnership with others. In 2015 alone, Niagara donated millions of dollars and thousands of volunteer hours to provide scholarships, grants, and fund community projects. Niagara is also dedicated to providing bottled water to those in need when it's needed most and is a supplier of product to our first responders. Thanks to partnerships with organizations like Feed The Children and Feeding America, Niagara is able to assist thousands of its neighbors across the country every year."*

BUT THE FACT IS... This is what these companies do – they donate to local charities and participate in the community to appear to be a good neighbor. (They have corporate policies and staff devoted to marketing, as this document demonstrates.) At the same time they are looting the community by privatizing natural resources and feeding at the public trough through tax abatements, discounts, etc. If they really wanted to "contribute to the community" then how about eschewing these financial incentives?

Bloomfield residents' actual experience with Niagara tells a different story. Niagara wouldn't come to talk to Bloomfield residents and answer their questions despite the mayor's request in January 2016. They sent a message from their lawyer. At 7:28 p.m. on January 11th (2 minutes prior to the start of the first Town Council meeting after Niagara was made public), Todd Uhlick, Director of Expansion and Real Estate at Niagara, in an e-mail to Mayor Joan Gamble, stated: "Let me know if there's something you need to help quell the opposition." Niagara requested the names of all the Bloomfield residents who spoke out against them on Jan 11th before such information was public knowledge. The Town Planner obliged by sending the list of names on January 12th. Secrecy and intimidation aren't very positive impacts on a community.

Q: Will the 70-plus jobs that Niagara will create in Bloomfield be decent jobs?

NIAGARA SAYS. *"Yes, Niagara takes pride in offering competitive wages. The living wage for Hartford, CT for a single adult is \$11.70 per hour (MIT Living Wage Update, 2014). Niagara's average hourly wage for an entry-level production worker is \$13.46 per hour. This represents a 15% increase above the living wage of the county. According to the MIT Calculator (2014), typical annual salaries for Production and Transportation & Material Moving positions in Hartford, CT are \$37,010 and \$32,340 respectively. Historically, Niagara has scheduled overtime for production workers. Average entry-level annual salaries are between \$36,000 and \$38,000. Wherever possible, Niagara promotes from within. In 2015, 61% of Niagara's promotions came from within the company."*

BUT THE FACT IS... No. Niagara pledges only 38 low-wage jobs initially. While the number might rise to 70-plus if bottling lines are added, water bottling already is largely robotic and that trend will only continue. The description in the Inland Wetlands application (for the non-disclosed facility) cites a "hi-tech, low personnel manufacturing facility."

A living wage is dependent on how many 'dependents' one has to support. What is the usual family-size of a Niagara employee and how does the \$13.46 entry-level wage stack up against CT ALICE (Asset Limited, Income Constrained, Employed) benchmarks?

What are the median statistics? Averages are generally skewed upward by a few highly-paid managerial employees, especially in factories with an abundance of

menial jobs.

The citizens group in Ulster, NY attempted to determine how many of the higher-wage positions (managerial) would be based in the community vs. those that will be created at Niagara's headquarters. In Ulster Niagara responded that they couldn't share this information as it would jeopardize their trade secrets with competitors. We know that there are sites that report unhappy workers for Niagara. Read [HERE](#) what Niagara employees have to say about working for this "family-friendly" company.

Q: Should Bloomfield be encouraging people to drink bottled water when our tap water is so good?

NIAGARA SAYS. *"Bottled water has an important place in a modern world. Studies have shown that people don't drink bottled water as an alternative to tap water. They drink it as an alternative to sugary sodas and juices, which are less healthy choices. As Americans have become more health conscious, bottled water consumption has grown, while soda and bottled juice consumption has declined."*

BUT THE FACT IS... It's pointless to argue with meaningless hyperbole such as "bottled water has an important place in the modern world." As noted earlier, bottled water is a product manufactured by advertising and narrative framing. In situations where sugary sodas are ubiquitous, such as many schools, free water stations should be available where individuals can refill personal, reusable water containers from the tap. Additionally, "Studies have shown" is so vague as to be meaningless.

While we support being health conscious and eliminating sugary sodas, those goals do not make bottled water a positive alternative. That the bottled water industry promotes this either-or thinking reflects its marketing-driven nature.

It's worth noting that the State of Connecticut's Department of Administrative Services Bottled Water Policy states: "Bottled water is environmentally damaging and wasteful. Given the wide availability of safe, low-cost tap water, and the wide array of appropriate and cost-competitive filters and other drinking water dispensing equipment, switching to tap water saves consumers money and dramatically reduces environmental impacts, including greenhouse gas emissions, water consumption, and waste generation. State Agencies shall not purchase bottled water in any circumstance unless the tap water at the location is deemed

un-potable...”

Q: Are bottled water companies draining our water supplies?

