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FOR IMMEDIATE RELEASE  
AUGUST 16, 1976

No. 86



JOINT COMMUNIQUE

GARRISON DIVERSION UNIT

DEPARTMENT OF EXTERNAL AFFAIRS  
MINISTÈRE DES AFFAIRES EXTÉRIEURES

The Governments of Canada and the United States have been informed by the International Joint Commission, through a letter to governments dated August 5, and through meetings with the Secretary of State for External Affairs, Mr. Allan J. MacEachen, on August 6 and United States officials, on August 13, 1976 that the Commission's final report on the Garrison Diversion Project in North Dakota will not be available by October 31, 1976 as requested. The Commission now expects that copies of its final report will not be available for public distribution before June, 1977.

The Commission explains the reasons for this delay in its letter of August 5, 1976. These reasons include the need for a detailed and professional assessment of the available water quality data, including their reliability, in order to enable the Garrison Study Board to complete its report to the Commission; the time-consuming restrictions in reproducing the Board's report, with appendices, for public distribution; and the need to ensure that everyone is given ample opportunity to consider the substantial body of information in the Board's report before public hearings are held.

The Canadian and United States Governments regret the considerable delay now expected before the Commission can submit its final report to governments on the findings of its investigation into the transboundary implications of the Garrison Diversion project. The investigation is being undertaken in response to letters from governments of October 22, 1975, which asked the Commission, inter alia, to recommend what measures might be taken to assist governments in ensuring that the provisions of Article IV of the Boundary Waters Treaty of 1909 are honoured.

While regretting the delay, the Governments of Canada and the United States both recognize that the Commission must have accurate water quality data, acceptable to its Study Board, on which to base its final report. The governments also agree that the public in both countries must be given adequate time to review the Garrison Study Board's report before public hearings are scheduled. At the same time, however, the governments have expressed concern that the Commission's report not be unduly delayed, and have urged the Commission to endeavour to submit its report at the earliest practicable date.

The United States Government assured the Government of Canada in February 1974 that it will comply with its obligations to Canada under the Boundary Waters Treaty not to pollute water crossing the boundary to the injury of health or property in Canada, and that no construction on the Garrison Diversion Unit potentially affecting water flowing into Canada will be undertaken until it is clear that this obligation will be met. The announced delay in the submission of the Commission's final report to governments on the Garrison project does not affect the status of that assurance.

INTERNATIONAL JOINT  
COMMISSION

COMMISSION  
MIXTE INTERNATIONALE

151 SLATER  
OTTAWA, ONT. Our File: 101-3-1:1  
KIP 5H3

August 5, 1976

The Honourable A.J. MacEachen, P.C., M.P.,  
Secretary of State for External Affairs,  
L.B. Pearson Building,  
Ottawa, Ontario.  
K1A 0G2

Dear Mr. MacEachen:

Reference is made to the Commission's letter of July 6, 1976, advising the Government of Canada that our report on the Garrison Diversion Project in North Dakota would not be available by October 31, 1976 as requested. The letter also indicated that the Commission would write the Governments further in this regard after receipt of more detailed information from the Garrison Diversion Study Board following the Board's meeting July 27-29.

The Commission met with the co-Chairmen of the Garrison Study Board on Friday, July 30, 1976, at which time the reasons for the delay in completing the Board's report were discussed thoroughly. The Commission also gave lengthy consideration to the development of a more accurate time table for submission of its report to Governments.

The Board's inability to meet an August deadline for its report to the Commission is due primarily to the need for a detailed and professional assessment of the available water quality data, including their reliability. These data provide the basis for predicting the impact the project will have on the quality of the Souris and Red Rivers in Canada. This question is, as you know, the very heart of the study under the Reference and is therefore a controlling

The Honourable A.J. MacEachen,  
P.C., M.P.

August 5, 1976

factor. The Board Chairmen emphasized to the Commission that there are no shortcuts available to the Board in this respect. Completion of the work of the other committees of the Board, with the exception of the Water Quantity Committee, must await the receipt of approved water quality data from the Water Quality Committee.

The Board has now advised the Commission that it will submit a "camera-ready" copy of its report to the Commission by the end of October. A few copies will be made immediately and forwarded to the two Governments. Since the Board's final report with Appendices will likely be several thousand pages in length, the reproduction in quantity will be time-consuming. The Commission is making advance arrangements for printing the various segments of the Board's report as each is completed and approved by the Board. We hope to make public distribution of the complete report of the Board by mid-December.

Because of the tremendous interest this study has on both sides of the boundary by public entities and private groups and individuals alike, the Commission is concerned that everyone be given ample opportunity to consider the substantial body of information in the Board's report before public hearings are held. The Commission is therefore allowing almost two months for public consideration, which includes the Christmas - New Year period when little public review is probable. It proposes to hold several public hearings in both countries about mid-February, 1977.

The Commission will prepare its final report following the public hearings and will transmit it to the Governments as soon as possible. In all likelihood, copies will not be available for public distribution before June, 1977.

Recognizing the importance that both Governments attach to this matter, the Chairman of each Section of the Commission will be meeting with representatives of his Government in order to discuss the implications of this delay.

The Honourable A.J. MacEachen,  
P.C., M.P.

August 5, 1976

A similar letter is being sent to the Department of State by the Secretary of the United States Section of the Commission.

Yours sincerely,



D.G. Chance,  
Secretary.

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