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TO: Fair Political Practices Commission
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RE: Case #17/00123 Penalty on Crystal Geysers

Honorable Angela Brereton, Theresa Gilbertson, and FPPC Commissioners,

I am relieved to learn that the FPPC is finally holding Crystal Geysers accountable for the harm caused to local communities by their 2016 disinformation campaign in Siskiyou County. While the stipulation outlines important expenditures made by Crystal Geysers to confuse voters on Measure H, it remains deficient in two important ways: 1. It does not address the less tangible (though very real) costs of Crystal Geysers' actions, absorbed by local communities. And 2. The most effective advertisement used by the "Committee" was numerous billboard yard signs placed in highly visible locations. These do not appear in the stipulation.

Background

Measure H was a citizens' initiative that sought accountability for the water industry. Attempting to remove an exemption on Siskiyou County's water extraction ordinance, which excused only water-bottling companies from obtaining permits before exporting water, Measure H would have simply held multi-national water corporations to the same standards as every other business operating in the region.

Additional Costs

The stipulation determined that Crystal Geysers invested \$27,196 on corrupting democracy in Siskiyou County in 2016. This amount omits direct expenditures, as well as the intrinsic costs of unlimited, unmonitored water extraction in an already over-allocated water system, during times of extreme drought.

A colleague at the time, Andy Fusso, filed the complaint that led to this investigation. I agree with many of the comments he submitted to inform this deliberation, though I must clarify one point: the defeat of Measure H is not old news. In key parts of Siskiyou County, groundwater is still unregulated, unmonitored and unprotected, making local communities subject to predatory corporate practices. Meanwhile, temperatures are rising, snowpack is disappearing, and in 2021 spring productivity showed alarming signs of decline. In addition to misinforming local governance, the

defeat of Measure H influenced our region in a way that makes us more vulnerable to drought, wildfire, and other devastating impacts of unmitigated climate change.

At the time of Measure H (2016) threats of drought and catastrophic wildfire were on the rise, and those threats have only become more intense. Without permit requirements for water-bottlers, local citizens have no way to track the largest water users in the region. Nor do we have recourse when excessive industrial use threatens access to water for more important purposes, such as domestic, agricultural, critical habitat, and those that protect the human right to water.

Intact ecosystems are essential for sustaining economies, and minimizing threats of drought and wildfire. Watershed stewardship occurs in three distinct phases; protection, conservation and restoration. For restoration of intact ecosystems to occur, policies must protect against depletion and pollution of forests, rangelands and waterways. Measure H would have been a step toward preventing surface and groundwater depletion at the base of Mount Shasta, which contributes important volcanic source waters to the Shasta-Klamath and Sacramento Rivers.

Direct expenditure oversight

The most effective advertisement used by the “Committee for Strong Siskiyou Economy”, aka Crystal Geysers, were numerous billboard yard signs strategically placed in highly visible locations. The giant signs warning folks at major intersections in big red and white letters to “Vote NO on Measure H”, were particularly compelling to the farmers in north county, who generally oppose water metering of any sort, and do not have water-bottling factories in their immediate back yards.



Conclusion

Considering the violation findings on pages 15 and 16 of the stipulation, I do not understand the claim on page 14, line 21, stating that Crystal Geysers has no experience with the Political Reform Act, with Lawler as their agent. Crystal Geysers' track record of manipulating local government to rig policies that favor private over public interests, demonstrates that this company was cognizant of its actions, and thought that their criminal activities would go unnoticed in the economically disadvantaged, politically conservative, rural communities of Siskiyou County.

The work of protecting watersheds is daunting, expensive, and often thankless. Due to the herculean efforts of a few deeply committed citizens working mostly on a volunteer basis over the past 20 years, south Siskiyou County has managed to avoid the most extreme consequences of the water industries exploits. The vast majority of expenditures invested in the passage of Measure H consisted of volunteer human hours, rallying to advocate for the health of our rivers, vitality of our communities, and viability of future generations. The extent and gravity of public harm caused by Crystal Geysers' violations go way beyond subverting democracy, but threaten loss of life, property, and sustainable economic productivity, by exacerbating regional exposure to drought, species extinction, and catastrophic wildfire.

As the proponent of Measure H, I recommend that you table this agenda item, revisit the expenditures and costs of Crystal Geysers' actions, and assess a fine that more accurately reflects the damages caused.

Respectfully,

Angelina Cook