

**EXCHANGE OF NOTES BETWEEN CANADA AND THE UNITED STATES
OF AMERICA AMENDING THE AGREEMENT CONCERNING THE
APPLICATION OF TOLLS FOR THE ST-LAWRENCE SEAWAY (1959)
AS AMENDED**

October 7, 1980

Excellency:

I have the honor to refer to the discussions which have taken place between officials of the St. Lawrence Seaway Authority of Canada and the Saint Lawrence Seaway Development Corporation of the United States regarding the establishment of a system of operational surcharges in connection with closing of the navigational season on the St. Lawrence Seaway.

These discussions resulted, on October 25, 1979, at Ottawa, Ontario, Canada, in the signature by the Administrator of the Saint Lawrence Seaway Development Corporation and the President of the St. Lawrence Seaway Authority of the attached Memorandum of Agreement. The Memorandum of Agreement, together with the annex attached thereto, sets forth operational surcharges to be incorporated into the Tariff of Tolls of the St. Lawrence Seaway Memorandum of Agreement of January 29, 1959, which was annexed to the Exchange of Notes between our two Governments of March 9, 1959⁽¹⁾ and amended in 1964, 1967, 1972, and 1978. The operational surcharges are designed for use by the respective Seaway entities in order to encourage the orderly and timely exit of vessels prior to the close of the navigation season.

I have the honor to propose that the clearance date for a given navigation season will be announced during the season but no later than July 1. If conditions warrant, the clearance date may subsequently be changed upon the agreement of the Authority and the Corporation. The operational surcharge may be suspended in whole or in part upon the agreement of the Authority and the Corporation, provided, however, that such suspensions may not be granted on an individual vessel basis.

I have the further honor to propose that this note and the attached Memorandum of Agreement, if such meets with the approval of your Government, together with your note in reply indicating such concurrence, shall constitute an Agreement between our two Governments effective on the date of your reply.

⁽¹⁾ Treaty Series 1959 No. 5