

The Canada Institute of the Woodrow Wilson International Center for Scholars,
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PANEL DISCUSSION ON WATER ABUNDANCE IN CANADA AND THE UNITED
STATES: MYTH OR REALITY?

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CANADIAN PERSPECTIVE - SPEAKING NOTES

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I WISH THIS MEETING WERE BEING HELD IN 1987. I COULD HAVE REPORTED ENTHUSIASTICALLY ABOUT THE BRAND NEW CANADIAN WATER POLICY. IT WAS A THOUGHTFUL, FORWARD LOOKING POLICY, AND ONE OF THE FIRST IN THE WORLD TO RECOGNIZE THAT WATER WAS NEEDED AT LEAST AS MUCH TO PROTECT OUR ECOLOGY AS TO SUPPORT OUR ECONOMY.

UNFORTUNATELY, WE ARE MEETING IN 2009, AND THERE IS LITTLE TO REPORT ABOUT CANADIAN FEDERAL WATER POLICY IN THE YEARS SINCE 1987. FEW OF THE RECOMMENDATIONS IN THE 1987 REPORT WERE IMPLEMENTED, AND MOST OF THOSE IMPLEMENTED WERE NOT ENFORCED. ONE RECENT STUDY COMPARED CANADIAN WATER POLICY WITH THE LINE FROM GANGSTER MOVIES: THE BAD GUYS ARRIVE WAVING THEIR GUNS AROUND AND SHOUTING, “NOBODY MOVES AND NOBODY GETS HURT.”

UNFORTUNATELY, THAT IS NOT TRUE. PEOPLE DO GET HURT. POLICY CAN NOT STAND STILL WHEN THE WORLD IS CHANGING. AND ONE OF THE THINGS THAT HAS BEEN CHANGING IS OUR PERCEPTION OF WATER ABUNDANCE.

WE OFTEN HEAR THAT CANADA HAS 20% OF THE WORLD'S FRESH WATER. IT DOES NOT. THE CORRECT FIGURE IS 7% – ROUGHLY EQUAL TO CANADA'S SHARE OF THE WORLD'S LAND MASS. BUT THAT IS JUST THE FIRST CORRECTION. ONLY A SMALL PART OF THAT 7% IS LOCATED CLOSE TO WHERE MOST OF US LIVE; NEARLY HALF OF CANADIAN RIVERS DRAIN NORTHWARD TO THE ARCTIC OCEAN OR HUDSON'S BAY. THE GREAT LAKES RANK AMONG THE 15 LARGEST LAKES IN THE WORLD, BUT THEY ARE REALLY JUST LARGE PUDDLES LEFT OVER FROM CONTINENTAL GLACIERS; ONLY ABOUT 1 PERCENT OF THEIR VOLUME IS RENEWED EACH YEAR FROM RAINFALL OR SNOW.

IS THEN CANADA WATER POOR? BY NO MEANS! CANADA RECEIVES ABOUT THE SAME AMOUNT OF WATER AS CHINA OR INDONESIA, BUT MUCH LESS THAN RUSSIA OR BRAZIL. THE UNITED STATES RECEIVES A BIT LESS THAN CANADA. IN SHORT, THOUGH NEITHER CANADA NOR THE UNITED STATES IS RICH IN WATER, BOTH ARE BETTER OFF THAN MUCH OF THE WORLD.

GETTING BACK TO WATER POLICY, CANADA IS A LAGGARD IN DEVELOPING WATER POLICY COMPARED WITH OTHER OECD COUNTRIES. DIFFUSION OF POWER IS OF COURSE INHERENT TO A FEDERAL STATE, BUT THE CANADIAN GOVERNMENT HAS BEEN MORE RELUCTANT TO ACT THAN HAVE OTHER FEDERAL STATES OR REGIONAL GOVERNMENTS AROUND THE WORLD.

SO MUCH FOR THE PAST; LET'S ASK WHAT WE NEED TO DO FOR THE FUTURE. I WILL DIVIDE MY REMARKS INTO THREE PARTS: FIRST, ACTIONS NEEDED IMMEDIATELY; SECOND, ACTIONS NEEDED OVER THE COMING DECADE; AND THIRD, TROUBLING ISSUES IN CANADA-US WATER POLICY. TO STAY WITHIN TIME LIMITS, I WILL IDENTIFY MY TOP THREE

PRIORITIES IN EACH PART, BUT SAVE MOST TIME FOR THE BILATERAL ISSUES.

