

5 May 1961

Dear General Rogers:

This will reply to the Board's letter of 4 April 1961, signed by the Chairmen, recommending that the Commission grant the Board certain discretionary authority with respect to the regulation of the outflows of Lake Ontario.

The Board's request for discretionary authority was considered by the Commission at its meeting in Washington on 5 April 1961. The Commission has directed the Secretaries to inform the Board that the recommendation that the Board be granted discretionary authority was approved, such authority to be exercised by the Board in accordance with the five principles set forth in your letter. It is understood that this authority will permit deviation from the application of Regulation Plan 1958-A, in addition to the deviations required for winter operations and emergency situations previously authorized, whenever in the opinion of the Board such deviation would provide beneficial effects or relief from adverse effects to others and would be within the criteria and other requirements of the Commission's Order of Approval, which Order is paramount to any plan of regulation.

Should the Board find that it would be advantageous to propose a deviation from the plan which would depart from certain of the criteria, the Commission will, as provided in Condition (i) of the said order, as revised in the Supplementary Order, indicate to the Board the interrelationship of the criteria, the range of elevations, and the other requirements.

Brig. Gen. T. DeF. Rogers
Chairman, United States Section
International St. Lawrence River Board of Control
U. S. Army Engineer Division, North Central
Corps of Engineers
536 S. Clark Street
Chicago 5, Illinois

A similar letter is being sent to the Chairman of the Canadian Section of the Board by the Secretary of the Canadian Section of the Commission.

Sincerely yours,

(sgd) Harry J. Donohue,

Harry J. Donohue
Secretary
United States Section