DECLARATION OF EL CHARCO DEL INGENIO

TAKING INTO CONSIDERATION:

1.- That the northern and semi-arid municipalities of the state of Guanajuato, supplied by the Independence Aquifer, have suffered for decades the indiscriminate extraction of groundwater (more than 3,000 wells in operation), from a predatory model of agriculture and livestock, which has only benefited a small sector of the population, while drying up springs and natural sources which for centuries brought clean drinking water to the entire population.

2.- That more than 80% of the volume of extraction of groundwater is used today for agricultural irrigation, and increasingly to agro-industrial plantations for export, resulting in a "virtual exportation of water", despite its scarcity in the north of the State.

3.- That the depletion of the Independence Aquifer has been so severe that natural recharge no longer exists --according to qualified scientific studies-- turning groundwater that is thousands of years old into a non-renewable resource.

4.- That the depth of extraction, which progresses from year to year, has already reached strata containing toxic substances from fossil origins, resulting in an increasing number of wells containing minerals demonstrably harmful to human health (fluoride, arsenic, manganese and sodium, among others), and are above the official Mexican standard for potable water.

5.- That the increasing concentration of fossil minerals in groundwater is seriously affecting the health of the population, from documented dental fluorosis in children to more severe damage in bone marrow, brain function, and renal system, plus the emergence of various forms of cancer.

6.- That the presence of sodium and other minerals in groundwater used in agriculture is causing salinization of soils which is progressively turning the soil unproductive.
Localización del acuífero de la Independencia

Ubicación de municipios dentro de la Cuenca de la Independencia
7.- That the very serious phenomenon described above adds to water pollution caused directly by human activity, without regulation and official control as designated by law, which infests the surface water bodies and infiltrate into the ground, such as:
   a) proliferation of untreated sewage in urban and suburban areas, which discharge domestic waste and other contaminants, mostly without sanitation, turning streams into open drainage pits;
   b) runoff from agribusiness plantations, dairy farms, golf courses and residential gardens, which contain chemicals demonstrably harmful to human health, with no sanitation;
   c) residual waste from industrial activity, which contains substances of high toxicity that are dumped untreated or poorly treated, most recently from industrial parks related to the auto industry where non-compliance with environmental regulations pervades.

8.- That industrial parks in the northern region of the State have been officially favored and approved without consideration of their environmental impacts, such as the emerging “polígono empresarial” in San Miguel de Allende, inexplicably located in an area of groundwater recharge (according to official data) and a sub-basin whose streams converge all over the urban area.

9.- That faced with this alarming picture—which has been repeatedly documented by research from UNAM and other scientific institutions— the authorities of the three levels of government, as well as water management and the agricultural and health agencies (CONAGUA, SEMARNAT, CEAG, IEEG, PROPAEG, Ministry of Health and municipal water utilities) refuse to accept the water crisis which we live in and practice a policy of denial and concealment whose effects are already devastating, especially among children in rural communities in northern Guanajuato.

10.- That said authorities, far from implementing public policies to address the problem, have launched a water privatization scheme, which has tried to impose at the federal level initiatives, such as the so called Korenfeld Act, which violate the human right to water, enshrined in article 4 of the Mexican Constitution and international treaties signed by Mexico.

11.- That the said privatization scheme is throughout the State Hydraulic Plan, enacted by the government of Guanajuato in November 2015, which is an extractive model designed to satisfy business interests—mainly agro-industry ones—and avoids the water crisis affecting the entire State and in particular its northern semi-arid zone, with the following worrisome aspects:
   a) the issue of water quality for human consumption, affected by groundwater contamination from fossil minerals, as well as urban, agricultural, industrial and recreational pollution, has
entirely been omitted in the Plan, without the slightest mention of its serious and proven effects on human health;
b) allowing extraction of deep water based on fictitious data, assuming a deficit recharge much lower than the existing one, ignoring scientific studies from the UNAM which have repeatedly shown that recharge is no longer happening and that groundwater has become a non-renewable resource.
c) fragmenting the Independence Aquifer into four administrative units without any scientific basis, giving total autonomy including misinformation about its functioning and pollution thereof.
d) classifying extractive water activities of a recreational character (golf courses, spas, aquariums, amusement parks, etc.) as "Services", hiding their more accurate character as private businesses.
e) considering water as a market commodity through concepts such as "supply" and "demand", with all of it destined for human uses, ignoring the ecological flow necessary for maintaining ecosystems.