IMMEDIATE ACTION IS NEEDED IN CANADA TO:

1. RESTORE CANADA'S RESEARCH AND MONITORING CAPABILITIES. IN MOST CASES, RESEARCH AND MONITORING WOULD BE A LONG-TERM ISSUE, BUT IN THE CASE OF WATER THE NEED IS IMMEDIATE. BUDGETS FOR RESEARCH AND MONITORING HAVE BEEN CUT SO DEEPLY THAT WHAT WAS ONCE A WORLD-CLASS SOURCE OF KNOWLEDGE IS NOW LITTLE BETTER THAN WHAT ONE FINDS IN THIRD WORLD COUNTRIES. EVERYTHING ELSE DEPENDS ON KNOWING WHAT WE ARE DOING, AND THAT DEPENDS ON RESEARCH AND MONITORING OF BOTH SURFACE AND ESPECIALLY GROUND WATER.
2. CANADA NEEDS A NATIONALLY LEGISLATED DRINKING WATER ACT BASED ON FEDERAL-PROVINCIAL AGREEMENT. THE NEED IS OBVIOUS AFTER DEATHS IN WALKERTON, ONTARIO, AND "BOIL WATER ADVISORIES" IN HUNDREDS OF COMMUNITIES AND FIRST NATIONS RESERVES. THE SOURCE OF THE PROBLEM IS LESS LACK OF MONEY FOR INFRASTRUCTURE THAN FAILURE TO TRAIN LOCAL STAFF AND TO DEVELOP SYSTEMS TO PROVIDE REAL TIME WATER QUALITY MONITORING.
3. FINALLY, THOUGH MAINLY A PROVINCIAL RESPONSIBILITY, IT IS FOOLISH THAT WATER PRICES REMAIN SO LOW AS TO BARELY COVER PUMPING COSTS. SUBSIDIZED WATER PRICING DOES NOTHING TO PROMOTE EFFICIENCY OR EQUITY, AND FEDERAL LEADERSHIP IN SETTING A MODEL CODE FOR WATER PRICING IS LONG OVERDUE.

CANADA ALSO NEEDS LONGER TERM STRATEGIES THAT WILL TAKE WATER MANAGEMENT IN NEW DIRECTIONS; HERE ARE MY TOP THREE:

1. MOST IMPORTANTLY, CANADA SHOULD SHIFT THE FOCUS OF WATER POLICY FROM AUGMENTING SUPPLY TO REDUCING DEMAND. THE SUPPLY FOCUS HAS BEEN WITH US SINCE THE ROMANS, BUT ITS TIME IS PAST. OPPORTUNITIES TO CUT WATER USE AND INCREASE WATER EFFICIENCY ABOUND. CAREFUL STUDIES TYPICALLY FIND COST-EFFECTIVE SAVINGS OF ONE-THIRD, EVEN BY COMPARISON WITH TODAY'S SUBSIDIZED WATER PRICES. REDUCING DEMAND IS FAR CHEAPER THAN BUILDING NEW SUPPLY, AND IT IS ALL BUT FREE OF ENVIRONMENTAL IMPACTS.
2. CANADA SHOULD ADOPT THE PUBLIC TRUST DOCTRINE FOR WATER MANAGEMENT – AN APPROACH THAT OBLIGES GOVERNMENTS TO MANAGE WATER ON BEHALF OF THE ENTIRE PUBLIC. THIS DOCTRINE IS PART OF COMMON LAW IN A NUMBER OF U.S. STATES BUT IS LARGELY UNKNOWN AND UNUSED IN CANADA.
3. WATER IN CANADA CONTINUES TO BE MANAGED AS IF ALL AVAILABLE WATER CAN BE EXTRACTED FOR HUMAN USE, WITH LITTLE RECOGNITION THAT MUCH OF THE WATER MUST BE LEFT IN PLACE TO PROVIDE SERVICES RANGING FROM SANITATION TO HABITAT PROTECTION. BECAUSE QUANTIFICATION IS DIFFICULT, CANADA SHOULD CREATE A FEDERAL-PROVINCIAL COMMISSION TO ESTABLISH A COMMON METHOD FOR DEFINING WATER THAT CANNOT BE WITHDRAWN FOR PRIVATE OR FOR PUBLIC PURPOSES.

LET'S TURN NOW TO BILATERAL ISSUES WITH THE UNITED STATES.

