

Office of
The Under Secretary of State
for External Affairs



Cabinet du
Sous-Secrétaire d'Etat
aux Affaires extérieures

OTTAWA, K1A 0G2

March 29, 1973

Dear Mr. Chance,

I have the honour to inform you that the governments of Canada and the United States of America have agreed, pursuant to Article IX of the Boundary Waters Treaty of 1909, to request the International Joint Commission to investigate and report upon the feasibility and desirability of regulation of the Richelieu River in the Province of Québec for the purpose of alleviating extreme water conditions in the Richelieu River and in Lake Champlain, and for other beneficial purposes.

On June 10, 1937, the International Joint Commission approved construction and operation by Canada of remedial works in the Richelieu River in Québec for reclamation and protection from flooding of low lands located in Québec. The Commission's Order of Approval would have also provided some protection for levels of Lake Champlain. Pursuant to the Commission's Order, a dam was completed at Fryers Island about 1939. However, other works required to expand the channel of the Richelieu River were not undertaken. Because the channel works were never completed, effective regulation of the Richelieu River for flood control and other purposes has not been achieved. This has caused grave concern in both the United States and Canada, as high water conditions in recent years have caused substantial flooding damage. Because of these recent high water conditions, hydraulic and regulation studies of the area between the Chambly Basin and Lake Champlain have been conducted by the Government of Canada jointly with the Province of Québec, to examine other means of regulation, primarily for flood control purposes.

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Mr. D.G. Chance,
Secretary,
International Joint Commission,
Room 850, Burnside Building,
151 Slater Street,
OTTAWA, K1P 5H3.

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In light of this situation, the Commission is requested to make:

1. Recommendations regarding the desirability of operating the Fryers Island project or alternative works in the Richelieu River to alleviate extreme water conditions in the Richelieu River and Lake Champlain, bearing in mind (a) water supplies and sanitation, (b) recreation, (c) navigation, (d) environmental factors including fish and wildlife, (e) reclamation of wetlands, and (f) such other beneficial purposes as may warrant consideration in the judgement of the Commission.
2. Recommendations regarding the most practicable and economically feasible system of regulatory works and method of regulation of the Richelieu River to alleviate such extreme water conditions, bearing in mind the uses specified in Point 1 (a) through (f) above.
3. An estimate of the capital and operating costs of works necessary to implement the plan of regulation recommended by the Commission.
4. An estimate of the benefits to and adverse effects on each country of implementation of the plan of regulation recommended by the Commission. It is requested that the Commission include in its report the bases upon which such estimates of benefits and adverse effects are made.
5. Recommendations concerning how the cost of implementing the plan of regulation recommended by the Commission might be apportioned between the United States and Canada. It is again requested that the Commission include in its report the bases upon which such recommendations are made.

In view of the urgency created by the existing high water conditions, the Commission is requested to submit, as soon as possible to the Governments of Canada and the United States, an interim report and recommendations on the desirability of regulating outflows from Lake Champlain and on interim measures which might be instituted to alleviate flooding together with a preliminary appraisal of benefits in each country. The Commission is also requested to submit its final report and recommendations to the two governments if possible within one year of receipt of this reference.

In the conduct of its investigation and otherwise in the performance of its duties under this reference the Commission shall utilize the services of engineers and other specially qualified persons and other resources made available by the concerned agencies of Canada and the Province of Québec and the United States and will make use of information and technical data heretofore acquired or which may become available in either country during the course of the investigation.

A similar request is being transmitted to the International Joint Commission by the Assistant Secretary of State of the United States.

Yours sincerely,

A handwritten signature in cursive script, appearing to read "C. R. Pothier". The signature is written in dark ink and is positioned above the typed name.

Under-Secretary.