

No. 2796

**UNITED STATES OF AMERICA
and
CANADA**

Exchange of notes (with annex) constituting an agreement relating to communications facilities in Newfoundland. Ottawa, 4 and 8 November 1952

Exchange of notes (with annex) constituting an agreement amending the above-mentioned Agreement. Ottawa, 1 May and 31 July 1953

Official text: English.

Registered by the United States of America on 4 March 1955.

**ÉTATS-UNIS D'AMÉRIQUE
et
CANADA**

Échange de notes (avec annexe) constituant un accord relatif à l'établissement d'installations de communications à Terre-Neuve. Ottawa, 4 et 8 novembre 1952

Échange de notes (avec annexe) constituant un accord modifiant l'Accord susmentionné. Ottawa, 1^{er} mai et 31 juillet 1953

Texte officiel anglais.

Enregistrés par les États-Unis d'Amérique le 4 mars 1955.

No. 2796. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND CANADA RELATING TO COMMUNICATIONS FACILITIES IN NEWFOUNDLAND. OTTAWA, 4 AND 8 NOVEMBER 1952

I

*The American Ambassador to the Canadian Acting Secretary of State
for External Affairs*

THE FOREIGN SERVICE OF THE UNITED STATES OF AMERICA

UNITED STATES EMBASSY

No. 70

Ottawa, November 4, 1952

Excellency :

I have the honor to refer to plans developed by the United States Air Force to modernize existing communications facilities which are essential to the operation of the Newfoundland Bases and to American air and other operations in north-eastern Canada and the North Atlantic area. The improved facilities will serve communications needs important to Canada, to the United States and to the North Atlantic Treaty Organization. Their construction will require the use of certain lands in the vicinity of Stephenville, Newfoundland, described in the annex to this note.

In order to implement the plans referred to above the United States Air Force for its part undertakes to bear the capital investment required to construct these communications facilities, as well as the cost of operating them. I propose to Your Excellency that the Government of Canada for its part, taking into account the value and importance of these facilities to both our Governments, undertake to make the lands referred to above available to the United States for its exclusive use for the purpose of installing and operating these facilities, which are to be used solely for military purposes.

It would be agreeable to the United States if the land necessary for the construction of these facilities were acquired by the Government of Canada, which

¹ Came into force on 8 November 1952 by the exchange of the said notes.

would retain title to it and make it available to the United States Air Force for the purposes described above on the following terms and conditions, which have been arranged in recent discussions between representatives of our two Governments :

- 1) This land will be available without charge to the United States for its exclusive use while there is a continuing need for the facilities for defense communications in the mutual interest of both countries. In the event that either Government wishes to discontinue the arrangement, the question of continuing need will be referred to the Permanent Joint Board on Defence. In considering the question of need, the Permanent Joint Board on Defence will take into account the relationship of the communications facilities erected on this land with those established at or in the vicinity of Goose Bay.
- 2) If it is decided at any time in the future by either Government, following consideration by the Permanent Joint Board on Defence as provided above, that the facilities are no longer necessary for mutual defence purposes, the land together with any immovable facilities on it will, on twelve months' notice, revert to the use of the Canadian Government.
- 3) Any movable property placed on the land by the United States may be removed by the United States at any time prior to the evacuation of the property by U. S. Forces, or within a reasonable time thereafter.
- 4) Arrangements respecting such technical matters as frequencies and powers and the location, marking and lighting of antenna masts will be coordinated with the Royal Canadian Air Force and with the Department of Transport of Canada and will be subject to the approval of the Department of Transport.

If the foregoing is acceptable to your Government this note and your reply shall be regarded as constituting an agreement having immediate effect from the date of your reply.

Accept, Excellency, the renewed assurances of my most distinguished consideration.

Stanley WOODWARD
Ambassador of the United States of America

His Excellency Brooke Claxton
Acting Secretary of State for External Affairs
Ottawa

ANNEX

- 1) 640 acres in the West Bay area for the construction of a transmitter station. The coordinates of the center of the site are North 48° 37' 05'' West 58° 59' 06''.

- 2) 380 acres in the Jerry's Nose area for the construction of a receiver station. The coordinates of the center of the site are North 48° 31' 08'' West 58° 56' 0''.
- 3) An area 200 feet by 200 feet in the Romaines, Newfoundland, area and access road thereto for the construction of an unattended microwave relay station. The coordinates of the center of the site are North 48° 33.46' West 58° 41.4'. The center of the site may be varied within a circle of a one-quarter mile radius.

II

*The Canadian Acting Secretary of State for External Affairs to the
American Ambassador*

DEPARTMENT OF EXTERNAL AFFAIRS

CANADA

No. 264

Ottawa, November 8, 1952

Excellency :

I have the honour to refer to your Excellency's note No. 70 of November 4, 1952, proposing on behalf of the United States Government that the United States Air Force be authorized to construct and operate communications facilities on certain lands in the vicinity of Stephenville, Newfoundland.

