



ALBERTA ENVIRONMENT

Office of the Minister

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July 19 2004

IJC / CMI OTTAWA	
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July 13, 2004

Right Honourable Herb Gray, P.C., C.C., Q.C.
 Chair, Canadian Section
 international Joint Commission
 234 Laurier Avenue West, 22 Floor
 Ottawa, Ontario
 K1P 6K6

Honourable Dennis L. Shomack
 Chair, United States Section
 international Joint Commission
 234 Laurier Avenue West, 22 Floor
 Ottawa, Ontario
 K1P 6K6

Dear Messrs Gray and Shomack:

Further to my letter of June 15, 2004, and in anticipation of the public information sessions you are holding at the end of July, I would like to provide you with some additional information on the Province of Alberta's position regarding the State of Montana's request to review the 1921 Order for the Measurement and Apportionment of Waters of the St. Mary and Milk Rivers.

The Government of the Province of Alberta is extremely interested in these sessions and we will be making a presentation at each one. These presentations will outline:

- Our position on this issue and the history of the Boundary Waters Treaty and the 1921 Order,
- The infrastructure investment that has been made as a result of the certainty provided by the 1921 Order,
- The excellent working relationships that have allowed both countries to successfully address issues that have arisen over the years within the context of the Order, and
- The economic benefits that have derived from the investment made on the basis of the stability of the Order.

While I appreciate that these sessions are happening so that you may better apprise yourselves of the situation "on the ground" in Alberta and Montana, I will reiterate Alberta and Canada's position that there is no need to review the 1921 IJC Order. Alberta feels strongly that:

- The terms and conditions of the Treaty and the Order have been met every year, as witnessed by the Accredited Officers.

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- **Stability and certainty are needed for investment and economic growth, and even the perception that the Order might be changed threatens that stability.**
- **For over 80 years, Canada and the United States have co-operated to manage these waters wisely and protect them for the benefit of today's citizens and future generations. There is no need to change that process now,**

Alberta has made substantial, long-term commitments to wisely developing and using our share of the waters. We have developed and continue to develop all of our water resources to the benefit of our citizens. Alberta, in planning the use of its own resources, does not rely on the water entitlement that the United States does not capture and use. We support their right to this water, and any activities they undertake to use it will not affect Alberta. The United States can therefore develop its resources without the Order being opened.

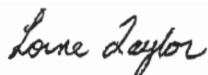
Alberta will be providing a comprehensive written submission following the public meetings.

In conclusion, it is important for you to know that Alberta relies on the water sharing arrangement set out in the 1921 Order, and opening the Order with a view to changing the nature of the sharing will have a devastating impact on the economy and citizens of Alberta. With this in mind, you may also expect that the sensitivity around this possibility is high, and emotions and arguments on this issue may become heated.

The Boundary Waters Treaty and the 1921 Order of the International Joint Commission are the framework under which cooperation and mutual understanding between Canada and the United States have flourished since 1909. These agreements have set the stage for people on both sides of the border to come together and responsibly share the water resources upon which they depend. They have stood the test of time and can serve as the basis for future cooperative efforts in water management between our two jurisdictions,

I hope that at the end of the public consultation process, the International Joint Commission will feel fully informed of the issues and activities happening around the sharing of the St. Mary and Milk River, and conclude that the Treaty and the Order should remain unchanged.

Sincerely,



**Lorne Taylor, Ph.D.
Minister of Environment**

**cc: Honourable Ralph Klein
Premier**

**Honourable Shirley McClellan
Deputy Minister of Agriculture, Food and Rural Development**

**Honourable Halvar C. Jonson
Minister of International and Intergovernmental Relations**



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The Right Honourable Herb Gray, P.C., C.C., Q.C.
 Chair, Canadian Section
 International Joint Commission
 234 Laurier Avenue West, 22 Floor
 Ottawa, Ontario
 K1P 6K6

Honourable Dennis L. Schornack
 Chair, United States Section
 International Joint Commission
 234 Laurier Avenue West, 22 Floor
 Ottawa, Ontario
 K1P 6K6

Dear Messrs Gray and Schornack:

On behalf of the Honourable Ralph Klein, Premier, the Honourable Halvar C. Jonson, Minister of International and Intergovernmental Relations, and myself, I want to inform you that Alberta fully supports the 1921 Order of the International Joint Commission (IJC) respecting the St. Mary/Milk Rivers. We will continue to implement our obligations and the existing apportionment, as we have done responsibly for all these years.

I understand that public meetings into the Order are planned for July 2004. We will work closely with all parties as the IJC prepares for and undertakes these meetings. Based on our experience with water management in Southern Alberta; we request a formal place on the agenda at each public meeting.

In order for us to prepare for these meetings, we request that the IJC provide us with a copy of any information that is to be presented at the meetings or that may in any way be used by the IJC in developing their positions and decisions at least two weeks before any public meeting.

I will forward detailed comments to the IJC on Montana's justification report when available. In the meantime, I would be pleased to provide any additional information you may require.

Lorne Taylor Ph.D.
 Minister of Environment

cc: Honourable Ralph Klein
 Premier

Honourable, Shirley McClellan
 Deputy Premier and Minister of Agriculture, Food and Rural

Honourable Halvar C. Jonson
 Minister of International and Intergovernmental Relations

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