

MEDIA RELEASE

For Release: February 22, 1999

IJC to hold public hearings on uses, diversions, and bulk exports of Great Lakes water

The International Joint Commission (IJC) will begin a major investigation of how Canada and the United States use the waters along their common border by holding public hearings in eight cities on the Great Lakes and St. Lawrence River. Times and locations are provided below.

On February 10, the United States and Canadian federal governments asked the IJC to examine and report on the consumption, diversion and removal of waters along the common border, including removals in bulk for export.

The request from governments comes in the wake of proposals to export water overseas from Canada and litigation involving the export of water from Canada to the United States. Both governments are concerned that existing management principles and conservation measures may be inadequate to ensure future sustainable use of shared waters.

The need to review the management and use of transboundary water resources was raised by the IJC in a 1997 report entitled *The IJC and the 21st Century*. The IJC said such a review is needed to ensure that water and related resources are managed in a rational, consistent and anticipatory way to prevent transboundary disputes. In their letters of reference to the IJC for the new investigation, the governments repeat the concern that proposals to use, divert and remove greater amounts of such waters can be expected.

The request from the governments asks the IJC to examine, report upon and provide recommendations on the following matters which may have effects on levels and flows of water within transboundary basins and shared aquifers:

1. Existing and potential consumptive uses of water;
2. Existing and potential diversions of water in and out of the transboundary basins, including withdrawals of water for export;
3. The cumulative effects of existing and potential diversions and removals of water, including removals in bulk for export;
4. The current laws and policies as may affect the sustainability of the water resources in boundary and transboundary basins.

The governments have asked the IJC to build on its experience, notably its study of Great Lakes diversions and consumptive uses that concluded in 1985, and to submit interim recommendations for the protection of Great Lakes waters within six months. A final report making recommendations on the broader issue of U.S.-Canada shared waters is requested within six months of the interim recommendations.

The eight public hearings will be held from 7:00 p.m. to 10:00 p.m. on the dates and at the locations listed below:

<p>March 17, 1999 Cleveland Wyndham Cleveland Hotel Ballroom Level 1260 Euclid Avenue Cleveland, Ohio 216.615.7500</p>	<p>March 17, 1999 Montréal Marriott Château Champlain Caf'Conc' Room 1 Place du Canada Montréal, Québec 514.878.9000</p>
<p>March 18, 1999 Chicago Palmer House Hilton Wabash Room 17 East Monroe Street Chicago, Illinois 312.726.7500</p>	<p>March 18, 1999 Toronto Crowne Plaza Hotel Ballroom A 225 Front Street West Toronto, Ontario 416.597.1400</p>
<p>March 22, 1999 Sault Ste. Marie (ON) Ramada Inn & Convention Centre Centre Ballroom 229 Great Northern Road Sault Ste. Marie, Ontario 705.741.0316</p>	<p>March 23, 1999 Windsor The Cleary International Centre Room Dieppe A 201 Riverside Drive West Windsor, Ontario 519.252.8311</p>
<p>March 24, 1999 Duluth Radisson Hotel Duluth Harborview Great Hall 505 West Superior Street Duluth, Minnesota 218.727.8981</p>	<p>March 25, 1999 Rochester (NY) Marriott-Rochester Airport 1890 West Ridge Road Salon A Rochester, New York 716.225.6880</p>

All interested persons and organizations are encouraged to submit comment. Due to time constraints, speakers may only have the opportunity to summarize their comments (five minutes) during the public hearing. Written comment may also be submitted at the public hearings, or the the IJC offices during the course of this investigation:

Secretary, Canadian Section
 100 Metcalfe Street, 18th Floor
 Ottawa, Ontario K1P 5M1
 Fax 613.993.5583
 Email Commission@ottawa.ijc.org

Secretary, United States Section
 1250 23rd Street NW, Suite 100
 Washington, DC 20440
 Fax 202.736.9015
 Email Commission@washington.ijc.org

The International Joint Commission is a binational Canada-U.S. organization established by the Boundary Waters Treaty of 1909. It assists the governments in managing waters along the border for the benefit of both countries in a variety of ways including examining issues referred to it by the two federal governments.

