



ALBERTA ENVIRONMENT

Office of the Minister

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August 26, 2004

Right Honourable Herb Gray
Chair, Canadian Section
International Joint Commission
234 Laurier Avenue West, 22nd Floor
Ottawa, Ontario, Canada
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Honourable Dennis L. Schornack
Chair, United States Section
International Joint Commission
1250 23rd Street NW, Suite 100
Washington, DC, USA
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Dear Messrs Gray and Shormack:

Thank you for arranging the four public meetings held in July to collect information on the apportionment of water between the United States and Canada in the Milk and St. Mary rivers. Your visit and the opportunities it provided for citizens in both countries to consider the impact of the Boundary Waters Treaty and the 1921 Order and share their insights with you was most valuable.

As you heard, Alberta clearly opposes any review of the 1921 Order.

The history of the 1921 Order, and the perspective of 83 years of successful operation of the Order, has given us an appreciation of the skillful way the Commissioners of that time ensured that all possible views on the meaning of Article VI of the Boundary Waters Treaty were brought out before they issued the 1921 Order. The views of each country as to the meaning of Article VI were passionately held and very different. In the end, after six years of debate between the two governments, the Commissioners acted to clarify the meaning, and to bring the necessary long-term certainty and stability to water management in the Milk and St. Mary Rivers.

The Order has stood the test of time. As our staff attending the meetings shared with you, Alberta has accepted, applied and relied on the certainty provided by the Order in our water planning and development. We have developed extensive infrastructure based on the sharing provided for by the Treaty and clarified in the Order. We are attaching more detailed documents on our position to assist your deliberations as you consider what action is now appropriate.

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As Alberta's water strategy, *Water for Life: A Strategy for Sustainability* (enclosed), emphasizes, all governments need to look at new ways to manage water. It is not enough to just seek more water to meet expanding needs; we need to meet expanding needs with less water, and we need to find ways to ensure that our rivers and streams remain healthy in the process.

Water for Life embraces honouring our commitments with our neighbouring jurisdictions, and we want to pursue positive, proactive discussions of the challenges we all face with unpredictable water supplies. Opening the 1921 Order will simply prevent or delay action on the more pressing problems of the future. It will divert our efforts to rehashing the problems of the past. Instead, we see much greater value in cooperation to address future challenges and opportunities. Your public meetings were instrumental in fostering a widespread understanding of this need, and as such could be seen as a milestone in water management in both countries.

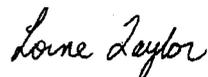
Alberta already has positive relationships with Montana, and we intend to build on these to foster sound, creative solutions to the water management challenges that we both will face in the future. All of this can be done in the framework of sustainability and stability provided by the 1921 Order.

In closing, we thank you, on behalf of the people of Alberta, for responding to the need for more information in the way you did, and encourage you to see the wisdom in maintaining the certainty provided by the 1921 Order and supporting ongoing collaboration between Canada and the United States in the Milk and St. Mary Rivers.

Sincerely,



Honourable Shirley McClellan
Deputy Premier and Minister
Alberta Agriculture, Food and Rural
Development



Honourable Lorne Taylor, Ph.D.
Minister of Environment

cc: Honourable Ralph Klein
Premier

Honourable Halvar Jonson
Minister International and Intergovernmental Relations