

No. 6394

**UNITED STATES OF AMERICA
and
CANADA**

**Exchange of notes constituting an agreement concerning
additional pumping stations on the Haines-Fairbanks
pipeline. Ottawa, 19 April 1962**

Official text: English.

Registered by the United States of America on 28 November 1962.

**ÉTATS-UNIS D'AMÉRIQUE
et
CANADA**

**Échange de notes constituant un accord concernant de
nouvelles stations de pompage le long du pipe-line
Haines-Fairbanks. Ottawa, 19 avril 1962**

Texte officiel anglais.

Enregistré par les États-Unis d'Amérique le 28 novembre 1962.

No. 6394. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND CANADA CONCERNING ADDITIONAL PUMPING STATIONS ON THE HAINES-FAIRBANKS PIPELINE. OTTAWA, 19 APRIL 1962

I

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

EMBASSY OF THE UNITED STATES OF AMERICA

No. 227

I have the honor to refer to the United States-Canada Haines-Fairbanks Pipeline Agreement of June 30, 1953² by means of which the United States was permitted to construct, own and operate an eight-inch pipeline through Canadian territory from Haines to Fairbanks, Alaska, and to the Exchange of Notes of March 31, 1960³ by which this Agreement was amended in some respects. The pipeline was completed in 1955 and has been continuously in operation since that time.

In recent months there has been a substantial increase in the requirements for petroleum products in Alaska and in order to meet these requirements the United States wishes to increase the capacity of the Haines-Fairbanks Pipeline by the addition of six new pumping stations; three of them would, of necessity, be in Canadian territory. If, therefore, the Government of Canada agrees, the Government of the United States proposes to construct three new pumping stations in the Yukon territory at a cost of approximately \$2,750,000.

If the Government of Canada has no objection to this proposal, the Government of the United States suggests that the terms and conditions contained in the Annex to the United States Note of June 30, 1953 should govern the construction, operation and maintenance of the new stations. The question of possible Canadian use of the pipeline would continue to be governed by paragraph 5 of the Annex as amended by the Exchange of Notes of March 31, 1960.

¹ Came into force on 19 April 1962 by the exchange of the said notes.

² United Nations, *Treaty Series*, Vol. 206, p. 93.

³ United Nations, *Treaty Series*, Vol. 400, p. 315.

The three stations to be constructed in Canada will be located at mileposts 87, 203.2 and 307.3 and at each of these points approximately ten acres of land will be required. It would be appreciated therefore if the Government of Canada would arrange to amend the easement granted to the United States in the United States-Canada Haines-Fairbanks Pipeline Agreement to provide for the inclusion of this additional land.

It has been noted that in conjunction with the Agreement of 1953, arrangements were made by the Government of Canada for the remission of duties and Federal taxes, on construction equipment, materials and supplies imported into or purchased in Canada, when consigned to the project and used in its construction. It is understood that similar arrangements will be made in connection with the construction of the three additional pumping stations in Canada.

I have the honor to propose, if it is acceptable to the Government of Canada, that this Note and your reply shall constitute an agreement between our two Governments for the construction by the United States, in Canadian territory, of three additional pumping stations on the Haines-Fairbanks Pipeline.

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

Livingston T. MERCHANT

Embassy of the United States of America
Ottawa, April 19, 1962

The Honorable Howard C. Green, P.C., Q.C., M.P.
Secretary of State for External Affairs
Ottawa

II

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

DEPARTMENT OF EXTERNAL AFFAIRS
CANADA

Ottawa, April 19, 1962

No. 63

Excellency :

I have the honour to acknowledge receipt of your Note No. 227 of April 19, 1962, proposing certain conditions for an agreement between our two governments for the construction by the United States in Canadian territory of three additional pumping stations on the Haines-Fairbanks Pipeline.

The conditions outlined in your Note No. 227 are acceptable to the Government of Canada and I agree that your Note and this reply shall constitute an agreement between our two governments for the construction by the United States in Canadian territory of three additional pumping stations on the Haines-Fairbanks Pipeline, to be effective from the date of this reply.

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

H. C. GREEN
Secretary of State for External Affairs

His Excellency Livingston T. Merchant
Ambassador of the United States of America
Ottawa