



## A Celebration for Strawberry Creek

**O**n November fourth, a celebration was held at Heaps Peak Arboretum to applaud the eight plus years of solid investigation and hard work done by multiple local entities against Nestlé/Blue Triton's removal of water from Strawberry Creek. The California State Water Board's (SWRCB) decision to issue a Cease & Desist order to Nestles/Blue Triton effectively ends years of illegal water removal and begins the planned restoration of the riparian ecosystem to its natural state.

The celebration was held on one of those pristine fall days in the mountain and approximately 100 people were in attendance. Pizza and soft drinks were served, and it was a festive atmosphere for the over one hundred people in attendance. The local organizations represented in this ambitious project were the Save Our Forest Association (SOFA), the San Bernardino Mountains Group of the Sierra Club, San Bernardino Audubon Society, The Story of Stuff and so many supportive community members.

Much thanks go to Amanda Frye for her research into Nestlé to determine if they really did have water rights to the Strawberry Creek drainage. As Amanda shared with me, "I am sure they [believe they] do, after all they have been doing this for so long." But she was curious. Just as with any property with its various property rights, there should be a trail of paperwork that either supports or does not support Nestlé's claim.

Amanda spent the next seven years almost living at the San Bernardino County Hall of Records Office and "digging through the archives as well as old newspapers and the State Water Resource Institute [which] had field notes from 1930 describing each of the springs, what they looked like and a description of each spring." Amanda was able to ascertain that Nestlé did not have the water rights that they had always claimed.

Hugh Bialecki, President of Save Our Forrest Association, said, "This Cease & Desist Order from our State Water Resources Control Board reaffirms the power of citizens and organizations working together to protect our natural resources. Water diversions from our San Bernardino National Forest for private corporate profit is no longer acceptable and particularly harmful when California is experiencing severe drought."



*L to R, Chris Jones, SBVMWD, Dr Jennifer Alford, CSUSB, Dr. Hugh Bialecki, SOFA, Amanda Fryer, environmental activist, Steve Loe, USFS wildlife biologist (ret), Michael O'Heaney, Story of Stuff.*

Steve Farrell from the San Bernardino Mountains Group of the Sierra Club said that the Sierra Club will continue to support the efforts stopping Nestlé/Blue Triton from removing water from Strawberry Creek.

Jennifer Alford from Cal State San Bernardino remarked that with the decision to stop water removal from Strawberry Creek, "the students from Cal State San Bernardino have learned through this process and now will have an opportunity to be engaged in the restoration of Strawberry Creek. This will be done through community service, outdoor research, and really creates a laboratory experience for our students and teaching opportunities."

Michael O'Heaney, Executive Director of the Story of Stuff Project, exclaimed, "Blue Triton, Nestlé and their predecessors were able to hoodwink state and federal regulators for too long – more than 90 years – but we are incredibly pleased this unlawful removal of the public's water from public lands will finally end!"

One would think, then, that this issue should be completely resolved, but unfortunately Blue Triton has sued the California State Water Board, challenging the Cease-and-Desist Order in court. There is no lack of enthusiasm on the part of the various groups that have worked so well together over the last eight years, and when the data and research is presented to the court, they are confident the decision will stand.

## Snow Valley Resort and Deep Creek

**S**now Valley Mountain Resort became part of Big Bear Mountain Resort in January 2023 and is owned by Alterra Mountain Company based in Denver, Colorado. The Resort operates under a Special Use Permit from the US Forest Service.

Deep Creek was designated a National Wild and Scenic River in March, 2019, and has its origin in Little Green Valley at the Snow Valley Mountain Resort. A 1000-foot-deep groundwater well is in the Snow Valley parking lot and provides potable water (and water for snow making) for the resort. The amount of water pumped annually is reported to the California State Water Resources Control Board, but the well management is the responsibility of the USFS under its Special Use Permit.



Current construction in Snow Valley Parking lot indicating ground water contamination.

Due to extended drought periods, streams have been shrinking and the impact of the water pumping on Deep Creek has been questioned by retired USFS Biologist Steve Loe and others. Taking water when the stream is saturated and running vigorously during the winter months is not as much of a concern as during summer and fall. There has been no environmental analysis of the water pumped to support the ski resort (which now also includes summer and fall mountain biking). Summer recreation use that requires pumping from aquifers contributing to Deep Creek should not be allowed. Water that can be pumped or collected during the winter without impacting Deep Creek should be stored in tanks with no leakage or evaporation.

Save Our Forest Association and the Sierra Club are in contact with the USFS Public Services Staff Officer to arrange a meeting with representatives from Alterra Mountain Resort to discuss current water use and how it could be modified, as needed, to protect Deep Creek and its associated resources (being a wild trout stream which

also supports many threatened and endangered species that are dependent upon sustained flows).

If you are motivated to help preserve the integrity of Deep Creek and be part of this investigation, contact SOFA through our website and indicate your interest.



More construction at Snow Valley near Deep Creek, a federally designated wild and scenic River.

