



## THE GLOBE AND MAIL

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# Water bill wouldn't stop U.S. from draining Canada's rivers, experts warn

By Gloria Galloway  
Globe and Mail Update

*Legislation to prevent Americans from diverting rivers that cross border doesn't go far enough, council says*

A federal proposal to keep water in Canadian rivers and lakes from being exported wholesale to an increasingly thirsty United States will not stop the Americans if drought convinces them to come after Canada's greatest natural resource, experts say.

An act introduced last month by Foreign Affairs Minister Lawrence Cannon would prohibit the diversion, within Canada, of water from rivers that cross the international border.

But the Canadian Water Issues Council, a group of water experts and former senior water policy makers who advise the Munk School of Global Affairs at the University of Toronto, says the legislation fails to address the real issues.

Of much greater concern than protecting water in the cross-border rivers is the possibility that the Americans would pay to divert lakes and streams that do not currently flow across the border, the Council said this week in a letter to Mr. Cannon.

As the climate changes and U.S. rivers run dry, Canadians have become increasingly concerned that water will become a major bilateral issue and they will be helpless to prevent Canadian rivers and lakes from being drained by their neighbours to the south.

There is little point in stopping diversions from rivers that are already flowing into or out of the United States as the new Act aims to do, said Ralph Pentland, the letter's author, in an interview with The Globe and Mail.

The water that flows from Canada to the United States eventually becomes the property of the Americans without the need for diversion. And the Americans can take the water from the rivers that flow in the opposite direction before it even gets to Canada.

So "if you think about it," said Mr. Pentland, "why would anybody take water out of that river for the purpose of exporting it to the U.S.?"

On the other hand, said Mr. Pentland, there would be value to the Americans in finding water to channel water from lakes and rivers that do not flow into basins that eventually spill into their territory.

"So the Act as it's written wouldn't accomplish anything," he said. "But we are saying with some fairly minor license.icopyright.net/.../viewFreeUse.a..."

changes it could become very effective."

Another problem with the Act, says the Council, is that it does not prohibit pipelines or canals from being built to send water south into the United States from bodies of water that do not cross the border.

An existing law called the International River Improvements Act requires anyone wishing to build such a conduit to obtain a federal licence. The Council argues that no licences should be granted, period.

"Export in itself is not the danger, said Mr. Pentland. "You want to prevent the removal of water from river basins because you want to protect the ecological integrity of the river basis."

The major bulk-water export schemes that have been proposed in the past contemplated diverting water from the Yukon down the Rocky Mountain trench and into the United States, or from James Bay into the Great Lakes.

The Council drafted its own proposed legislation to protect bulk water diversion earlier this year and asks to be included on the list of experts that will advise politicians as the debate Bill C-26.

When the Act was introduced on May 13, Mr. Cannon said that protecting Canadian waters for Canadians is a top priority of the Conservative government.


"This important legislation makes it clear that we are not in the business of exporting our water," said Mr. Cannon. "Canadian water is not a commodity. It is not for sale."

Critics, including the Council of Canadians, have pointed out that the act does not prohibit the export of bottled water. But Mr. Pentland said that practice does not cause him undue concern.

"In my mind as a water engineer, that's a trivial amount of water," he said. "When you are talking about bottled water you are talking about a few swimming pools."

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