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GOVERNMENTS' RESPONSE TO  
IJC REPORT ON FURTHER REGULATION OF GREAT LAKES

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The Secretary of State for External Affairs, the Honourable Don Jamieson, announced today that the Governments of Canada and the United States have responded to recommendations contained in the International Joint Commission's report of May 1976 entitled "Further Regulation of the Great Lakes". The Report concluded that the Great Lakes already possess a high degree of natural regulation and that only a limited reduction in the range of water levels is practicable.

In response to recommendations 1 and 2 of the Report, the Governments have requested the Commission to undertake two studies related to Great Lakes water levels. Both of these take the form of References pursuant to Article IX of the Boundary Waters Treaty of 1909. In the first study, the Commission will examine the possibilities for limited regulation of Lake Erie consistent with the principle of systemic regulation of the Great Lakes. In the second study, it will examine the effects on Great Lakes water levels and flows of existing and proposed diversions within, into or out of the Great Lakes Basin, and of existing and reasonably foreseeable patterns of consumptive uses of Great Lakes waters.

In the latter Reference, the Commission has been specifically instructed to examine the effects on water levels and flows in the Basin of the proposed study and demonstration programme to increase diversions at Chicago as authorized by United States legislation passed in October 1976.

Canadian officials recently received a full briefing on the state of planning for this demonstration project. At that time Canadian officials reiterated Canada's long-standing opposition to any unilateral increase in the diversion of water from Lake Michigan and referred to the Canadian Note of October 8, 1976 on this subject. The potential adverse consequences for navigational interests were emphasized. It was again stressed that, if the U.S. were to proceed with this project despite Canadian opposition, Canada would expect to receive full compensation for all losses experienced by power development entities in Ontario and Quebec as a result of lessened water flows at Niagara Falls and in the St. Lawrence River.

The Governments have also presented to the Commission a Reference instructing it to bring to the attention of Governments inadequacies of the Great Lakes technical information network, especially in the areas of comparable data methodology, and collection and exchange of meteorological, hydrologic and hydraulic information.

The Commission concluded in the Report that careful planning of land use is needed to protect present and future activities along the shoreline of the Basin against the effects of extreme water levels. The Report recommended compatibility in shoreline use regulation and coordination of erosion studies. The Governments fully concur that proper planning along the shoreline is the key to long-term reduction of damage and will respond to the Commission at a later date on the efforts of jurisdictions in both countries with regard to land use regulation and shoreline erosion studies.

In this context, it should be noted that the Governments of Canada and Ontario already place particular emphasis on land use planning as long-term protection against damages caused by high levels. They have recently cooperated in a survey of damages caused to shorelines by storm action superimposed upon recent high levels. The survey was restricted to the erodable portion of the Great Lakes shoreline from Port Severn on Georgian Bay to Gananoque on the easterly end of Lake Ontario. The report resulting from this survey stressed non-structural approaches, such as control of land use through zoning, and recommended that compatible land use regulations be developed. Canada and Ontario have begun a follow-up programme to implement these recommendations.

The Commission also recommended in the Report that the Governments improve the existing control works on the St. Marys River and provide for the construction of remedial works which are required to maintain the sport fishery in the St. Marys Rapids. The Governments recognize the need for maintenance of and improvements to the St. Marys control works and are keenly aware of the need to maintain and protect the sport fishery. A study of the existing control works is currently underway and consideration will be given in any proposed redevelopment plans on the Canadian side to carrying out measures necessary to maintain the fishery.

The Governments recognize that new bilateral institutional machinery under the aegis of the Commission, as suggested in the Report, may be needed to promote a fuller understanding of water resources in the Great Lakes System. They agree that every opportunity should be provided for public scrutiny and comment, and for the full participation of the Great Lakes

states and provinces. The Governments are considering possible approaches to meet these needs and expect to make early specific recommendations to the Commission.

Texts of the letters giving the Governments' response are available from the International Joint Commission.