

VANCOUVER ISLAND WATER WATCH COALITION

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THEY DON'T WANT OUR WATER

EDITOR

EDITORS NOTE: This presents a different view than what we traditionally read about the USA wanting our water, thus I am posting it here so we begin to see both sides of the coin.

excerpt

Chris Wood
Raincoast Books (2008)

Thirsty suburbs to the south. By Chris Wood
June 11, 2008[The Tye Editor's note: This is the first of two excerpts from Chris Wood's new book Dry Spring: The Coming Water Crisis of North America.]

Probably few tourists wander far enough northwest off Las Vegas' Strip to find themselves at Boca Park, a cluster of white marble-clad designer outlets, home-fashion shops, cafés and restaurants catering to upscale consumers.

Those few who do might be struck by the apparently spendthrift play of several outdoor fountains in the dry desert air. And if any were Canadians, they'd be more startled yet by the brass notice in front of each: "The water in this fountain is not from the State of Nevada or the Colorado River Basin. It is imported from northern states or Canada."

Boca Park happens to belong to the same wealthy Alberta family of property developers, the Ghermezians, as the West Edmonton Mall. When the retail developers opened their Las Vegas property in 2003, Nevada was in the middle of an historic drought, and local utilities refused to supply new water features.

Reasoning that a shopping mecca with enough water to float its own fleet of submarines could spare enough to fill some modest fountains, the company acquired a 75,000-litre (20,000-gallon) milk truck and began driving it between Edmonton and Las Vegas once a week, transporting Alberta water to splash in the Nevada sun. Deliveries continued for the next four years.

Then they stopped. The weekly shipments of Alberta water to Nevada didn't end because Canadians objected (most didn't know). They ended because of economics. Boca Park's owners found it cheaper to contribute \$11,750 to the fund that subsidizes conversion from grass to xeriscaping, in return for a hook-up to public mains, than to keep on trucking water from Canada.

Other options

Activists routinely assert that U.S. states are "looking toward Canada's water" as a "quick-fix solution" to regional water crises but rarely if ever identify the states in question.

Perhaps because none exist: no U.S. state agency or government to my knowledge has proposed importing water from Canada as a solution to its own shortage. Southern Nevada, the thirstiest part of the driest state of them all, has a detailed plan for supply that runs past the middle of the century.

Canada is nowhere on the list of options.

In trying to prove that an American assault on Canada's water constitutes a clear and present danger, activists are especially fond of citing the unsustainable depletion of the Ogallala aquifer, which underlies much of the U.S. High Plains, and the '60s-era North American Water and Power Alliance (NAWAPA) pipe dream, which would have diverted water from Canada to the western states.

But these are thin bogeymen. Texas, the Ogallala state with the largest population and the most money, has a number of plans to provide water to its fast-growing northern cities; none involves Canada.

In north Texas water circles, laughed High Plains farmer (and leading local Republican) Eddie Teeter, no one talks about raiding Canada for its water. As for NAWAPA and its assorted near-cousins, they're extremely unlikely ever to be built.

No more diversions

The International Joint Commission, itself the child of big engineering, made a detailed inquiry into the plausibility of various continental water transfer schemes and judged, "The era of major diversions in the United States and Canada has ended."

The change of heart reflects no sudden surge of green values among water utilities. It's just that moving water any distance in any considerable volume is a hugely difficult and expensive way to solve the problem of supply.

Try picking up a four-litre jug of milk and holding it by one hand outstretched from your body. Keep it there for a while and feel the burn. Liquid is heavy.

Transporting it by truck or tanker quickly burns up more fuel than the water can be sold for. Tony Clarke, a close ally of the Council of Canadians with his own Ottawa-based think-tank, asserted breezily that "all it would take is the construction of a network of new dams, reservoirs, canals, tunnels and pipelines [my emphasis]," to let Canadian water flow to the American Midwest under its own gravity, as if that were simple.

Little could be further from the truth.

Not economical

In a remarkable unpublicized study for the Canadian government, consultants Jim Bruce and Hans Martin, with others, examined how the changing climate and some other things might affect the flow of water across the Canada-U.S. border.

Among the other things was the export of water on a large scale. They concluded, in sum, that international trade in bulk water was simply not about to happen.

For a good reason: "The economics of international bulk-water transmission are not very attractive, a fact that can be substantiated by observing that very little of it takes place anywhere in the world."

It does happen in a small number of places. Tanker ships deliver water around islands in the Philippines as well as the Caribbean and Aegean seas; Lesotho sells water in bulk to South Africa.

But other initiatives have failed. Britain contemplated tankering water from Norway to England during an early-century drought but eventually opted not to.

Israel signed a deal with Turkey to import water, but logistic hurdles frustrated deliveries (among other things, no shipper would guarantee the quality of delivered water).

