



July 25, 2012

Ms. Camille Mageau
Secretary, Canadian Section
International Joint Commission
Canada and the United States
234 Laurier Avenue West, 22nd Floor
Ottawa, Ontario
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IJC / CMI OTTAWA
ACTION: Pilon/Yuzyk
INFO: Mageau
JUL 25 2012
FILE / DOSSIER
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Dear Ms. Mageau:

On behalf of the Government of Canada, I am pleased to provide you with a response to the International Joint Commission's (IJC) Report to the governments on Bi-national Water Management of the Lake of the Woods and Rainy River Watershed.

I would like to express our appreciation to the IJC and the Lake of the Woods and Rainy River Task Force for their excellent work and for a comprehensive report that fulfills the reference issued by the Canadian and U.S. governments in June 2010. This is an important step towards addressing the water quality issues within the Lake of the Woods and Rainy River (LOTWRR) watershed.

The Government of Canada supports the implementation of the new governance model proposed by the IJC, as well as the undertaking of focused activities such as the Water Quality Plan of Study. Combined, these will enhance scientific understanding of water quality issues in the basin. At the same time, we believe it is important to fully understand the water quality challenges in the basin before moving on to other activities. As such, we believe that the implementation of the IJC recommendations should be sequenced appropriately. The following provides more specific responses to the individual recommendations.

The Government of Canada supports Recommendation One, the creation and immediate implementation of the International Lake of the Woods and Rainy River Watershed Board. This will bring coherence to planning and activities across the watershed and will formalise much of the excellent work already being done in the basin. The Government of Canada supports the appointment of a First Nations and Métis representative to the new Board. At the same time, the IJC may wish to consider carefully the number of

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members who would be appointed to this new Board to ensure timely and efficient decision-making. The Government of Canada would welcome the opportunity to review and to provide input on the proposal to consolidate the boards, including the expanded geographic and functional mandates of the new board and membership list.

In Recommendations Two through Five, the IJC proposes a range of activities to be carried out by the new International Lake of the Woods and Rainy River Watershed Board. The Government of Canada supports the IJC's Recommendation Two to prepare a Water Quality Plan of Study (WQPOS). This would ensure a sound understanding of the water quality issues in the basin and should inform subsequent actions by the Board and governments. We note that the WQPOS would be financed by the IJC through the International Watershed Initiative. It is expected that Environment Canada will be asked to contribute engineering and scientific expertise to the study. While Environment Canada will assess requests on a case-by-case basis, we anticipate that this work will be complementary to on-going efforts in the region under Canada's Action Plan for Clean Water and other multi-agency arrangements.

At this time, the Government of Canada does not intend to pursue Recommendation Three, calling for a study on water levels. Levels on Lake of the Woods are currently addressed by the existing (Canadian) Lake of the Woods control Board, formed under the 1925 Lake of the Woods Convention and Protocol between Canada and the U.S. The Government of Canada would prefer to direct resources toward highest-priority concerns, such as addressing water quality issues. However, the Government of Canada is open to considering work on water levels insofar as it relates directly to the WQPOS.

The Government of Canada believes that it is premature to comment on Recommendation Four, calling for a Summit on Lake of the Woods in 2015 and Recommendation Five, calling for a comprehensive bi-national water management plan, until the IJC has completed the WQPOS and until the governments have considered the scope of work and associated costs proposed by the IJC.

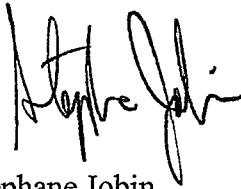
The Government of Canada does not support Recommendation Six, which suggests that governments could streamline the appointment process to the International Lake of the Woods Control Board through ex-officio appointments. The appointment of EC employees to act as ex-officio is not compatible with the operational requirements of the department. At the same time, streamlining the appointment process is desirable, and consideration about how to accomplish this could be explored over the longer term.

The Government of Canada supports Recommendation Seven, encouraging governments to partner with First Nations, tribes and Métis people in watershed

governance. The Government of Canada has been actively working toward passage of the Safe Drinking Water for First Nations Act. Provisions within the proposed Act will allow the Government of Canada to work together with First Nations to develop proposals for regulations on the protection of sources of drinking water on First Nations lands. While the Government of Canada acknowledges the allegations made over the regulation of water levels in the watershed, we do not consider water quantity issues in the watershed to be a priority at this time. The Government of Canada supports the nomination of a First Nations and Métis representative to the proposed consolidated IJC Board.

Thank you for the IJC's work on behalf of the Lake of the Woods and Rainy River basin and all its inhabitants.

Sincerely,

A handwritten signature in black ink, appearing to read 'Stéphane Jobin', written in a cursive style.

Stéphane Jobin
Director
U.S. Transboundary Affairs Division