

TEXT OF NOTE FROM CANADIAN EMBASSY, WASHINGTON,
TO THE UNITED STATES DEPARTMENT OF STATE

June 18, 1980.

The Canadian Embassy presents its compliments to the Department of State and has the honour to refer to previous exchanges of views between the Canadian and United States Governments on the Garrison Diversion Project. The Embassy wishes to express the serious concern of the Canadian Government that important new funds may be appropriated for the Garrison Diversion Project, which, as currently authorized, would have a seriously damaging impact in Canada. The Embassy understands that such funds would not be spent on portions of the project with potentially direct implications for Canada; nevertheless, in the absence of any significant project redesign which would fully protect Canadian waters and reflect the recommendations of the International Joint Commission, such continuing construction momentum could well result in actions that could lead to a violation of the Boundary Waters Treaty. The principal reason for this concern remains the Lonetree Reservoir and various connected works.

The Canadian Government therefore considers that satisfactory resolution of the serious bilateral implications of this project should precede decisions aimed at completion of the Lonetree Reservoir or works whose operation under the authorized plan is dependent on the Reservoir. In the Canadian Government's view, the serious issues raised by the project require a deliberate process of review which fully addresses both the well-documented Canadian concerns and the IJC's (International Joint Commission's) recommendations.

Canada's concerns over the potential adverse impacts of the Garrison Project have been made known to the Government of the United States on numerous occasions. Canada has sought and secured several important United States assurances including the undertaking to "comply with its (Boundary Waters Treaty) obligations not to pollute waters crossing the boundary to the injury of health or property within Canada"; and commitment that "no construction potentially affecting waters flowing into Canada will be undertaken unless it is clear that this obligation will be met". Furthermore, in 1977 the United States formally undertook to consult with Canada before proceeding with the construction of the Lonetree Dam, a key project component completing the inter-basin link.