



Blue Communities Project Guide

**Paint the
Town Blue!**





Blue Communities Project Guide

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What is a Blue Community?

A “Blue Community” is one that adopts a water commons framework by taking the three actions outlined in this guide.

A water commons framework treats water as belonging to no one and the responsibility of all. Because water is essential for human life, it must be governed by principles that allow for reasonable use, equal distribution and responsible treatment in order to preserve water for nature and future generations.

The Blue Communities Project calls on communities to adopt a water commons framework by:

1. Recognizing water as a human right.
2. Promoting publicly financed, owned and operated water and wastewater services.
3. Banning the sale of bottled water in public facilities and at municipal events.

This guide provides information and resources to help you achieve these goals.

The Blue Communities Project

The Blue Communities Project is a joint initiative of the Council of Canadians and the Canadian Union of Public Employees (CUPE). This project builds on a decade of Water Watch work in coalition with many other groups to protect and promote public water.

The Blue Communities Project Guide was created to help community activists and local leaders protect the water commons – our shared water resources – in the face of increasing pressure to put water up for sale and privatize water services. As a public sector worker, municipal councillor or community activist pursuing the creation of a “Blue Community,” you will become part of a growing movement for public water in Canada.



Why Blue Communities?

Canada's waterways are increasingly polluted and depleted by unsustainable industrial, agricultural and municipal activities. Our water services face the growing threats of underfunding and privatization. The need to protect water resources and services is urgent and governments must play a central role in ensuring water is used responsibly and allocated fairly.

The push to privatize Canada's water and sewage systems through long-term operation contracts, or so-called public-private partnerships (P3s), began more than a decade ago. The Harper government has made water privatization part of its agenda by committing public money destined for water infrastructure to the hands of water profiteers through funding mechanisms that promote P3s.

In the meantime, the bottled water industry sells water – which should be a shared public resource – for huge profits. Greenhouse gases are emitted and watersheds destroyed as a result of producing and transporting bottled water. Bottled water production places a huge stress on increasingly scarce water resources.

On July 28, 2010, the United Nations General Assembly passed a resolution recognizing the human right to water and sanitation. On September 23, 2011, the United Nations Human Rights Council (HRC) passed a resolution on the human right to safe drinking water and sanitation and called on governments to take concrete action by developing plans of action, establishing monitoring and accountability mechanisms, and ensuring affordable services for everyone.

Municipalities are responsible for water quality, supply, treatment and conservation. The adoption of a water commons framework to address these problems at the community level is crucial in the battle to preserve water and ensure fair access to all.





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What community activists can do

Support a municipal declaration on recognizing the human right to water.

Ask your Member of Parliament to enshrine the human right to water and sanitation in federal law.

What municipalities can do

Sign a municipal declaration recognizing the human right to water.

Call on regional municipal bodies to recognize the human right to water.

Recognize water as a human right

Water is essential to life – no one should be able to control it or expropriate it for profit. The human right to water entitles everyone to sufficient, safe, accessible water for personal and domestic uses.

On July 28, 2010, the United Nations General Assembly passed a resolution recognizing the human right to water and sanitation. On September 23, 2011, the United Nations Human Rights Council (HRC) passed a resolution on the human right to safe drinking water and sanitation and called on governments to take concrete action by developing plans of action, establishing monitoring and accountability mechanisms, and ensuring affordable services for everyone.

After years of denying that the human right to water and sanitation existed, the Canadian government finally conceded in 2012 that the human right to water not only exists, but that it is integral to the right to an adequate standard of living under the International Covenant on Economic, Social, and Cultural Rights.

Enshrining the human right to water and sanitation in Canadian law would ensure that people living in indigenous and Canadian communities are legally entitled to sufficient quantities of safe, clean drinking water and water for sanitation, and would require that access inequalities be addressed immediately. The lack of safe, clean drinking water in indigenous communities is one of the most serious violations of the human right to water and sanitation.

On the other hand, the rights of corporations, whose activities drain, contaminate and destroy watersheds, are protected in the North American Free Trade Agreement (NAFTA) and other international trade and investment agreements.

