

DEVILS LAKE: Boundary Waters Treaty at Risk

DEVILS LAKE OUTLET



In six weeks, the Sheyenne and Red Rivers will be invaded by non-native fish species, pathogens and pollutants when the Devils Lake outlet in North Dakota begins operation — a diversion the state has decided to build without any environmental assessment.

In doing so, North Dakota has chosen to ignore the Boundary Waters Treaty of 1909, in which the United States and Canada committed to prevent water pollution on either side to the injury of health or property on the other. It has ignored its state and provincial neighbors, setting a very bad precedent for future projects in both countries.

Canada is not alone in opposing this project. Minnesota, the Great Lakes states and Missouri are among those concerned about the threats downstream to their commercial, recreational and tourism interests. We support a bilateral, science-based review of the project by the International Joint Commission (set up under the Boundary Waters Treaty) before it begins operation.

The Cleveland Plain Dealer, whose April 23, 2005, op-ed piece is reproduced below, has said it loud and clear: “It’s hard to imagine a more direct insult to the near-century-old Boundary Waters Treaty. North Dakota’s arrogance has incensed not only the Canadians but several Midwestern states as well — including the eight member states (and two Canadian provinces) of the Great Lakes Commission, which insist that the project be stopped at least until the treaty requirements can be fulfilled.”

We invite the congressional community to show support for responsible water management and adherence to international treaties. For more information, call the Canadian Embassy at (202) 448-6585 or visit us at www.canadianembassy.org

The Devil’s to pay

Saturday, April 23, 2005

Suppose the Province of Ontario had a landlocked lake half the size of Cuyahoga County, a 200-square-mile-plus basin of water that had been evolving its own ecosystem of parasites, salts and plants for a thousand years. And suppose this drainless lake kept filling higher and higher, until Ontario, vexed at its land-submerging growth, decided to run a pipeline to the Detroit River and pump its untested biota (including several stocked species of non-native fish) into Lake Erie’s primary feeder waterway.

You’re right: There’d be the devil to pay. But Canada, with its strict environmental controls and respect for the Boundary Waters Treaty of 1909, has never contemplated such a thing.

Yet North Dakota is all done with contemplating and is just about ready to release the briny waters overflowing Devils Lake in Canada’s direction. The lake — purposely misnamed by early missionaries in hopes of countering the native peoples’ perception that its waters were magically holy — lies

about 100 miles south of the Canadian border. In the last decade, drainage from reclaimed wetlands has elevated its waters some 25 feet and claimed a small town once on its shores.

So, without so much as an environmental impact study or the treaty-required consultation with the International Joint Commission that oversees border waters questions, North Dakota is completing the pipes and channels to pump that excess water into the Red River. From there, its waters — too polluted to irrigate North Dakota farmland — would flow across the border and into Canada’s Lake Winnipeg and Hudson Bay watershed.

It’s hard to imagine a more direct insult to the near-century-old Boundary Waters Treaty. North Dakota’s arrogance has incensed not only the Canadians but several Midwestern states as well — including the eight member states (and two Canadian provinces) of the Great Lakes Commission, which insists that the project be stopped at

least until the treaty requirements can be fulfilled.

The danger here is far greater than whatever damage North Dakota’s phosphate-laden runoff would inflict on Canadian waters, which would be plenty. The larger threat is just what that treaty contravention would mean along the scores of waterways that cross the U.S.-Canada border.

As part of their meeting in Waco, Texas, last month, President George W. Bush and Prime Minister Paul Martin (along with Mexican President Vicente Fox) renewed an old pledge to “enhance water quality by working bilaterally, trilaterally and through existing regional bodies such as the International Boundary and Water Commission and the International Joint Commission... .” If ever a water-quality situation screamed for such high-level examination, the dark brew percolating in Devils Lake is it.

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