1. WITH THE LONGEST BORDER IN THE WORLD, CANADA AND THE UNITED STATES RECOGNIZED A CENTURY AGO THE NEED TO MANAGE SHARED WATER JOINTLY AND WITHOUT RESORT TO LENGTHY LEGISLATIVE OR JUDICIAL PROCESSES. THEREFORE, THE TWO COUNTRIES PASSED THE *BOUNDARY WATERS TREATY ACT* OF 1909, AND THAT IN TURN ALLOWED FOR THE CREATION OF THE INTERNATIONAL JOINT COMMISSION. THE IJC IS DESERVEDLY PRAISED IN DISCUSSIONS ON WATER POLICY, BUT, IN RECENT YEARS, IT SEEMS TO HAVE BEEN SIDELINED IN SETTLING TRANS-BORDER DISPUTES. MANY CANADIANS BLAME THE UNITED STATES FOR THIS SITUATION, AND THEIR OWN GOVERNMENT FOR ITS FAILURE TO PROTEST. THEY BELIEVE THAT AMERICAN AUTHORITIES REGRET THAT THE TREATY IS BASED ON "EQUAL AND SIMILAR RIGHT TO USE," RATHER THAN A FORMULATION BASED ON POPULATION AND ECONOMIC SIZE, WHICH WOULD OF COURSE FAVOUR THE UNITED STATES. IT IS TIME TO RESTORE THE IJC'S ROLE SO THAT IT CAN DEAL FORCEFULLY AND EFFECTIVELY WITH SUCH TRANS-BORDER IRRITANTS AS DEVIL'S LAKE.

2. CANADA HAS BEEN ALMOST CAVALIER IN APPROVING LARGE-SCALE WATER DIVERSIONS. ONCE CONSIDERED THE EPITOME OF PROGRESS, THESE PROJECTS ARE INCREASINGLY CRITICIZED FOR LIMITED ECONOMIC BENEFITS AND HIGH ENVIRONMENTAL AND SOCIAL COSTS. SUCH CRITICISM IS INTENSIFIED BECAUSE MUCH OF THE HYDROPOWER, ALUMINUM, AND AGRICULTURAL CROPS ARE SOLD TO THE UNITED STATES, THUS KEEPING CANADA IN THE ROLE OF PRIMARY PRODUCER. IT IS MY HOPE THAT PROPOSALS, SUCH AS THE ONE TO DAM THE ROMAINE RIVER, WILL SUFFER THE SAME FATE AS THE GREAT WHALE COMPLEX IN QUEBEC. THAT PROJECT DIED AFTER A TRANS-BORDER CAMPAIGN ON THE PROJECT'S ADVERSE IMPACTS CONVINCED THE STATE OF NEW YORK TO CANCEL ITS PURCHASE CONTRACT. PERHAPS A SIMILAR CAMPAIGN MIGHT SLOW DOWN TAR SANDS PROJECTS IN

ALBERTA, WHICH REQUIRE THREE OR FOUR BARRELS OF WATER FOR EVERY BARRREL OF OIL PRODUCED.

3. FINALLY, THERE IS THE ISSUE OF BULK EXPORTS OF WATER FROM CANADA TO THE UNITED STATES. RECENTLY, THE MONTRÉAL ECONOMIC INSTITUTE HAS CLAIMED THAT BIG PROFITS ARE TO BE MADE FROM EXPORTING WATER. SUCH CLAIMS HAVE BEEN MADE BEFORE, BUT CAREFUL ANALYSIS SUGGESTS THAT EXPORTS OF WATER WOULD NOT EVEN PAY BACK COSTS. THE ONLY PEOPLE WHO REALLY NEED MORE WATER ARE FARMERS, AND THEY WANT VAST QUANTITIES AT A LOW PRICE. THE CANADIAN PUBLIC REJECTS BULK EXPORTS OF WATER BY A LARGE MAJORITY. LET'S JUST GET THEM OFF THE TABLE. BULK EXPORTS ARE NEITHER INCLUDED IN NOR EXCLUDED FROM NAFTA, BUT THEY COULD NOT OCCUR IF THE CANADIAN GOVERNMENT SAID UNAMBIGUOUSLY "NO!" – OR, ALTERNATIVELY AND EVEN BETTER REJECTED ALL INTER-BASIN TRANSFERS OF WATER. GIVEN OUR GEOGRAPHY, A BAN ON INTER-BASIN TRANSFERS WOULD EFFECTIVELY PRECLUDE MOST EXPORTS.

THOUGH IT WILL DATE ME, I WOULD LIKE TO CONCLUDE BY QUOTING POGO IN THAT POLITICALLY INCORRECT COMIC STRIP OF THE 1960s. AS POGO SAID, "WE HAVE MET THE ENEMY, AND HE IS US." THE TIMING IS APT. SINCE ABOUT 1980, WATER WITHDRAWALS IN THE UNITED STATES HAVE BEEN STABLE OR EVEN DECLINING. CANADA SEEMS TO BE ON A SIMILAR PATH. DESPITE GOVERNMENTAL NEGLECT AND WATER PRICES THAT BARELY COVER PUMPING COST, A MORE EFFICIENT, EQUITABLE, AND ENVIRONMENTALLY SATISFACTORY WATER FUTURE IS WITHIN REACH, BUT NOT IF WE STAY WITH CURRENT WATER POLICIES.

THANK YOU

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