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ALBERTA ENVIRONMENT

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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
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Honourable Dennis L. Shormack
Chair, United States Section
International Joint Commission
234 Laurier Avenue West, 22 Floor
Ottawa, Ontario
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Dear Messrs Gray and Shormack:

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