In the current global water crisis, billions of people still lack access to basic water and sanitation services. Every day, thousands of people die from preventable diseases contracted because they do not have access to clean water. The recognition of water as a human right in international law allows for the means and mechanisms of the UN to be employed to hold governments accountable for ensuring that their populations have access to safe clean drinking water and water for sanitation purposes. The Canadian government must do its part to implement the human right to water and sanitation in this country.



Canadian municipalities and the right to water

Responsibility for water is shared between provincial, municipal and federal governments. It is therefore crucial that the right to water be enshrined at every level of government.

A municipal recognition of the right to water would:

- Safeguard against a pricing scheme that would limit access to drinking water.
- Ensure all residents have equal access to adequate supplies of safe, clean water.
- Provide citizens with information on their water supply and the operation of their water services.
- Promote water conservation, treatment, reuse and source protection to enhance water quality and quantity.

Most Canadian municipalities already meet these criteria. However, official recognition of the right to water at the municipal level would cement these principles. It would also create much needed momentum to apply pressure on other levels of government to play their role in implementing water as a human right.

*Recognize water as a
human right*



*Recognize water as a
human right*

Sample Resolution

WHEREAS one in six people around the world do not have access to clean drinking water; and

WHEREAS over one quarter of Canadian municipalities have faced water shortages; and

WHEREAS the Canadian Medical Association reported 1,766 boil water advisories in Canadian communities in 2008 leading to thousands of waterborne illnesses every year; and

WHEREAS Indigenous communities in Canada have been disproportionately affected by lack of access to clean safe drinking water; and

WHEREAS On July 28, 2010, the United Nations General Assembly passed a resolution recognizing the human right to water and sanitation; and

WHEREAS On September 23, 2011, the United Nations Human Rights Council (HRC) passed a resolution on the human right to safe drinking water and sanitation and called on governments to take concrete action by developing plans of action, establishing monitoring and accountability mechanisms, and ensuring affordable services for everyone; and

WHEREAS the Canadian Union of Public Employees and the Council of Canadians have asked Canadian municipalities to assist in their effort to have the federal government protect drinking water as a human right;

THEREFORE BE IT RESOLVED that this Council recognizes and affirms that access to clean water is a fundamental human right.

BE IT FURTHER RESOLVED that this Council will call on the federal and provincial governments to enshrine water as a human right in federal and provincial law.

BE IT FURTHER RESOLVED that this Council will call on the government of Canada to develop a national plan of action to implement the human right to water.



Good practices

Wallonia:

The Belgian region of Wallonia officially recognizes that, "Each person has the right to dispose of a drinking water of quality and in sufficient quantity for its nutrition, its household needs and its health."

In 2008, the Walloon Minister of Environment announced that the region would extend water solidarity to the international level. The region is in the process of developing legislation to support water projects in selected developing countries.¹

Union of Nova Scotia Municipalities

In 2007, the Union of Nova Scotia Municipalities recognized "access to clean water" as a "basic human right."

*Recognize the human
right to water*

¹ <http://www.righttowater.org.uk>





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What community activists can do

Work in coalition to introduce a motion to stop your municipality or school board from selling or serving bottled water in their facilities and at their events.

Push for access to public water by calling for new drinking water fountains in public spaces.

What municipalities can do

Ban or phase out the sale and purchase of bottled water in municipally-owned facilities and at municipal events.

Ensure access to tap water by installing and maintaining drinking water fountains in municipally-owned facilities and at municipally-sponsored events.

Promote the value of municipal water through public education campaigns.

Pressure governments for dedicated funding to protect and improve the quality of municipal tap water.



Ban the sale of bottled water in municipal facilities and at municipal events

Bottled water represents an “enclosure” or private takeover of the water commons. Corporations take free-flowing water from its natural state – or treated municipal water – put it in plastic bottles and sell it at exorbitant rates.

Twenty years ago, bottled water was considered a luxury product consumed by a niche market. Today, according to a 2008 Statistics Canada report, one-third of Canadian households rely on bottled water to meet their hydration needs.¹ Agriculture and Agrifoods Canada reports that Canadians consume two billion litres of bottled water per year.

