

# APPENDIX I

## Terms of Reference

### TERMS OF REFERENCE

#### Text of Reference to the International Joint Commission to Study Pollution in the Great Lakes System from Agriculture, Forestry and other Land use Activities

I have the honour to inform you that the Governments of the United States of America and Canada, pursuant to Article IX of the Boundary Waters Treaty of 1909, have agreed to request the International Joint Commission to conduct a study of pollution of the boundary waters of the Great Lakes System from agricultural, forestry and other land use activities, in the light of provision of Article IV of the Treaty which provides that the boundary waters and waters flowing across the boundary shall not be polluted on either side to the injury of health and property on the other side, and in the light also of the Great Lakes Water Quality Agreement signed on this date.

The Commission is requested to enquire into and report to the two Governments upon the following questions:

- (1) Are the boundary waters of the Great Lakes System being polluted by land drainage (including ground and surface runoff and sediments) from agriculture, forestry, urban and industrial land development, recreational and park land development, utility and transportation systems and natural sources?
- (2) If the answer to the foregoing question is in the affirmative, to what extent, by what causes, and in what localities is the pollution taking place?
- (3) If the Commission should find that pollution of the character just referred to is taking place, what remedial measure would, in its judgement, be most practicable and what would be the probable cost thereof?

The Commission is requested to consider the adequacy of existing programs and control measures, and the need for improvements thereto, relating to:

- (a) inputs of nutrients, pest control products, sediments, and other pollutants from the sources referred to above;
- (b) land use;
- (c) land fills, land dumping, and deep well disposal practices;
- (d) confined livestock feeding operations and other animal husbandry operations; and
- (e) pollution from other agricultural, forestry and land use sources.

In carrying out its study, the Commission should identify deficiencies in technology and recommend actions for their correction.

The Commission should submit its report and recommendations to the two Governments as soon as possible and should submit reports from time to time on the progress of its investigation.

In the conduct of its investigation and otherwise in the performance of its duties under this reference, the Commission may utilize the services of qualified persons and other resources made available by the concerned agencies in Canada and the United States and should as far as possible make use of information and technical data heretofore acquired or which may become available during the course of the investigation, including information and data acquired by the Commission in the course of its investigations and surveillance activities conducted on the lower Great Lakes and in the connecting channels.

In conducting its investigation, the Commission should utilize the services of the international board structure provided for in Article VII of the Great Lakes Water Quality Agreement.