WE DEMAND:

1.- That the authorities in water management of the three levels of government abide by and fully comply with the constitutional mandate that establishes water as a human right, and reprioritize users of water such that potable water for human consumption – water that is "healthy, acceptable, affordable and accessible" is of the highest need and above water for agricultural exporters, industrial, real estate and recreational interests.

2.- That said authorities, in a coordinated manner and without delay, establish and enforce public policies that drastically reduce the volume of current extraction, introduce crops with low water demand, promote water-saving irrigation techniques and build rainwater infiltration facilities, in order to recover in the medium term groundwater levels of the Independence Aquifer.

3.- That said authorities
   a) recognize the scientific validity of the various studies published over the last decade by the UNAM and other academic and consultative institutions on the subject of groundwater and surface water in the north of the State,
   b) accept the evidence of the unity of the Independence Aquifer,
   c) acknowledge the absence of deep flow recharge,
d) acknowledge pollution from fossil minerals, as well as the unquestionable and growing impact on the health of the population.

4.- That the federal water agency (CONAGUA) implement an environmentally responsible, transparent, public and fair process, for granting concessions for the use of groundwater, prioritizing food production for local and national consumption, rather than to the agro-export industry.

5.- That CONAGUA promote in the Congress legislative reforms recognizing the existence of a single aquifer in the Upper Rio Laja, the Independencia Aquifer, instead of the fictitious and administrative (geo-political) division into four aquifers currently followed by the agency, which obstructs their assessment and appropriate management.

6.- That the health agency for the State conduct a thorough monitoring of wells supplying drinking water in the Upper Rio Laja, including all parameters set by official regulations (NOM-127), and publish the results periodically through local health agencies, ending the secrecy around the information on the quality of water for human consumption, in compliance with the right to information enshrined in Article 6 of the Mexican Constitution.

7.- That the State government, in addition to recognizing the health problems resulting from the aquifer depletion, attend medically to villagers affected by pollution from fossil minerals, and compensate the damage with special attention to rural communities and children.

8.- That the State government and CONAGUA recognize the serious problem of water pollution in the community of La Cantera (San José Iturbide municipality), where, according to the recent results of the National Nuclear Research Institute, it was determined that the presence of radioactivity is the probable cause of the abnormal incidence of lymphoblastic leukemia deaths in the community.

9.- That the Federal and State governments (CONAGUA and CEAG), implement effective and long lasting sanitation policies to prevent toxic pollution of surface water as a result of untreated urban, agricultural, industrial and recreational waste discharges.

10.- That the current State Hydraulic Plan be completely rethought, so that an equitable distribution of water to the entire population is considered,
a) favoring human consumption and conservation of ecosystems;
b) regulating and limiting the overuse of aquifers for agricultural exports, livestock, industry and recreational business;
c) taking into consideration the results of scientific studies of the UNAM in the management of aquifers;
d) recognizing the Independencia Aquifer as a unit in the Upper Rio Laja, replacing the current administrative division into four aquifers;
e) accepting the lack of recharging in the aquifer and the current non-renewable nature of groundwater;
f) recognizing the presence of toxic minerals in the water extracted for human consumption, and its serious effects on the health of the inhabitants of the basin;
g) resolutely confronting pollution of surface water, derived from agricultural, industrial, real estate and recreational activities through effective sanitation of all wastewater discharges;
h) complying with the constitutional mandate to consider water as a human right and a common natural public good and not a commodity subject to supply and demand.

11.- That the State government include in their plans and programs the importance of the aquifer as a vital element of regional behavior and conduct information campaigns among the population for the building of a new water culture.

12.- That the municipality of San Miguel de Allende, in collaboration with environmental organizations of civil society, establish a structure of citizen representation of the Green Fund such that the financial resources it handles are managed in a legal, autonomous, and regulated manner, that will assure that resources are allocated to conservation projects and programs.

13.- That a local program of payment for environmental services is established, with the capacity to finance actions for watershed management, and the creation of sustainable alternatives to the exploitation of the natural environment.

14.- That the existing project for the Natural Protected Area Biological Corridor Tambula - Palo Huerfano - Presa Allende (2015), be approved and adopted by the municipalities of Comonfort and San Miguel de Allende.

15.- That municipalities in the State of Guanajuato declare at least 25% of their territory as Natural Conservation Area.
San Miguel de Allende, Guanajuato, March 2016

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