Canada is a net exporter of bottled water, selling its ancient glacier waters all over the world mostly for the profit of big foreign-owned water companies like Nestlé, Coca-Cola and Pepsi. Most provinces charge these companies next to nothing to extract this water from springs and aquifers. Whole watersheds are now under threat from this practice.

It also takes a lot of water to bottle water. The production process requires three to five litres of water to produce a one litre bottle of bottled water.

In order to persuade people to spend up to 3,000 times what they spend on tap water, bottled water companies advertise their products as a safer and healthier alternative. Nothing can be further from the truth. Bottled water is regulated as a food product under the Canadian Food Inspection Agency. Bottling plants are inspected on average only once every three years. Regulation of tap water, on the other hand, is far more stringent. In general, municipal tap water is tested continuously during and after treatment.

Finally, in an era when the world is dealing with the impacts of climate change, the bottled water industry requires massive amounts of fossil fuels to manufacture and transport its product.

Increasingly, Canadians are moving back to the tap, rejecting bottled water. A growing number of Canadian municipalities, school boards and other institutions are banning the sale and purchase of bottled water in their facilities and at their events.

¹ “Against the flow: Which households drink bottled water?” EnviroStats, Summer 2008, Vol. 2, no. 2

Sample resolution

That, on the recommendation of the Acting General Manager of Environmental & Engineering Services & City Engineer, the following actions be taken:

A) Municipal council APPROVE a resolution stating the following:

WHEREAS the Corporation of the City of [London] operates and maintains a regulated and sophisticated water distribution system that meets some of the most stringent water quality requirements in the world;

WHEREAS the regulatory requirements for monitoring water quality contained in bottled water are not as stringent as those that must be met by the Corporation of the City of [London];

WHEREAS The Corporation of the City of [London] delivers water to its residents and businesses that translates, on average, to about one-eighth of a cent per litre;

WHEREAS single-use bottled water sold in [London] is 230 to 3,000 times more expensive than water from the tap in [London], even though estimates suggest that between 10% and 25% of the bottled water originates from municipal water systems;

WHEREAS resource extraction, packaging and distribution of single-use bottled water creates unnecessary air quality and climate change impacts and consumes unnecessary resources such as oil in the manufacture of plastic bottles and in the fuel used in the transportation of bottled water to the consumer;

WHEREAS single-use plastic bottles, although easily recycled through the City of [London] recycling program, approximately 60% are captured in the Blue Box Program and the rest end up in the garbage bag and ultimately delivered to the City's landfill site taking up unnecessary space without any further contribution to society;

WHEREAS single-use plastic bottles that are not recycled in the Blue Box Program or placed in the garbage become litter in [London's] streets, parks and boulevards;

WHEREAS the cost of managing single-use plastic bottles along with other recyclable material in the Blue Box Program, after material revenue, has been removed, is currently 35% paid by industry stewards and 65% paid by [London] taxpayers and when the single-use plastic bottles and other recyclable materials are sent to landfill industry stewards do not pay any of the costs;

WHEREAS City of [London] tap water is safe, healthy and accessible to Londoners and visitors, and substantially more sustainable than single-use bottled water;

WHEREAS City of [London] tap water is readily available at most indoor public facilities, either in the form of a faucet in a bathroom or drinking fountain and, where it is not readily available a plan be put in motion to

Ban the sale of bottled water in municipal facilities and at municipal events

*This resolution was passed by London, Ontario's municipal council in August 2008, along with a timeline for implementation and further directions for accompanying studies and budget reports.



Ban the sale of bottled water in municipal facilities and at municipal events

increase access to municipal water subject to water quality and safety requirements, budget and other considerations;

WHEREAS a priority of [London] Municipal Council remains that where easy access to municipal tap water does not exist, the availability of bottled water is a very appropriate alternative;

WHEREAS the City Council wishes to set a positive example to the [London] community on environmental matters;

THEREFORE BE IT RESOLVED THAT a) single-use bottled water will no longer be sold in the City Hall cafeteria, from city-owned or city administered concessions and vending machines in public facilities where easy access to municipal tap water exists; b) single-use bottled water will no longer be purchased and provided at meetings where easy access to municipal water exists; c) The availability of water jugs with municipal water will be increased, where required; d) a city staff and public awareness campaign be developed to support the rationale for these important changes including the need for [Londoners] to do their part; and e) the following implementation schedule be followed subject to an assessment that tap water is readily accessible at these locations.

