

*Text of Reference to the International Joint Commission to study pollution problems of Lake Huron and Lake Superior*

I have the honour to inform you that the Governments of Canada and the United States of America, pursuant to Article IX of the Boundary Waters Treaty of 1909, have agreed to request the International Joint Commission to conduct a study of water quality in Lake Huron and Lake Superior, in the light of the provision of Article IV of the Treaty which provides that the boundary waters and waters flowing across the boundary shall not be polluted on either side to the injury of health and property on the other side, and in the light also of the Great Lakes Water Quality Agreement signed on this date. This reference represents the response of the two Governments to recommendation No. 20 of the Commission in its final report dated December 9, 1970, on pollution of Lake Erie, Lake Ontario, and the International Section of the St. Lawrence River.

The Commission is requested to enquire into and to report to the two Governments upon the following questions:

- (1) Are the waters of Lake Superior and Lake Huron being polluted on either side of the boundary to an extent (a) which is causing or is likely to cause injury to health or property on the other side of the boundary; or (b) which is causing, or likely to cause, a degradation of existing levels of water quality in these two lakes or in downstream portions of the Great Lakes System?
- (2) If the foregoing questions are answered in the affirmative, to what extent, by what causes, and in what localities is such pollution taking place?
- (3) If the Commission should find that pollution of the character just referred to is taking place, what remedial measures would, in its judgment, be most practicable to restore and protect the quality of the waters, and what would be the probable cost?
- (4) In the event that the Commission should find that little or no pollution of the character referred to is taking place at the present time, what preventive measures would, in its judgment, be most practicable to ensure that such pollution does not occur in the future and what would be the probable cost?

The Governments would welcome the recommendations of the Commission with respect to the general and specific water quality objectives that should be established for these lakes, and the programs and measures that are required in the two countries in order to achieve and maintain these water quality objectives.

The Commission should submit its report and recommendations to the two Governments as soon as possible and should submit reports from time to time on the progress of its investigation.

In the conduct of its investigation, the Commission is requested to include consideration of pollution entering Lake Huron and Lake Superior from tributary waters, including Lake Michigan, which affects water quality in the two lakes, and to enquire into and report on the upstream sources of such pollution. The Commission may utilize the services of qualified persons and other resources made available by water management agencies in Canada and the United States and should as far as possible make use of information and technical data heretofore acquired or which may become available