

The Secretary of State for External Affairs



Secrétaire d'Etat aux Affaires extérieures

Canada

OTTAWA, Ontario  
K1A 0G2

February 21, 1977

Dear Mr. Chance,

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 second recommendation contained in the International Joint Commission's report entitled "Further Regulation of the Great Lakes", in response to the October 7, 1964 Reference from Governments, to request the Commission to examine into and report upon the effects of existing and proposed diversions within, into or out of the Great Lakes Basin, and the effects of consumptive uses on Great Lakes water levels and flows.

The Governments are concerned about the increasing demand for water to meet the needs of domestic and municipal supply and sanitation, navigation, industry, power generation, irrigation and other such uses, which will have increasingly significant socio-economic and environmental impact on all interests in the Great Lakes Basin.

During periods of extreme lake levels, attention in both countries has focused on the nature and effects of the various diversions within, into and out of the Basin. The Governments consider further study of these important hydrological features important in the context of the Commission's on-going efforts to promote a greater understanding of the Great Lakes system and to investigate possibilities of enhanced levels regulation consistent with the conclusions of the Commission's Report.

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Mr. D. G. Chance,  
Secretary, Canadian Section,  
International Joint Commission,  
Suite 850, Burnside Building,  
151 Slater Street,  
OTTAWA, Ontario.

In light of the foregoing, and with reference to the following specific criteria:

- (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 is requested to examine into and report upon the following matters which have, or may have, material effects on water levels and flows of the Basin, including the international and Canadian reaches of the St. Lawrence River:

1. Existing and reasonably foreseeable patterns of consumptive uses of Great Lakes waters;
2. Existing diversions, including the Welland Canal and the New York State Barge Canal, and federally, state or provincially sponsored or approved proposed new or changed diversions, within, into or out of the Basin; and, in particular,
3. Existing diversions at Chicago and at Long Lac/Ogoki, and the proposed study and demonstration program authorized by United States P.L. 94-587 affecting the rate of diversion at Chicago.

The Commission, upon the availability of adequate funding, should proceed with the above studies as expeditiously as practicable, and report to Governments by March 1, 1979, and on an interim basis if deemed appropriate.

In the conduct of its investigation and the preparation of its report, the Commission shall make use of information and technical data heretofore available or which may become available in either country during the course of its investigations. 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.

An identical letter is being sent to the Secretary of the United States Section of the Commission by the United States Department of State.

Yours sincerely,

A handwritten signature in cursive script, appearing to read "Don Jamieson". The signature is written in dark ink and is positioned to the right of the typed name below it.

Don Jamieson.