Good practices

Toronto's "HTO to Go"

The City of Toronto recently created "HTO to Go" – a mobile water trailer filled with municipal drinking water that serves as a big drinking fountain and a fun way to educate people about the city's water. Residents of Toronto organizing a public event can contact the city to have HTO to Go at their event.

U.S. mayors challenge bottled water

In June 2008, at their annual conference, U.S. mayors passed a resolution to phase out the municipal use of bottled water in favour of tap water. Since then, the movement to ban bottled water has spread among U.S. municipalities.

Federation of Canadian Municipalities encourages cities to ditch bottled water

In March 2009 the Federation of Canadian Municipalities, an umbrella organization for municipal governments across Canada, voted in favour of a resolution to encourage all Canadian cities to phase out the sale and provision of bottled water in municipal facilities and at municipal events.



Promote public water and wastewater infrastructure

Local communities directly own and operate the vast majority of Canadian drinking water and sewage treatment facilities. But as the need for reinvestment grows, our cities and towns are strapped with little new funding or revenue to pay to upgrade existing systems and build new ones. Local governments are considering privatizing through public-private partnerships (P3s), but they should be cautioned.

A P3 is a form of privatization. P3s are multi-decade contracts for private management of public services or infrastructure. They can include private financing, ownership and/or operation. P3s result in higher costs, lower quality and loss of public control.

Very few communities in Canada have experimented with P3s for drinking water or sewer services, but there are lessons we can learn from those that have. Experience shows that privatization means water rates go up and accountability goes down.

P3s waste public money and put communities at risk

P3s are more expensive than public ownership and operation because of higher private-sector borrowing costs, transaction fees, and the need to generate a profit. The costs of lawyers and consultants alone can set municipal governments back millions of dollars before projects even get off the ground. Corporations charge a premium for so-called “risk-transfer.” But despite the cost, governments have not been successful in transferring risk to the private sector.

Companies can walk away if a project is not profitable for them, but governments cannot. Taxpayers absorb the costs of failed P3 deals, since the public “partner” is ultimately responsible for delivering services and infrastructure.

The credit crisis has made this abundantly clear as daily news stories tell of private financiers that are unable to finance privatized infrastructure projects. Projects are being delayed or even cancelled, leaving governments scrambling to find ways out of expensive messes.



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What community activists can do

Demand a national water infrastructure fund that supports publicly-owned and operated facilities and services. Pressure federal Members of Parliament to make this a priority.

Bring a resolution to your local municipal government to protect publicly-owned and operated infrastructure.

Establish a Water Watch Committee in your community to monitor city council meetings. Think of having a rotating water watcher who attends every council and relevant committee meeting to be on guard against the early warning signs of privatization. Contact the Council of Canadians or CUPE to find out more.

What municipalities can do

Raise the issue at the Federation of Canadian Municipalities by bringing a resolution about P3s and public ownership to their next annual conference.

Pass a resolution or declaration to keep water and wastewater infrastructure in public hands in your community.



Resisting federal P3 pressure

Despite the evidence that P3s are more expensive, risky, less effective and unaccountable, the federal government is aggressively pushing privatization as a prerequisite for federal funding. The Harper government's P3 Canada Fund, which falls under the Building Canada infrastructure plan, forces municipal governments seeking federal funding for a project to enter into a P3.

In February 2014, the Canadian government renewed the P3 Canada Fund by allocating an additional \$1.25 billion over five years.

But communities don't have to take the bait. Local governments still have access to the lowest borrowing rates available. With new accounting standards requiring that P3s show up as public debt, there is no incentive left to rely on more expensive private financing, or to lock communities into long-term deals that tie governments' hands.

Decades of infrastructure funding cuts have resulted in a municipal infrastructure deficit. The Federation of Canadian Municipalities estimates that Canadian communities need \$15 billion to replace water and wastewater infrastructure graded "poor" or "very poor." The Alternative Federal Budget calls for an additional \$82 billion to maintain and upgrade infrastructure graded "fair" or better.

