



A Policy Respecting the Prohibition of Bulk Water Removal from Major River Basins in the Northwest Territories



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Application

This policy statement applies to all surface water and groundwater resources of the Northwest Territories (NWT).

Preamble

It has been apparent for some time that Canadians are concerned about a wide range of freshwater issues. They are looking to all levels of government to work together to protect and conserve our freshwater resources.

There is a perception that Canada has plentiful water resources. The water is not, however, always where it is needed. Much of the water is tied up in ice and deep lake storage, and is not available through annual river flow. The serious problem of water scarcity and poor water quality in many countries could put pressure on Canada's water resources. From both economic and environmental perspectives, the sustainable approach is to prohibit the export of large volumes of water out of major drainage basins. Rather, Canada can promote expertise and technology related to water conservation and water treatment, so that potable water can be derived from poorer-quality sources.

Water policy should be guided by ecological measures, not economic or trade matters. In this manner, water can be protected within a major drainage basin using generally applicable water-use regulation and environmental protection measures. Removing water in bulk from a drainage basin can have negative impacts within the donor basin. It can compromise existing and future in-stream water uses, alter the ecology of water habitats, and threaten cultural values and cultural activities of residents in the basin.

The need to protect, conserve and properly use Canada's freshwater resources is recognised by all levels of government. In February 1999, the federal government proposed a strategy that would prohibit the bulk removal of freshwater from major drainage basins within federal jurisdiction. This commitment was within the forum of the Canadian Council of Ministers of Environment (CCME), a body of federal, provincial and territorial parties that collectively considers environmental issues. Participants in the CCME committed themselves to prohibit the bulk removal of freshwater, for export and other purposes, from Canadian river drainage basins through the use of legislation, regulations or other policies within their own jurisdictions.

Accordingly, the Government of Canada has amended the *International Boundary Waters Treaty Act* to prohibit the bulk removal of boundary waters from Canadian basins for any purpose, including export. To further meet federal responsibilities for water management and regulation in Canada's northern territories, the Minister of Indian Affairs and Northern Development is issuing this policy statement on prohibiting the removal of water in bulk from major river drainage basins in the Northwest Territories. A similar policy statement is available for Nunavut.

Purpose

All major uses of water within the NWT require a water licence, including any proposal that contemplates removing bulk quantities of freshwater from the major drainage basins of the NWT.

This policy statement affirms that the Minister, in order to be consistent with the Government of Canada's position prohibiting bulk water removal from major drainage basins, will not approve any licence issued by water licensing boards for that specific purpose.

DIAND has the jurisdiction for water management in the NWT. Further, it has the responsibility to develop, in cooperation with the Government of the NWT and water licensing boards, the best approach for the protection, conservation and appropriate utilization of NWT's freshwater resources.

Principles

This policy is based upon the following principles:

- water is fundamental to life and is a precious resource;
- water-based ecosystems are essential to the well-being of NWT residents, especially those who live a traditional lifestyle;
- the wise and sustainable use of water is critical to protect the health of ecosystems in the NWT, and to promote environmental, social and economic well-being for present and future generations; and
- the conservation and protection of water in the NWT, and the drainage basins from which it comes, requires the cooperation of all parties that manage water and regulate its use. This is particularly so for river basins that cross boundaries of territories and provinces.

The Statement of Policy

The removal of freshwater in bulk quantities from any major drainage basin within the NWT is prohibited. Any licences submitted to the Minister authorizing bulk water removal will not be approved.

For the purpose of this policy the major NWT drainage basins are i.) all rivers that flow to the Arctic Ocean, (primarily the Mackenzie River and the headwaters of the Coppermine River, but as well all the smaller rivers that drain directly to the Beaufort Sea, such as the Anderson, Horton and Hornaday rivers, and the rivers on Banks and Victoria Islands), and ii.) all rivers that flow to Hudson Bay (primarily the headwaters of the Thelon and Kazan rivers).

Bulk water removal is defined as any water transferred out of a river basin in any individual container greater than 40 litres in volume, or removal by any means that involves permanent out-of-basin transfer, whether it is by diversion (including pipeline, canal, tunnel, aqueduct or channel), tanker or other mechanism.

For greater certainty, bulk water does not include “bottled water” in containers of 40 litres or less. Ecological impacts related to the removal from a basin of freshwater as “bottled water” are addressed through the environmental assessment and licensing practices under the appropriate statute.

In addition to the exemption for water packaged in the small containers noted above, removal of freshwater out of a drainage basin is allowed for water required: to meet short-term health and safety needs (such as fire fighting); for human or animal consumption during travel and water needed to carry foodstuffs; for road construction and maintenance; and other such local uses, in so far as these are consistent with water resource management objectives and environmental considerations.

This policy will be reviewed regularly to evaluate its effectiveness in achieving the ecosystem and conservation goal through prohibiting removal of water in bulk quantities from any major drainage basin of the NWT.



Notes
