

The Government of Canada is most concerned about the potential adverse effects of the Garrison Diversion Unit, as currently envisaged, on waters crossing the boundary into Canada. On the basis of studies conducted in the United States and Canada, the Government of Canada, in the closest collaboration with the Government of Manitoba, has concluded that this project, as now 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.

Since 1969, by means of a series of diplomatic Notes and meetings, the Government of Canada has been in continuing consultation with the Government of the United States on the Garrison Diversion Unit as it affects Canada. In a Note dated February 5, 1974, the Government of the United States gave an assurance that "the U.S. will comply with its obligation to Canada not to pollute water crossing the boundary to the injury of health or property in Canada." The Note further stated that "no construction potentially affecting waters flowing into Canada will be undertaken unless it is clear that this obligation will be met." The Government of the United States has since repeated this assurance in response to further expressions of concern by Canada in meetings of Canadian and United States officials.

Canadian technical studies and United States studies on the effects of irrigation return flows on the Souris River in Canada have led the Government of Canada to conclude that there will be injury to health and property in Canada if the Garrison project goes forward as now planned. Detailed water quality data on the project's anticipated effects on the Red River, developed by the United States, have recently been made available to Canadian officials. Canadian authorities have not yet had an opportunity to examine these data in depth in order to determine the extent of the adverse effects that this project might have on the water quality of the Red River in Canada. It should also be noted that the Government of Canada is concerned about the potential adverse effects of the introduction of foreign biota through an inter basin transfer of waters such as the proposal to transfer Missouri River water into the Red River system. The potential for increased flooding in Canada resulting from the project is a matter of further and significant concern. In outlining these concerns to you, I wish to stress that the Government of Canada has worked in close consultation with the Government of Manitoba.