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Dear Mr. Chance,

I have the honour to inform you that the Governments of Canada and the United States of America recognize that the proposed Garrison Diversion Unit of the Pick-Sloan Missouri Basin Program in the State of North Dakota has a potential for causing pollution of waters flowing across the international boundary into Canada.

The Government of Canada has concluded, on the basis of studies conducted by the United States and Canada, including certain studies conducted by the United States in response to questions raised by Canadian officials, that the Garrison Diversion Unit, as currently envisaged, would have adverse effects on the Canadian portions of the Souris, Assiniboine and Red Rivers, and on Lake Winnipeg, which would cause injury to health and property in Canada in contravention of Article IV of the Boundary Waters Treaty of 1909.

The Government of the United States has reached no final conclusion as to whether the Garrison Diversion Unit, as presently envisaged, would be consistent with the rights of the United States and of Canada to the equitable use of waters crossing the boundary, and with Article IV of the Boundary Waters Treaty. The Government of the United States notes that, at present, waters crossing the boundary have wide natural fluctuations in quality and quantity, and that the Garrison Diversion Unit, as presently envisaged, could have both beneficial and adverse impacts on the quality and quantity of these waters. The Government of the United States has assured the Government of Canada that in any development of features of the Garrison Diversion Unit that will affect Canada, specifically works in the Red River Basin and the Souris Loop, the United States will comply with its obligation to Canada

Mr. D.G. Chance,
Secretary, Canadian Section,
International Joint Commission,
Suite 850, Burnside Building,
151 Slater Street,
Ottawa, Ontario.

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