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## Recommendations

The Commission recommends that, in order that Governments can ensure that the provisions of Article IV of the Boundary Waters Treaty are honoured in the matter of the proposed coal mine at Cabin Creek in British Columbia:

- (1) the mine proposal as presently defined and understood not be approved;
- (2) the mine proposal not receive regulatory approval in the future unless and until it can be demonstrated that:
  - (a) the potential transboundary impacts identified in the report of the Flathead River International Study Board have been determined with reasonable certainty and would constitute a level of risk acceptable to both Governments; and,
  - (b) the potential impacts on the sport fish populations and habitat in the Flathead River system would not occur or could be fully mitigated in an effective and assured manner; and,
- (3) the Governments consider, with the appropriate jurisdictions, opportunities for defining and implementing compatible, equitable and sustainable development activities and management strategies in the upper Flathead River basin.

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