NIAGARA SAYS. *"Absolutely not. The agriculture industry is the nation's largest user of groundwater – about 55 billion gallons per day, representing about 68% of the total used. Public drinking water systems are the second largest at 19%, accounting for 16 billion gallons per day. By comparison, the entire bottled water industry uses only 0.01% of all water used in the U.S."*

BUT THE FACT IS... This is a red herring. No one has claimed that bottled water companies are “draining” public water supplies; the debate is about control and assuring water resources for the future. The important question is who controls our irreplaceable water resources: the Public or private companies seeking to extract a profit? (In case you think this is an abstract argument, please be aware that Paul Brabeck, The CEO of Nestlé, has stated that “access to water should not be a public right,” and that all water supplies should be privatized by the government.)

Q: What would happen in the event of a water shortage?

NIAGARA SAYS. *"Niagara adheres to all of the laws in the locations in which it operates. In the unlikely event that there are restrictions on water use, you can count on Niagara not only to obey them, but also to be a leader in conservation, sharing what it knows about efficient use of resources with the town and with its corporate neighbors."*

BUT THE FACT IS... Niagara may indeed adhere to all federal, state, and local laws. However, the Niagara Bottling proposal has also exposed the weakness of Connecticut state law in regulating water bottling. As bottled water is a fairly recent development, there aren't laws in place to regulate water bottlers – and if they gain a foothold in the state, one can be assured that their lobbyists will make it more difficult to enact such regulations. For example, no law is currently in place that allows the Dept. of Public Health to restrict or suspend bottling operations in the event of a drought (this is one of the goals of SB 422). Currently the MDC's Water Supply Facts states that Niagara could still be exporting bottled water out of state even though our reservoirs are at 10% capacity and citizens are sacrificing. Consider what happened in Groveland FL. Niagara wanted to increase pumping while water restrictions were already in place for residents. Ultimately, Niagara prevailed through legal action that financially 'bled' Groveland into submission. Is

this the kind of “adherence to all of the laws” we want to look forward to?

Q: Will most of the water Niagara produces be leaving the state?

NIAGARA SAYS. *"Water is a very local business. Transporting water over long distances is inefficient and expensive, which is why water companies like Niagara usually sell water close to where they produce it. This plant is meant to support local demand. We have no intention of shipping it across the country. The Bloomfield plant will allow the company to reduce its carbon footprint by not having to truck water into the state."*

BUT THE FACT IS... “Leaving the state” is not the same as “shipping it across the country.” By establishing plants in New England, Niagara seeks to set up a regional distribution network in order to lower shipping costs; there is no doubt that most of their ‘product’ will be distributed in New England, New York, and the mid-Atlantic.

Regardless of how far the bottled water travels, it’s important to remember that water bottling is a legal loophole that allows public water utilities to flout state regulation of water service areas and state inter-basin water transfers. (Since the water exits the utility at the tap in a water bottling plant, state regulation of the water ends there.) BloomfieldCitizens.org’s view is that this loophole needs to be closed in the state-wide comprehensive water plan being developed and there should be a moratorium on water bottlers until then.

The claim of “reducing [their] carbon footprint” is comical: the entire enterprise of producing and transporting bottled water is nothing other than energy waste to begin with. If they really wanted to decrease their carbon footprint they would simply cease production of their product.

Q: How is bottled water regulated?

NIAGARA SAYS. *"Bottled water is comprehensively regulated by the United States Food and Drug Administration (FDA) as a packaged food product. The FDA has established bottled water Standards of Quality for more than 90 substances [21 C.F.R. § 165.110 (b)]. Most FDA bottled water quality standards are the same as the EPA’s maximum contaminant levels (MCL) for tap water systems. The few differences are usually the result of the substance not being found in bottled water or the substance is regulated under another provision of law such as FDA’s food additives program." Additionally, Section 410 of FFDCA requires the FDA to review all EPA National Primary Drinking Water Standards (NPDWS) for public water systems to determine*

their applicability to bottled water. If the FDA determines that the NPDWS is applicable to bottled water, it must establish standards of quality for bottled water that are as stringent and protective of public health as the EPA's standards for public drinking water. If the FDA fails to act within 180 days of the effective date of any new EPA NPDWS for public water systems, the FDA must then apply the new NPDWS to bottled water. This section of the FFDCRA is commonly known as the "hammer provision."

BUT THE FACT IS... As is generally true of regulation, this is a complicated subject. One good source is the National Resource Defense Council discussion of bottled water titled "[Gaping Holes in Government Bottled Water Regulation](#)"

Important points to note:

- FDA rules for bottled water are generally *less* strict than tap water rules
- Water bottled and sold in a single state -- the majority of bottled water sold in the United States -- is not covered by FDA rules, according to FDA
- FDA's definition of "bottled water" covered by its standards irrationally exempts many types of bottled water
- Even water defined as "bottled water" is not specifically required to meet treatment, contamination, or testing standards as strict as those applicable to city tap water.

