

22 November 1973

Also sent to:

General Counsel,
Environmental Defense Fund,
1712 N Street, N.W.,
Washington, D.C. 20036,
U.S.A.

Director,
Natural Resources Defense Council,
36 West 44th St.,
New York, N.Y. 10036

Dear Sir:

I am enclosing a copy of a newspaper article from the Toronto Globe and Mail of November 22, 1973, which refers to a rather serious environmental impact activity presently being engaged in by the U.S. Department of the Interior. If the facts in the article are true, then it seems likely to have serious effects in the U.S. and must carry over those effects into Canada.

I would appreciate it if you could answer a few questions, and perhaps send me other information you might have on this matter.

My questions are as follows:

What effect does the 102(2)(c) mandate in NEPA have on this project?

Has Interior filed a negative impact declaration?

If not, are they right in apparently ignoring the 102(2)(c) requirement because the project was approved by Congress before NEPA was enacted?

Have you received complaints regarding this matter? If so, what is their status? Is anyone threatening court action?

What is the bar, if any, to Canadians appearing in U.S. courts to enforce U.S. environmental legislation (NEPA) because of the obvious effect on Canadian water supplies and other resources which this project will have?

I would appreciate whatever information you can forward to me on this matter.

Yours very truly,

CANADIAN ENVIRONMENTAL LAW ASSOCIATION

Joe Castrilli
Research Assistant, Environmental Impact Study Group

JFC/eb