

8 May 1998

VIA FAX AND REGISTERED MAIL

The Honorable Christine Stewart
Minister of the Environment
Government of Canada
Les Terrasses de la Chaudière
28th Floor
10 Wellington Street
Hull (Québec)
Canada K1A 0H3

**Re: Submission on enforcement matters under Articles 14 and 15 of the
North American Agreement on Environmental Cooperation**
Submitter(s): The Friends of the Oldman River
Party: Canada
Date: 10 October 1997
Submission No.: SEM-97-006

Dear Minister:

On 10 October 1997, the Secretariat of the Commission for Environmental Cooperation received a submission pursuant to Article 14 of the North American Agreement on Environmental Cooperation (“Agreement”) filed by The Friends of the Oldman River. The submission alleges that the Government of Canada “is failing to apply, comply with and enforce the habitat protection sections of the *Fisheries Act* and with the *Canadian Environmental Assessment Act* (“CEAA”). In particular, it is alleged that Canada “is failing to apply, comply with and enforce Sections 35, 37 and 40 of the *Fisheries Act*,

Section 5(1)(d) of CEAA and Schedule 1 Part 1 Item 6 of the Law List Regulations made pursuant to paragraphs 59(f) and (g) of CEAA.”

The Secretariat reviewed the submission under Article 14(1) of the Agreement and determined on 23 January 1998 that the submission met the requirements of Article 14(1).

Guided by the considerations provided in Article 14(2) of the Agreement, the Secretariat has determined that the submission merits requesting a response from the Government of Canada. Accordingly, the Secretariat requests a response from the Government of Canada to the above-mentioned submission, within the 30 day time frame provided in Article 14(3) of the Agreement, or in exceptional circumstances, within 60 days of delivery of this request. We are not attaching the submission or the supporting information as they have been previously sent.

Sincerely,

Commission for Environmental Cooperation - Secretariat

per: Janine Ferretti
Interim Executive Director

cc.: Mr. Avrim Lazar, Environment Canada
Mr. William Nitze, US-EPA
Lic. José Luis Samaniego, SEMARNAP
Ms. Martha Kostuch, The Friends of the Oldman River