



DEPARTMENT OF STATE

Washington, D.C. 20520

January 22, 1973

Honorable Louis J. Robichaud
Chairman, Canadian Section
International Joint Commission
Ottawa, Canada

I.J.C.
OTTAWA

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Dear Mr. Chairman:

The Government of the United States is gravely concerned by the critical high water levels in the lower Great Lakes and believes that immediate action is required in order to reduce the common dangers of additional damages to riparian interests by these extreme high water conditions.

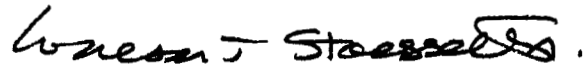
Accordingly, the Government of the United States requests that the International Joint Commission amend its Order of May 26, 1914, and any other pertinent orders, or take any other action necessary in the judgment of the Commission, to authorize and direct the United States to undertake the following emergency measures:

1. To reduce water releases for power generation through power canals or other facilities operated under the authority and jurisdiction of the United States in the St. Mary's River to the extent necessary or feasible, in the judgment of the United States, to relieve the critical high water conditions on the lower Great Lakes, such reductions in flows in no event to be greater than the flows available for power purposes on the United States side at the time of such reductions under the Order of May 26, 1914 and other applicable orders of the I.J.C. or of its boards.
2. To restrict or prevent such flows for such periods as the United States may deem necessary, in no event longer than six months, or until the I.J.C. shall direct that such flows be restored.

The United States requests that in light of the need for rapid action to respond to this situation the Commission consider this Application as an emergency Application. The United States requests that the Commission suspend such of its Rules as may be required for immediate consideration of the Application, pursuant to Rule 9 of the I.J.C. Rules of Procedure. In particular, the United States requests that the Commission suspend such portions of Rules 12-25 as may, in the judgment of the Commission, pertain to the consideration of this application.

The Government of the United States agrees to deal with claims for losses resulting on either side of the border from the approval of this Application in accordance with applicable principles of United States law and international law, to the extent that such losses result from levels of Lake Superior above the maximum elevation specified in the I.J.C.'s Order of May 26, 1914.

Sincerely yours,



Walter J. Stoessel
Assistant Secretary of State
for European Affairs