Drinking water services have important public health and environmental implications. Protecting the public interest requires public control and autonomy. Public water utilities are responsive and accountable to communities.



Sample resolution

WHEREAS public health depends on equitable access to clean water supplies; and

WHEREAS public ownership and operation of drinking water and wastewater treatment systems have improved access and quality over the past century; and

WHEREAS our community is committed to protecting water and wastewater systems from the consequences of privatization through “public-private partnerships” or P3s including:

- Lack of transparency and accountability to the public.
- Increased costs and higher user fees.
- Projects being delayed and cancelled leaving governments to deal with the consequences; and

WHEREAS the privatization of municipal water and wastewater treatment services through P3s or contracting out turns water into a commodity to be sold for profit;

THEREFORE BE IT RESOLVED that [the name of the municipality] oppose privatization in any form of water and wastewater treatment services, including through P3s, and keep these services publicly owned, operated and delivered; and

BE IT FURTHER RESOLVED that Council lobby the federal government to fulfill its responsibility to support municipal infrastructure by investing in a national water infrastructure fund that would address the growing need to renew existing water and wastewater infrastructure and build new systems; and

BE IT FURTHER RESOLVED that Council forward this resolution to the Federation of Canadian Municipalities for circulation to all of its members.

*Promote public water
and wastewater
infrastructure*



*Promote public water
and wastewater
infrastructure*

Cases in point

Hamilton

The cost of cleaning up a sewage spill in Hamilton, where the city experimented with a P3 for 10 years, was borne by the public. P3s also reduced transparency. In Hamilton, elected officials had to pay fees under the Freedom of Information Act in order to see the contracts. The cost of so-called risk-transfer is high. Negotiations to renew the deal in Hamilton fell apart when the corporation tried to charge the city twice as much if they were to be accountable for risks in the future. The system is now back in public hands, surpassing environmental standards and delivering significant cost savings.

Seymour Capilano

In 2001, the Greater Vancouver Regional District rejected a P3 for their water treatment facility in response to public protests. Along with worries about loss of control, lack of accountability and higher costs, citizens voiced fears about the dangers under international trade deals of privatizing the water system. It is currently projected that the capital cost of the public project will be \$566 million, even though the budget was set in 2003 at \$600 million. That means the public project is currently projected to come in \$34 million (5.6 per cent) below budget. This is a sharp contrast to the major P3 projects now underway in B.C. in water and other areas, which have all turned out to be considerably more costly than they were estimated to cost when approved.

Moncton Water Treatment Facility

In 2002, US Filter Canada, a subsidiary of a French multinational water company, was selected to design, build, operate and maintain Moncton's water treatment facility over a 20-year contract. Today, residents pay high water fees that are increasing much faster than they did prior to the P3. Between 1995 and 1999 fees increased by up to seven per cent each year. Rates increased 75 per cent between 1999 and 2000.



Steps to creating a Blue Community

1. Send an email to bluecommunities@canadians.org to join the network of community activists, public sector workers, and local government officials working on creating a blue community.
2. Community members working on promoting the water commons are setting up Water Watch committees across the country. Visit www.canadians.org or cupe.ca to find out more.
3. Using the information provided in this guide, develop a strategy to promote water as a human right, keep water in public hands, and end the sale of bottled water at public facilities and events.

Blue Community checklist

We hope the information provided in this guide is useful in helping you develop strategies to protect the water commons in your community to:

- Recognize the human right to water.
- Promote publicly-owned and operated water infrastructure.
- Ban the sale of bottled water in publicly-owned facilities and at public events.



We are here to help

Keep us informed of your progress by contacting us at bluecommunities@canadians.org or by calling us toll free at 1-800-387-7177. We would love to feature your work on our website and share your stories and ideas with other communities in Canada.

Contact details for further info:

bluecommunities@canadians.org or www.canadians.org/water

waterwatch@cupe.ca or www.cupe.ca/water

The information contained in this guide is based on *Our Water Commons; Toward a new freshwater narrative* by Maude Barlow. A copy of the report can be downloaded at www.canadians.org





CUPE·SCFP

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