



## Attachment 1

November 9, 2009

Mr. Edwin R. Nolan  
Director, Office of Canadian Affairs  
Room 3917  
U.S. Department of State  
Washington, DC 20520

Dear Ned:

Further to our letter of October 31, 2007, to then Director of the Office of Canadian Affairs Alex Lee (attached) and discussions with governments during our Semi-Annual Meeting on October 30, 2009, we are writing to seek your views about a proposal from the International Upper Great Lakes Study Board (Study Board) to expand the study's scope of work in order to evaluate possible climate change scenarios, their potential impacts on water levels in Lakes Michigan and Huron, and possible mitigative measures to address those impacts.

As the Study Board now finalizes its work plan for the broader study of factors influencing the regulation structure at Sault Ste. Marie, and in the face of uncertainty due to climate change, the Study Board is of the view that it should study climate change as it relates to downstream water levels in Lake Michigan and Huron and possible mitigative measures. The investigation of this issue would be undertaken at an exploratory level of detail. As the Commission noted in its letter of October 31, 2007, a more detailed investigation would require a separate reference from governments.

The Commission believes that it is critical for the Study Board to include an analysis on the future impacts of climate change on Lakes Michigan and Huron water levels, and it is very supportive of exploring potential mitigative actions in response to climate change. During the Study Board's public meetings earlier in the year, there were very favorable responses to this recommendation because of wide spread expectations that the future will bring more extreme fluctuations in the water levels of Lakes Michigan and Huron. It is generally understood that the existing regulation structure at Sault Ste. Marie could do little to address such fluctuations.



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In its draft report on St. Clair River conveyance, which it is finalizing now, the Study Board has noted the importance of analyzing possible future impacts of climate change on Lakes Michigan and Huron water levels, the implications of such impacts for a new regulation plan, and how a structure in the St. Clair River might help mitigate such impacts. Accordingly, the Study Board will recommend that the need for mitigative measures be examined as part of a comprehensive assessment of the future impacts of climate change on water supplies in the upper Great Lakes basin.

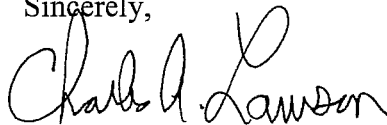
While the current Plan of Study does include studying climate change as it relates to the existing regulation structure at Sault Ste. Marie, it does not provide generally for the study of climate change as it relates to downstream water levels in Lakes Michigan and Huron and possible mitigative measures. The one exception is that in the context of the St. Clair study, if extensive enough channel changes were found in the St. Clair River, the Board could have considered the possibility of a control structure in the St. Clair River to mitigate those changes. However, the Board did not find channel changes in the St. Clair River of such an extent. As a result, the Board does not include consideration of mitigation as part of its St. Clair River report.

As we indicated on October 30, 2009, the Study Board plans to finalize the St. Clair report in early December. The next phase of the Study provides an opportunity to evaluate climate change scenarios with the most current science and knowledge, and the Study Board is ready to consider climate change and potential mitigative measures if the Commission agrees to expand the scope of work beyond the original Plan of Study. No additional funding is required to carry out this activity.

The Commission supports the Study Board's request, as described above, to expand the scope of work beyond what was set out in the original Plan of Study, and it would welcome the benefit of your views on this matter. To help ensure that the Study Board can complete the St. Clair report on time and finalize its work plans for the next phase as expeditiously as possible, we would appreciate receiving your response by November 20, 2009.

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

Sincerely,

A handwritten signature in black ink that reads "Charles A. Lawson". The signature is written in a cursive style with a large initial "C".

Charles A. Lawson  
Secretary  
U.S. Section

cc: Dr. Murray Clamen, Section, Canadian Section, IJC

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Attachment:

- IJC Letter dated October 31, 2007 to Mr. Alex Lee, Director, Office of Canadian Affairs, U.S. Department of State



<b>IJC / CMI OTTAWA</b>
ACTION: Dillon / Yuzyk
INFO: Can. Comms. M. Clamen
Lawson / GM / NH / DB / FB
APR 08 2010
<b>FILE / DOSSIER</b>
3-1-5-1 (6,8)

Mr. Murray Clamen  
Secretary, Canadian Section  
International Joint Commission  
234 Laurier Ave. W., 22<sup>nd</sup> Floor  
Ottawa, ON K1P 6K6

Dear Mr. Clamen,

Thank you for your letter of November 9, 2009 concerning the IJC's interest in expanding the scope of work to be conducted by the International Upper Great Lakes Study Board (Study Board).

In your letter, you asked whether the Study Board should be directed to expand its scope of work to include:

- 1) the evaluation of possible climate change scenarios;
- 2) the examination of the climate change impacts on water levels in Lakes Michigan and Huron; and
- 3) possible measures to address those impacts.

On the topics of climate change scenarios and their impacts on water levels in Lakes Michigan and Huron, the Government of Canada considers that this is within the remit of the Study Board. The Upper Lakes Plan of Study states that climate change/variability scenarios will be generated to ensure any new regulation plans have the ability to operate over a future range of conditions. This task can be considered to include the evaluation of possible climate change scenarios and the detailing of their resulting impacts on lake levels in all of the upper lakes.

On the question of possible measures to reduce potential negative impacts of climate change on the upper lakes, the Government of Canada understands public concern regarding the upper lakes and the desire to see measures implemented that will maintain water levels within their recorded historic range. Discussion of such measures to address climate change should include consideration of the full range of options available and a thorough assessment of related impacts to all potentially affected sectors across the Great Lakes – St. Lawrence River system in each country. We note that the Study Board is proposing to undertake this examination at an exploratory level only. The Government of Canada is able to accept this expansion of mandate, noting the following qualifications:

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- the examination should include both structural and non-structural adaptation measures, identify uncertainties, and make it clear that any findings are of an exploratory nature.
- if the further exploration of adaptation measures is recommended, the recommendation should be accompanied by a discussion of the effectiveness of the structural measures and their related impacts throughout the Great Lakes and St. Lawrence River system, particularly with respect to the environment and navigation, along with consideration of how other non-structural adaptation measures might achieve similar objectives. Preliminary recommendations should include how these adaptation measures would be further examined.
- recommendations regarding the further exploration of adaptation measures should note how public concerns regarding extreme events have been considered and the strengths and weaknesses of the climate change projections upon which the recommendations are based.
- the exploration of adaptation options should extend beyond physical structures in the St. Clair River and should be a wide-ranging exploration of possible options for managing water levels in the upper lakes (Lakes Superior, Michigan, Huron, St. Clair and Erie) under climate change.
- the governments should be informed of any changes to the time-line of the Study related to these considerations at the earliest date possible.
- as stated in your letter, no additional funding from governments is anticipated or will be provided.

Please do not hesitate to contact me if you require any further clarification of this guidance on the expansion of mandate. I understand that a similar letter will be sent to you from the U.S. Government.

Sincerely,



Stéphane Jobin  
Director, US Relations Division