



# Why Canada needs a National Water Policy

**W**ater is vital to people's health and livelihoods. In Canada, there is no national strategy to address urgent water issues and no federal leadership to conserve and protect our water. The Federal Water Policy is more than 30 years old and badly outdated.

Canada's economy is built on the myth of an abundance of fresh water. In fact, only one per cent of Canada's fresh water is renewable. Water use and consumption in Canada will remain unsustainable unless protective measures are taken.

It is time for the Government of Canada to implement a comprehensive National Water Policy that:

## **Establishes national enforceable drinking water standards.**

Canada does not have legally enforceable drinking water standards. In April 2008, the Canadian Medical Association Journal reported there were 1,766 boil-water advisories currently in place in Canadian municipalities, not including First Nations communities. Several communities have endured drinking water advisories for years, and 90 Canadians die from water-borne disease every year.

There are many examples of water tragedies in Canada. In 2000, seven people died in the community of Walkerton, Ontario when their drinking water was contaminated with E. coli virus. In 2001, more than 7,000 people were made sick during a three-month period by parasite-infected water in Battleford, Saskatchewan. In 2005, people in Kasechewan, a Cree community in Ontario, were forced to evacuate their homes because of water contamination.

Indigenous communities in Canada have been affected disproportionately by the water crisis. Despite repeated government pledges to ensure First Nations have access to clean drinking water their water is still often contaminated.

## **Recognizes water as a human right.**

Water must be recognized as a human right at every level

of government. This will ensure that all people living in Canada, without discrimination, are legally entitled to safe, clean drinking water and water for sanitation in sufficient quantities, and that inequalities in access are addressed immediately. The recognition of water as a human right will give communities lacking access to clean drinking water a legal tool to exercise this right. It will also provide legal recourse if a water source is damaged by industrial activities.

The recognition of water as a human right in international law would allow the United Nations to monitor the progress of states in realizing the right to water and to hold governments accountable. The Canadian government has consistently opposed the recognition of water as a human right at key UN meetings.

## **Declares surface and ground water a public trust.**

The declaration of surface and ground water as a public trust will require the government to protect water for the public's reasonable use. Under a public trust doctrine private water use would be subservient to the public interest. Permission to extract groundwater under the public trust doctrine, for example, might be granted based on the ability to show public benefit for any proposed extraction. It may also lead to the creation of a hierarchy of use requiring that water use be allocated for ecosystems and basic human needs first, and not corporate needs such as large-scale industrial projects or by bottled water companies.

## **Creates a national public water infrastructure fund.**

Decades of cuts in infrastructure funding, coupled with the downloading of several programs and services to municipal governments, have resulted in a "municipal infrastructure deficit," conservatively estimated at \$123 billion by the Federation of Canadian Municipalities. Communities across the country are in desperate need of money to pay for water pipes and filtration systems, which is now the responsibility of municipal governments. Some governments have started looking to private investors to rebuild infrastructure through public-private partnerships (P3s). Water is a public health and safety concern and is best managed, regulated and financed by public systems

that are accountable to the community. When for-profit interests control drinking water, quality decreases and costs increase. Money is needed to ensure municipal infrastructure is rebuilt to provide publicly-owned and operated water infrastructure, not the failed P3 model currently being promoted and funded by the Harper government.

#### **Provides a strategy to address water pollution.**

Although regulating water pollution falls largely under provincial jurisdiction, the federal government is responsible for protecting fish-bearing waters through the Fisheries Act and controlling toxic substances under the Canadian Environmental Protection Act.

A strategy is needed to address the following water pollution concerns:

- **Standards for industry and agribusiness.** Every level of government must commit to creating and enforcing strict laws against industrial dumping, the use of non-essential pesticides on public and private lands, and the discharge of toxins into waterways.
- **A slowdown of tar sands production.** The tar sands projects release four billion litres of contaminated water into Alberta's groundwater and natural ecosystems every year. Toxins connected to tar sands production have been found as far downstream as the Athabasca delta, one of the largest freshwater deltas in the world.
- **Removal of Schedule 2 from the Fisheries Act.** Lakes that would normally be protected as fish habitat by the Fisheries Act are now being redefined as "tail-ing impoundment areas" in a 2002 schedule added to the Metal Mining Effluent Regulations of the Act. Under this schedule, healthy freshwater lakes lose all protection and become dump-sites for mining waste. Canada is the only industrialized country to allow this practice.
- **National enforceable standards for sewage treatment.** Canada has no national standards for municipal sewage treatment and wastewater effluent quality. As a result, 200 billion litres of raw sewage are flushed into our waterways every year.

#### **Bans bulk water exports.**

Canada and the United States share interconnected water systems. The need for such a ban on bulk water exports is pressing, given the pressure to send water to serve drought-prone areas in the United States. In the last two years we have seen detailed proposals from right-wing

think tanks in both the United States and Canada to export water from Manitoba and Quebec. These projects are tremendously costly, require vast amounts of energy, and pose great threats to watersheds. Bulk water exports and diversions would leave Canada's water vulnerable to environmental depletion and to international trade challenges that could permanently open the floodgates to parched U.S. states.

#### **Excludes water from NAFTA and all future trade agreements.**

Under NAFTA, water is defined as an investment and a service. This protects the right of foreign investors to consume vast and unsustainable amounts of water to extract oil from the tar sands, to bottle ancient glacier water and groundwater, and to dump their waste into lakes. If a corporation is granted permission to export water anywhere in Canada, it becomes a tradeable good under NAFTA, and other provinces will have to grant similar access to corporations seeking water export rights. Only a clear exclusion of water from NAFTA and other trade agreements will avert this threat.

#### **Take Action for a National Water Policy!**

Contact Prime Minister Stephen Harper and tell him Canada needs a National Water Policy now!

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**For more information about The Council of Canadians' National Water campaign call us at 1-800-387-7177, or visit our website at [www.canadians.org](http://www.canadians.org).**