More information, including the full text of the letter of reference, may be found on the Commission's web site, at www.ijc.org.

Contacts:

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January 27, 1999

**REFERENCE TO THE INTERNATIONAL JOINT COMMISSION ON THE
CONSUMPTION, DIVERSION AND REMOVAL OF WATER**

I have the honor to inform you the Governments of the United States and Canada have agreed, pursuant to Article IX of the Boundary Waters Treaty of 1909, to request the Commission to examine into and report upon matters concerning the use of waters along our common border.

Recently, a proposal to export water by tanker from Lake Superior arose. The Governments are concerned that individual projects of apparently minor effect will set a precedent of bulk removal of water, opening the Great Lakes and other water bodies to subsequent water removal initiatives, with unpredictable consequences. The bulk removal of water raises serious concern over cumulative impacts on lakes, rivers and other water sources.

Boundary water resources continue to be the subject of ever-increasing demands in the light of expanding populations. Proposals to use, divert and remove greater amounts of such waters can be expected.

The Governments are concerned that current management principles and conservation measures may be inadequate to ensure the future sustainable use of our shared waters.

The Commission is requested to examine, report upon, and provide recommendations as the Commission deems appropriate on the following matters which have, or may have, effects on levels and flows of waters within the boundary or transboundary basins and shared aquifers:

- a) Existing and potential consumptive uses of water;
- b) Existing and potential diversions of water in and out of the transboundary basins, including withdrawals of water for export;
- c) The cumulative effects of existing and potential diversions, and removals of water, including removals in bulk for export;
- d) The current laws and policies as may affect the sustainability of the water resources in boundary and transboundary basins.

The Governments note that extensive research has already been conducted about the Great Lakes, in particular, the Commission's January 1985 *Great Lakes Diversions and Consumptive Uses* Report. The Governments believe that the Commission's 1985 Report with respect to the Great Lakes, including Lake Michigan, provides a good basis on which to begin the study. In the light of this existing body of knowledge pertaining to the Great Lakes, as well as the urgency of this issue precipitated by export proposals, the Governments request that the Commission give first priority to an examination of the Great Lakes basin, focussing on the potential effects of bulk water removal, including removals for export and provide interim recommendations for the protection of the waters of the Great Lakes, as can be developed from available data, in six months from February 2, 1999.

The Governments further request that the Commission subsequently complete other work on the Great Lakes as may be needed. The Commission is asked to submit its final report on the Great Lakes at the latest six months after the interim report.

In its final report on the Great Lakes, the Commission is further requested to report on additional work that may be required to better understand the implications of consumption, diversions and removal of water, including removals for export from other boundary waters, waters of transboundary basins, and groundwater of shared aquifers. In this regard, the Commission is asked to prepare a plan proposing the phasing of such additional work.

In preparing recommendations, the Commission shall consider in general terms such matters as potential effects on the environment and other interests of diversions and consumptive uses and where appropriate, the implications of climatological trends and conditions.

In the conduct of its investigation and the preparation of its report, the Commission shall have use of information and technical data available to the Governments and that may become available to the Governments during the course of its investigations- In addition, the Commission shall seek the assistance, as required, of specifically qualified personnel in the two countries.

The Governments, in equal shares, shall make available, or, as necessary, seek the appropriation of the funds required to provide the Commission with the resources needed to discharge the obligations under the reference. The Commission shall develop, as early as practicable, cost projecting for the studies under reference, for the information of the Governments.

An identical letter is being sent to the Secretary of the Canadian Section of the Commission by the Department of Foreign Affairs and International Trade.

An identical letter is being sent to the Secretary of the US Section of the Commission by State Department.