*“We need to keep pressure on the Forest Service to do the right thing and quickly implement the Water Board Cease and Desist Order. The Water Board did all they could for us and getting our water back. When I first came here, they were cutting down 300-year-old trees. To take out old trees like that is crazy. Now we have Nestle taking as much as 60 million gallons of water a year during a drought and Nestle’s head said, ‘If we could get more water, we would.’ We’ve already lost the Spotted Bass that had been here for hundreds of years and the Santa Ana Suckers and the Yellow Legged Frog. We need to let the Forest Service know our concerns and send petitions to the State Water Board.”*

*-Steve Loe, retired biologist and wildlife expert for the Forest Service,*

## Upper Little Bear Meeting

On October 10, 2023, representatives from CalFire, including David Haas, Unit Forester, met with Steve Loe (USFS Wildlife Biologist, ret); Dr. Tim Krantz, Professor Emeritus, Environmental Studies, University of Redlands; Dr. Hugh Bialecki, Pres., SOFA; and Ed Reichardt, ULBMC HOA Board Member, to discuss the CalFire Fuel Reduction Project on the 40-acre green belt in the Upper Little Bear area of Blue Jay.

The fuel reduction project began in April, 2021, with an agreement between HOA and CalFire. Initial tree and brush removal along Old Toll Road was extensive and alarming to some of the property owners along Old Toll Road. CalFire and HOA were not receptive to numerous attempts to meet and consider modifying the project.



*Another view of the extensive vegetation removal at Upper Little Bear.*



*Extensive tree and brush removal in Upper Little Bear area which allows for growth of flammable grasses.*

A lawsuit was filed against CalFire and HOA in July 2022. CalFire removed its equipment the next day stating that the “project was completed”, unfortunately CalFire returned in late August with more tree and brush removal. SOFA contacted the CalFire Attorney and the action was halted, and the October meeting was agreed upon.

The October meeting was productive in that CalFire acknowledged that some of their personnel on the ground were not adequately trained and supervised, and that the green belt was not properly marked for wildlife, property boundaries, water courses and southern rubber boa habitat until July of 2023.

Dr. Tim Krantz offered to work with CalFire and HOA to develop better fuel reduction protocols unique to the site, while Steve Loe reinforced the wildlife activity and seasonal stream significance. Ed Reichardt, ULBMC HOA Board Member, was appreciative of the meeting dialog and the potential for improved future fuel reduction efforts involving CalFire on the 40-acre green belt in Blue Jay.

## Burnt Mill Canyon Fuel Reduction

On October 9, 2023, SOFA Board members met with representatives from the Burnt Mill Canyon HOA at their request to walk parts of their 50-acre green belt and discuss fuel reduction strategies and defensible space methods. The Burnt Mill Canyon green belt includes parts of Burnt Mill Creek, Cottage Grove, and Burnt Mill Roads with approximately 100 homes near Cedar Pines Park.

Some previous fuel reduction/vegetation management had taken place years ago and a Forest Management Plan was prepared by a registered forester in 2014. HOA representatives also met with the Natural Resources Conservation Service (NRCS) inquiring about grants to fund a fuel reduction project. Challenges include many areas of steep slopes, riparian drainages, extensive cedar seedling growth.

SOFA recommended that the HOA provide property owners with defensible space information from [www.fire.ca.gov/dspace](http://www.fire.ca.gov/dspace) as a starting point to be working “inside out” from the immediate area around the homes (0-5’) then out to a 30’ buffer and then to a 100’ buffer where applicable. The HOA can then prioritize green belt areas in most need of any thinning and determine if any grant funding through NRCS may be available.

HOA representatives thanked SOFA for more clarity on informing homeowners on defensible space measures and liked the idea of partnering with nearby HOA’s that also have significant green belt areas to seek joint funding.

[www.saveourforestassoc.org](http://www.saveourforestassoc.org)

**PLEASE TAKE THE TIME RIGHT NOW TO RENEW YOUR SOFA MEMBERSHIP**

Contribution: \$30 - General    \$100 — Eco-Warrior    \$300 - Sustaining  
\$500 – Forest Savior    \$1000 – Environmental Champion    \$ \_\_\_\_\_Other

**Please make check payable to SOFA and mail to: Save Our Forest Association, Inc.  
P.O. Box 126, Rim Forest, CA 92378**

You can also make a donation online at: [www.saveourforestassoc.org](http://www.saveourforestassoc.org)

SOFA is a 501 (c) (3) non-profit organization. All contributions are tax deductible to the full extent of the law.

**Holiday Party**

**Saturday, December 16th, 6:00 pm. At the Mountains Community Senior Center  
675 Grandview Road, Twin Peaks**

**Annual Meeting and Updates, Potluck Dinner: Bring a favorite dish to share, SOFA will provide beverages. Our white elephant silent auction will recycle your treasures!**

**Live Christmas Music by "Grits & Grady" & Friends**

**This is a wonderful opportunity to share holiday cheer and do some last-minute holiday shopping.**

**For more information call Hugh Bialecki at 909-953-0299**

Save Our Forest Association  
PO Box 126  
Rim Forest, CA 92378