In view of the importance of these communications facilities to the defence interests of our two countries and of the North Atlantic Treaty Organization, the Canadian Government is pleased to accept the proposals made in your Excellency's note and to confirm the terms and conditions set forth therein which have been drawn up as a result of extended discussions between representatives of our two Governments.

Accept, Excellency, the renewed assurances of my highest consideration.

Brooke CLAXTON
Acting Secretary of State for External Affairs

His Excellency the Honourable Stanley Woodward
Ambassador of the United States of America
100 Wellington Street, Ottawa

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹
AMENDING THE AGREEMENT OF 4 AND 8 NOVEMBER
1952² BETWEEN THE UNITED STATES OF AMERICA
AND CANADA RELATING TO COMMUNICATIONS FACIL-
ITIES IN NEWFOUNDLAND. OTTAWA, 1 MAY AND
31 JULY 1953

I

*The American Chargé d'Affaires ad interim to the Canadian Secretary
of State for External Affairs*

THE FOREIGN SERVICE OF THE UNITED STATES OF AMERICA

No. 237

The Chargé d'Affaires ad interim of the United States of America presents his compliments to His Excellency the Secretary of State for External Affairs and has the honor to refer to the exchange of notes of November 4 and November 8, 1952² between the United States and Canada regarding communication facilities in the vicinity of Stephenville, Newfoundland. The United States Department of State has now been informed by the United States Air Force that the original descriptions of areas No. 1 and No. 2, which were contained in the Embassy note No. 70 of November 4, were incorrect owing to faulty maps of the area. Consequently, there are enclosed revised descriptions and surveys for the remote receiver site and remote transmitter site in the vicinity of Stephenville. The description of the land for the unattended microwave relay station contained in the annex of the Embassy's note has been verified by the United States Air Force and is accurate.

If this procedure is agreeable to the Canadian Government, this note with its enclosures shall represent an amendment to Embassy note No. 70 of November 4, 1952.

Enclosures :

1. Description of Remote Receiver Site, Harmon AFB
2. Description of Remote Transmitter Site, Harmon AFB

United States Embassy
Ottawa, May 1 1953

¹ Came into force on 31 July 1953 by the exchange of the said notes.
² See p. 3 of this volume.

DESCRIPTION OF REMOTE RECEIVER SITE

HARMON AFB

A tract comprising an area of approximately 380 acres, situated on the Southshore Port-au-Port Peninsula, approximately 16 miles west of the town of Stephenville, Newfoundland, and defined as follows :

Beginning from a point described by the geographical coordinates West $58^{\circ} 55' 52.9''$ and North $48^{\circ} 30' 57.24''$, proceed south $75^{\circ} 28'$ West (S $75^{\circ} 28'$ W) for a distance of 1900 feet to the western boundary. Thence turn 90 degrees in a northerly direction and proceed to the northern boundary at the intersection of the Branch Road to the Main Road, a distance of 1775 feet. This line extended in a southerly direction to the shore defines the western boundary. Beginning at the above coordinates again, turn North $75^{\circ} 28'$ East for a distance of 2100 feet to the Eastern boundary. Thence turn 90 degrees in a northerly direction for a distance of approximately 2115 feet to the Main Road. Extending this line in a southerly direction to the shore defines the eastern boundary. The northern boundary is defined by the Main Road between the east and west boundaries ; the southern boundary by the shore line between the same. All bearings referred to are TRUE.

DESCRIPTION OF REMOTE TRANSMITTER SITE

HARMON AFB

A tract comprising an area of approximately 730 acres, located in the West Bay, Newfoundland, region, defined as follows :

Beginning from a point described by the geographical coordinates West $58^{\circ} 59' 12.9''$ and North $48^{\circ} 36' 58.1''$, proceed south 81° West (S 81° W) a distance of 2640 feet ; thence turn 90 degrees in a northerly direction for a distance of 2640 feet to the northern boundary, thence turn 90 degrees easterly and proceed on a line to the road, an approximate distance of 5980 feet. Return to the first point South 81° West of the center on the western boundary and turn 90 degrees in a southerly direction and proceed 2640 feet to the southern boundary ; thence turn 90 degrees in an easterly direction and proceed on a line to the road, an approximate distance of 6680 feet. The road between the intersections of the north and south boundaries defines the eastern boundary. All bearings referred to are TRUE.

II

The Canadian Secretary of State for External Affairs to the American Ambassador

DEPARTMENT OF EXTERNAL AFFAIRS

CANADA

No. D-219

The Secretary of State for External Affairs presents his compliments to His Excellency the Ambassador of the United States of America and has the honour

to refer to note No. 237 of May 1, 1953, from the Chargé d'Affaires ad interim of the United States of America and to the exchange of notes of November 4 and November 8, 1952, regarding communication facilities in the vicinity of Stephenville, Newfoundland.

The detailed descriptions of the receiver site and of the transmitter site set forth in the enclosures to the Embassy's note of May 1, 1953, are acceptable to the Canadian Government. The Embassy's note of May 1, 1953, and this note constitute an amendment to the agreement effected by the exchange of notes of November 4 and November 8, 1952.

Ottawa, July 31, 1953