



*Working to
conserve wildlife
and ensure the
sustainable use of
Canada's natural
resources.*

March 30, 2005

U.S. Secretary of State
Dr. Condoleeza Rice
2201 C Street NW
Washington, DC
20520

Dear Dr. Rice,

The Canadian Wildlife Federation (CWF) is one of Canada's oldest and largest non-governmental wildlife conservation organizations. For more than 40 years, we have been encouraging the sustainable use of natural resources and the conservation of wildlife and its habitat.

We share our federal government's concerns over the potential ecological impacts resulting from the Devil's Lake outlet project in North Dakota. This project has not been the subject of an environmental assessment or U.S federal oversight.

We are sympathetic to the people of North Dakota who have endured rising lake levels and the ensuing flooding of homes, roads and farmlands since 1993. We do feel, however, that the project will result in unacceptable, irreversible and costly ecological damage to the Red River basin in the Canadian province of Manitoba, while ultimately lowering the level of Devil's Lake by a mere 1.5 inches annually.

Clearly the Devil's Lake project is neither a viable solution to fluctuating water levels, nor does it respect Canada's citizens or environment. The failure to focus seriously on the restoration of drained wetlands that has been permitted in North Dakota has been the principle cause of increased flows into Devil's Lake.

The ecological and economical impacts of invasive species are well documented, both in your country and in ours. The movement of water in such volume from one watershed to another brings with it the likely introduction of microbiological agents and viruses that could negatively impact local native aquatic species and ecosystems. The unknown impacts are exacerbated by the lack of ecological knowledge

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of Devil's Lake. Your predecessor, Colin Powell, stated that the project should *not* proceed until an inclusive biological survey of the lake is completed.

The Government of Canada has policies regarding water transfer; it is my understanding that the U.S does not. With climate change and expected future water shortages, clearly water transfer issues require resolution in federal U.S policy.

In addition to negative ecological and economic impacts, the project surely violates the 1909 *Boundary Waters Treaty* between our countries. This Treaty was created specifically to address Canada/U.S boundary/transboundary water issues. As a result, the International Joint Committee (IJC) was created, functioning as an objective body to ensure activities are compatible with the Treaty, and to prevent unilateral action that would undermine it. We strongly support the government of Canada's position that the issue of Devil's Lake be referred to the IJC in order to expedite a mutually agreeable resolution to this precedent-setting issue.

While we recognize that the Devil's Lake issue is one driven by the State of North Dakota, the violation of international agreement necessitates American federal involvement. Underlying this issue is the question "How will our countries cooperate and function in the future?"

The precautionary principle clearly states that where there are threats of serious or irreversible environmental damage, lack of full scientific certainty shall not be used as justification to postpone measures to prevent environmental degradation. In the face of the known and unknown hazards posed by the huge movement of water between watersheds, this is clearly a project that should not proceed in direct opposition to, and obvious abandonment of the precautionary principle.

I look forward to hearing from you.

Sincerely,



Colin Maxwell
Executive Vice President

CM/e

cc: CWF Board of Directors
National Wildlife Federation
Samy Watson, Deputy Minister of Environment Canada