

No. 8595

UNITED STATES OF AMERICA
and
CANADA

Exchange of notes constituting an agreement concerning
the continued use of land adjacent to the leased
bases area at Redcliff, Newfoundland. Ottawa,
15 June 1966

Official text: English.

Registered by the United States of America on 28 March 1967.

ÉTATS-UNIS D'AMÉRIQUE
et
CANADA

Échange de notes constituant un accord concernant
les conditions futures d'utilisation de certains
terrains jouxtant la zone des bases cédées à bail
à Redcliff (Terre-Neuve). Ottawa, 15 juin 1966

Texte officiel anglais.

Enregistré par les États-Unis d'Amérique le 28 mars 1967.

No. 8595. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND CANADA CONCERNING THE CONTINUED USE OF LAND ADJACENT TO THE LEASED BASES AREA AT REDCLIFF, NEWFOUNDLAND. OTTAWA, 15 JUNE 1966

I

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

No. 391

Ottawa, June 15, 1966

Sir :

I have the honor to bring to your attention the need of the United States Navy for the continuing use of certain land, adjacent to the present Leased Bases area at Redcliff, Newfoundland, for purposes in connection with the operation of the communications site maintained by the United States Navy there.

It will be recalled that the Redcliff site was originally used by the United States Air Force. The site was initially made available under the 1941 Leased Bases Agreement.² Additional adjacent land was subsequently provided under an Exchange of Notes signed at Washington, August 1, 1951,³ constituting an agreement regarding the extension and co-ordination of the continental radar defense system, the so-called "Pine Tree" Agreement. When the United States Air Force deactivated its Redcliff facilities in 1961, it was understood that the "Pine Tree" property was reverting to the Royal Canadian Air Force and the Leased Bases property was being transferred to the United States Navy for continued United States utilization as a remote transmitter-receiver facility for the United States Naval Station at Argentia. Although the source of the discrepancy is not known, the Royal Canadian Air Force subsequently discovered, and so informed the United States Navy, that certain segments of the "Pine Tree" and perhaps other property and associated easements, had been taken into use by the Navy for the communications facility.

¹ Came into force on 15 June 1966 by the exchange of the said notes

² United States of America, *Executive Agreement Series*, 235.

³ United Nations, *Treaty Series*, Vol. 233, p 109

The exact boundaries of the segments of land are not at present precisely known, but it is understood that the necessary action is being taken by the Canadian authorities concerned to determine the metes and bounds of the land in question. When such action is completed, copies of the resulting documents legally describing the land shall be appended to and become part of this Agreement.

The United States Government therefore requests agreement from the Canadian Government that the land and the associated easements now being utilized in connection with the operation of the United States Navy communications site may continue to be made available for the use of the United States Navy.

The United States use of the land, subject to the specific termination condition as provided below, shall be upon the same conditions as those presently governing the main adjacent area used by the United States Navy for its remote transmitter-receiver facility.

If the foregoing is acceptable to the Government of Canada, I have the honor to propose that this note and your note in reply to that effect shall constitute an agreement between our two Governments regarding this matter which shall enter into force on the date of your reply for a period of ten years and shall continue in force thereafter until terminated either by mutual agreement or as herein provided. Following the ten-year period, if either Government concludes that the land is no longer required for the stated use, and the other Government does not agree, the question of continuing use shall be referred to the Permanent Joint Board on Defense. In considering the question of need, the Permanent Joint Board on Defense shall take into account the relationship of the communications facility to any other similar installation established in the mutual defense interest of the two countries. Following consideration by the Permanent Joint Board on Defense, either Government may decide that the land should no longer be used for the stated purpose, in which case, following twelve months' written notice of such decision being communicated to the other Government, this Agreement shall be terminated accordingly.

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

Joseph W. SCOTT
Chargé d'Affaires ad interim

The Honorable Paul Martin
Secretary of State for External Affairs
Ottawa

II

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

DEPARTMENT OF EXTERNAL AFFAIRS
CANADA

No. DL-1593

Ottawa, June 15, 1966

Sir,

I have the honour to acknowledge receipt of your Note No. 391 of June 15, 1966, proposing an agreement between our two Governments to provide for the continued use by the United States Navy of certain land, adjacent to the present Leased Bases area at Redcliff, Newfoundland, for purposes in connection with the operation of the communication site maintained by the United States Navy there.

I have the honour to inform you that the proposals contained in your Note are acceptable to the Government of Canada and, further, to confirm that your Note and this reply shall constitute an agreement between our two Governments on this matter, effective this date.

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

Paul MARTIN
Secretary of State for External Affairs

The Honourable Joseph W. Scott
Chargé d'Affaires ad interim
Embassy of the United States of America
Ottawa