Kuwait signed a similar deal to pipe water under the Persian Gulf from Iran, but America's invasion of Iraq interrupted the pipeline's construction.

New Mexico hydrologist and entrepreneur William Turner is one of North America's frankest advocates of treating water as a commercial good like any other. His Albuquerque-based WaterBank.com offers to match buyers and sellers anywhere in the world.

Yet even he concedes, "Long distance bulk transport of water simply is not economically feasible."

Alarmist

Yet activists continue to ring the alarm that a slight Canadian misstep - in the sale of a single sip of our water - would be enough instantly to "open the floodgates" to a rapacious America.

To heighten our concern, the Council of Canadians and others throw around authoritative-sounding citations from the text of international trade agreements. They interpret these snippets of the General Agreement on Tariffs and Trade (GATT), the documents that created the World Trade Organization (WTO) and the North American Free Trade Agreement (NAFTA), to imply the following:

that one commercial transaction in any volume of bulk water will legally transubstantiate all a country's water from being a natural "public good" (out of reach of predatory corporations) into a "commodity in commerce" (which those same corporations may demand at will);

that once any volume of water is allowed to leave Canada in bulk for the United States, that volume can never be reduced;

that once private business is permitted to play any role in the acquisition, treatment or delivery of water, Canadians will have no subsequent flexibility to favour Canadian businesses (or customers) over non-Canadian ones;

that once any of the foregoing happens, American and possibly Mexican corporations can use NAFTA to hold Canada to a form of legal blackmail, obliging us to open up every creek to any foreign demand or pay billions of dollars in penalties.

Damaging interpretations

These interpretations, derived from selective reading and a great deal of alarmism, are, respectively: a) false, b) misleadingly incomplete, c) true (but so what?) and d) wildly exaggerated.

Let's put them under the microscope in turn.

The first assertion - that a single drop of water entering commerce puts every lake in the land at risk- is both the furthest from the facts and the most damaging, because it's employed so regularly in Canada as to foreclose discussion of softer paths to water security that tap the creativity of the marketplace.

In Blue Gold, Council of Canadians leader Maude Barlow and Tony Clarke begin the argument for this belief by pointing out that GATT provides "a definition of a 'good' which clearly lists 'water, including natural waters,' [while] NAFTA adds an explanatory note that 'ordinary natural water of all kinds' is included [on the same list]."

The list she's referring to, GATT's Harmonized Commodity Coding System, is a standardized identification system designed to help the agreement's 150 members and their citizens' businesses keep track of trade in millions of different items with a minimum of confusion; it is not a list of anything that must be traded.

It does universally for goods what, for example, the International Standard Book Number (ISBN) system does for books. It provides a common reference base, but it doesn't require the sale of everything, any more than your bookseller has to carry (or you have to buy) every book with an ISBN.

Too late?

Nonetheless, aqua-nationalists insist that the existence of such a list implies that once any water is traded, all of it must be. At the extreme, some say this means that all the water in Canada is already a commercial commodity.

The Canadian Environmental Law Association, for one, has held that because Alberta sells irrigation water to commercial farms, water has already entered commerce in Canada and therefore "Americans can, indeed, 'turn on the taps' on Canadian water."

If this were true, one must wonder what all the fuss is about: since the jig is up anyway, why bother resisting?

Alternatively, if the jig is up and the feared horde of gun-toting, pipe-laying Americans hasn't materialized, why do aqua-nationalists still cry "wolf" at any whisper of water and sale in the same breath?

Numerous authorities argue persuasively that trade law in fact distinguishes clearly between water in the wild - in rivers, lakes or aquifers- and water that has been put up for sale, with different rules for each.

As a Canadian government background paper on water law notes: "even if some water is extracted from its natural state to be made into a good (e.g., bottled water or as an ingredient in a beverage), the remaining water in the source from which that water was drawn still constitutes water in its natural state, and therefore is still not a good."

Not for sale

The NAFTA sustains this distinction. Before the trade agreement was signed, its three partner governments issued a common interpretation of its terms.

"Water in its natural state," that statement read in

part, "in lakes, rivers, reservoirs, aquifers, water basins and the like, is not a good or product, is not traded, and therefore is not and has never been subject to the terms of any trade agreement."

For particular clarity it also stated: "The NAFTA creates no rights to the natural water resources of any Party to the Agreement."

It is not only the Canadian, U.S. and Mexican governments that hold this view. James L. Huffman, a distinguished American expert in water law, has said this:

"My interpretation of NAFTA is that it clearly excludes water. Nobody in the United States, to my knowledge, has any idea that the agreement involves water."

In short, the NAFTA "call" option by which aqua-nationalists contend that American states or foreign corporations could somehow compel unlimited access to all the water in Canada is, simply, a chimera.

Like a televangelist's brimstone, it may shake open the pockets of the faithful, but it cannot be found on a map or, in this case, in the law.