



DEPARTMENT OF STATE

Washington, D.C. 20520

February 21, 1977

Mr. William Bullard
Secretary, U.S. Section
International Joint Commission
1717 H Street, N. W.
Washington, D. C. 20440

Dear Mr. Bullard:

I have the honor to inform you that the Governments of Canada and the United States have agreed, pursuant to Article IX of the Boundary Waters Treaty of 1909, and in light of the first Recommendation contained in the International Joint Commission's Report of May 7, 1976, entitled "Further Regulation of the Great Lakes", prepared under an October 7, 1964 Reference from Governments, to request the Commission to undertake a study to determine the possibilities for limited regulation of Lake Erie, taking into account the applicable Orders of Approval of the Commission and the recommendations of the Canada-Quebec study of flow regulation in the Montreal region. In particular, this study should examine into and report upon the effects of such limited regulation with respect to:

- (a) Domestic water supply and sanitation;
- (b) Navigation;
- (c) Water supply for power generation and industrial purposes;
- (d) Agriculture;
- (e) Shore property, both public and private;
- (f) Flood control;
- (g) Fish and wildlife, and other environmental aspects;
- (h) Public recreation; and
- (i) Such other effects and implications which the Commission may deem appropriate and relevant.

The Commission, consistent with the principle of systemic regulation of the Great Lakes, which is endorsed by the two Governments, should consider such effects in light of anticipated impacts throughout the Basin, including the international and Canadian reaches of the St. Lawrence River.

In the event that the Commission should find that new or altered works or other measures examined pursuant to this Reference would be economically and environmentally practicable in light of the above stated considerations, it shall estimate the costs of such works or measures and indicate how the various interests on either side of the boundary would be benefitted or adversely affected thereby. The Commission shall likewise consider the need for remedial or compensating works, or non-structural approaches, to protect interests potentially adversely affected by the proposed regulatory works or measures, and the approximate costs thereof. The Commission shall further consider as appropriate how such costs might be apportioned between the two Governments or concerned interests in each country.

In the conduct of its investigation and the preparation of its report, the Commission shall make use of informative and technical data heretofore available or which may become available in either country during the course of its investigation. In addition, the Commission shall seek the assistance, as required, of specially qualified personnel in Canada and the United States. The Governments shall make available or, as necessary, seek the appropriation of the funds required to provide the Commission promptly with the resources needed to discharge the obligations under this Reference fully within the specified time period. The Commission shall develop as early as practicable cost projections for the studies under Reference for the information of Governments.

The Governments request that the Commission, upon the availability of adequate funding, proceed with these studies as expeditiously as practicable and report to Governments no later than March 1, 1979.

An identical letter is being sent to the Canadian
Section of the Commission by the Department of External
Affairs.

Sincerely,

A handwritten signature in cursive script that reads "Richard D. Vine". The signature is written in dark ink and is positioned above the typed name.

Richard D. Vine
Deputy Assistant Secretary
for Canadian Affairs