



DEPARTMENT OF STATE

Washington, D.C. 20520

August 2, 1977

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, to request the International Joint Commission to examine into and report upon the water quality of the Poplar River, including the transboundary water quality implications of the thermal power station of the Saskatchewan Power Corporation and its ancillary facilities, including coal mining, at a site near Coronach, Saskatchewan, and to make recommendations which would assist Governments in ensuring that the provisions of Article IV of the said Treaty are honored. In this context, the Governments note both the water apportionment studies conducted by the Commission and the Poplar River Task Force of its International Souris-Red Rivers Engineering Board, environmental studies undertaken or proposed by the Saskatchewan Power Corporation and the Governments of Saskatchewan and Canada, and the environmental studies being undertaken by the State of Montana and the United States Government. In addition, the Canadian and United States Governments have established an international water quality monitoring network in the Poplar River Basin.

Mr. William A. Bullard,
Secretary, U. S. Section,
International Joint Commission.

For the information of the Commission, the Governments further note that on April 29, 1975, the Saskatchewan Power Corporation was issued a license by the Government of Canada, under Canada's International River Improvement Act, accompanied by an exchange of letters between the federal and provincial governments, to construct, operate, and maintain a dam on the East Poplar River in Saskatchewan to contain water to be used in the operation of a thermal electric power plant. Conditions of this license include:

- A) Compliance with terms and conditions relating to water apportionment as may be imposed by the Federal Minister of Environment, following recommendations by the Commission and acceptance thereof by Canada and the United States;
- B) Construction, operation and maintenance of the improvement by the licensee in such a manner as shall not contravene the Boundary Waters Treaty of 1909;
- C) Monitoring, by the licensee, of water quality and water quantity and reporting to the said Minister as and when requested.

In its application to the Canadian Government for this license, the Saskatchewan Power Corporation committed itself to carry out a wide range of water quality studies, some of which are presently underway.

In light of the above, the Governments request that the Commission examine into and report upon the following matters regarding the Poplar River Basin:

- 1) The present state of water quality, including fluctuations in water quality, with particular emphasis on the waters of the East Poplar River;
- 2) The factors, both natural and man-made, affecting existing water quality, and their effects on water uses;
- 3) The nature, location and significance of fisheries and wildlife dependent on the waters of the Poplar River;
- 4) The nature and location of existing and reasonably foreseeable water uses;
- 5) The effects on present water quality and consequent effects on the uses identified in paragraphs (3) and (4) above, which would result from:
 - (a) the changes in the flow regime of the Poplar River if apportionment of the waters of the Poplar River is made as recommended by the International Souris-Red Rivers Engineering Board's Poplar River Task Force in its Report of February 6, 1976, or as the Commission may otherwise recommend;

- (b) the thermal power station of the Saskatchewan Power Corporation and ancillary facilities, including coal mining; and
 - (c) implementation of other reasonably foreseeable developments;
- 6) Significant transboundary impacts of the Saskatchewan Power Corporation's thermal power station and ancillary facilities, including coal-mining, and of reasonably foreseeable developments in either country on the water quality and water level in the surrounding aquifers; and
- 7) Such other matters as the Commission may deem appropriate and relevant to water quality.


In the conduct of its investigation and the preparation of its Report, the Commission shall make full use of information and technical data heretofore available or which may become available in either country during the course of its investigation, including relevant studies on the water quality of the Poplar River carried out or to be carried out by Governments and the Saskatchewan Power Corporation. 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 December 1, 1978. The Commission should issue interim reports as appropriate.

This examination and report is to be based upon a 600 megawatt facility. Authorization has been granted by the Government of Saskatchewan for the first 300 megawatt unit. It is anticipated that the Saskatchewan Power Corporation will, in the near future, seek authorization from the Government of Saskatchewan for construction of a second 300 megawatt unit. The coal reserves in the Coronach area are considered by the Saskatchewan Power Corporation to be sufficient to support a 1200 megawatt facility; however, there are at this time no firm plans to proceed with further expansion. If, at a future date, the Saskatchewan Power Corporation indicates a firm intention to expand the thermal power station beyond two units with a total capacity of 600 megawatts, the Commission shall reactivate its study program to examine such plans consistent with the factors enumerated above, including impacts on the basin of any associated diversion of waters into the East Poplar River, particularly if such a diversion would involve an inter-basin transfer of waters.

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

Very truly yours,



Richard D. Vine
Deputy Assistant Secretary
for Canadian Affairs