Q: Will Niagara control spring water in Connecticut?

NIAGARA SAYS. *"Niagara purchases spring water from existing state licensed and approved spring sources. The state mandates limitations on the amount that the springs can withdraw in order to protect the aquifers."*

BUT THE FACT IS... Purchasing and/or leasing is exerting control. The questions we don't have answers to are how much are they planning to take? From where? And how many of the planned truck transports will be coming from those sites? What are their routes?

Q: What about the recall of spring water we heard about in Pennsylvania?

NIAGARA SAYS. *"The recall last summer was voluntary and reflected the kind of ethical company Niagara is. When Niagara learned that one of the independent springs it buys water from had an indication of E.coli, it issued a voluntary recall at our two Pennsylvania plants from June 10-18, 2015. Niagara found no contamination of any kind in our products or, for that matter, in*

the spring water that was delivered to our bottling facility. Consumers should have no concerns related to the health and safety of our products. Any other reports to the contrary are false."

BUT THE FACT IS... For this recall, CNN reported that “the operator of a spring that supplies two [Niagara] plants failed to report evidence of E. coli at the source. [Niagara] said it halted production, disinfected bottling lines and issued a voluntary recall.” While Niagara apparently did the right thing and halted production on any suspicion of E. coli contamination, the story illustrates a) how easily contamination could happen, given the business model and b) our previous point above that tap water is generally safer.

Q: Do Niagara bottles contain BPA?

NIAGARA SAYS. *"No. There is absolutely no connection between PET plastic, from which our bottles are made, and Bisphenol A."*

BUT THE FACT IS... It may be correct that they do not contain BPA, but what chemicals do they contain? The manufacture of plastic bottles requires the handling of polyethylene, oil-based materials that have to be trucked in, properly stored, and are subject to treatment as potentially hazardous. Just because they are not specifically BPA doesn't make them safe.

Q: Will the new plant pollute the air?

NIAGARA SAYS. *"Niagara uses state-of-the-art tools and technology to reduce emissions. We meet or exceed air quality standards set forth by the EPA Office of Air Quality Planning and Standards (OAQPS). Our bottling equipment meets the International Organization for Standardization (ISO) 8573.1 standards for Food and Beverage Air Quality industry, which are even more stringent than EPA standards. We support Connecticut's efforts to improve air quality by implementing several emission reduction programs."*

BUT THE FACT IS... Niagara's answer is “yes, but we follow the applicable rules.”

Q: What about truck traffic?

NIAGARA SAYS. *"Niagara is a certified EPA SmartWay® Transport Partner. We regularly track our emissions and continually invest in energy efficient technology. Niagara's average length of haul is less than 150 miles, reducing freight emissions. This also enables our drivers to live and*

work in the delivery area and to return home every night. Niagara has also developed a lightweight trailer that can haul an additional three pallets per truck, enabling us to take one truck off the road for every six loads shipped."

BUT THE FACT IS... Niagara's answer doesn't address the question. They do not deny that there will be considerable truck traffic (perhaps slightly reduced if they develop their "lightweight trailer"). What is the amount? What is the increase in diesel emissions (even if it complies with existing regulation)? What is the increase in noise? What is the increased frequency in accidents? What is the amount of wear and tear on the roads? (Note: we have none of these answers because the Town of Bloomfield kindly exempted Niagara from submitting a traffic study.)

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Q: What about the environmental impact of bottled water and plastic packaging?

NIAGARA SAYS. *"Niagara is one of the most efficient users of water in the United States. It takes only about 1.3 liters of water to make a one-liter bottle of Niagara water (including the water you drink) – the most efficient of all beverages, including tap water. Niagara uses the lightest-possible plastic for its bottles – 60% lighter than traditional packages. All Niagara bottles and caps are 100% recyclable. Additionally, bottled water has the lowest carbon footprint out of all packaged beverages. Data derived from EPA figures demonstrates that plastic water bottles make up less than one-third of one percent of the U.S. waste stream Niagara is a strong supporter of recycling initiatives."*

BUT THE FACT IS... The environmental impact of plastic is far-reaching: it affects environments (land, waterways, and oceans), wildlife, and humans (including endocrine disruption). It is also long-lasting, as plastics are durable, take a long time to degrade, and on degrading may contaminate the environment around them. Although recycling is a good thing, a) energy is wasted in the operation and b) the vast majority of plastics, especially containers, are not recycled. In fact, only about 40% of plastic water bottles are recycled in CT. It's difficult to avoid plastic in many packaged products, but water is not one of them. We can all get a re-usable water container and eliminate all this plastic trash, which costs money to transport and recycle.

While citizens of Bloomfield can't "change the world by their actions" they can take the first step and stop pointless plastic usage in our own community by rejecting Niagara.