

**UNITED STATES OF AMERICA**  
**and**  
**CANADA**

**Exchange of notes constituting an agreement governing the operation of pilotage on the Great Lakes (with Memorandum of Arrangements dated on 23 and 24 June 1970). Washington, 6 July 1970**

**Exchange of notes constituting an agreement amending the above-mentioned Agreement (with amendment dated on 31 July and 6 August 1970). Washington, 11 August 1970**

*Authentic texts of the United States notes, of the Memorandum and of the amendment: English.*

*Authentic text of the Canadian notes: English and French.*

*Registered by the United States of America on 1 December 1970.*

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**ÉTATS-UNIS D'AMÉRIQUE**  
**et**  
**CANADA**

**Échange de notes constituant un accord régissant les services de pilotage sur les Grands Lacs (avec Mémoire d'accord en date des 23 et 24 juin 1970). Washington, 6 juillet 1970**

**Échange de notes constituant un accord modifiant l'Accord susmentionné (avec amendement en date des 31 juillet et 6 août 1970). Washington, 11 août 1970**

*Textes authentiques des notes des États-Unis, du Mémoire d'accord et de l'amendement: anglais.*

*Textes authentiques des notes canadiennes: anglais et français.*

*Enregistrés par les États-Unis d'Amérique le 1<sup>er</sup> décembre 1970.*

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT <sup>1</sup>  
BETWEEN THE UNITED STATES OF AMERICA AND  
CANADA GOVERNING THE OPERATION OF PILOTAGE  
ON THE GREAT LAKES

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## I

DEPARTMENT OF STATE  
WASHINGTON

July, 6 1970

Excellency :

I have the honor to refer to the exchange of notes of July 31, 1969, <sup>2</sup> constituting an agreement between the Government of the United States and the Government of Canada governing the operation of pilotage on the Great Lakes to be provided in United States waters and Canadian waters of the Great Lakes and the St. Lawrence Seaway as far east as St. Regis.

I propose that the existing arrangements be replaced by the attached memorandum, which was signed on June 23, 1970, by the United States Secretary of Transportation and on June 24, 1970, by the Minister of Transport of Canada.

If this proposal meets with the approval of the Government of Canada, I propose that this note and its attached memorandum and your Government's reply, which is authentic in English and French, shall constitute an agreement between our two Governments. This agreement shall supersede that of July 31, 1969, and shall govern the operation of pilotage on the Great Lakes as of July 7, 1970.

Accept, Excellency, the renewed assurances of my highest consideration.

For the Acting Secretary of State :

MARTIN J. HILLENBRAND

Enclosure :

Memorandum of Arrangements.

His Excellency Marcel Cadieux  
Ambassador of Canada

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<sup>1</sup> Came into force on 6 July 1970 by the exchange of the said notes.

<sup>2</sup> United Nations, *Treaty Series*, vol. 720, p. 61.

MEMORANDUM OF ARRANGEMENTS, GREAT LAKES PILOTAGE,  
BETWEEN THE SECRETARY OF TRANSPORTATION OF THE  
UNITED STATES OF AMERICA AND THE MINISTER OF TRANS-  
PORT OF CANADA

The Secretary of Transportation of the United States and the Minister of Transport of Canada entered into a Memorandum of Arrangements effective August 1, 1969,<sup>1</sup> concerning Great Lakes Pilotage superseding the Memorandum of June 29, 1966<sup>2</sup> between the Secretary of Commerce of the United States and the Minister of Transport of Canada on the same subject.

In the preamble to the Memorandum of August 1, 1969, the Secretary and the Minister contemplated that the rates contained therein would be effective only for the remainder of the 1969 shipping season. The Secretary and the Minister agreed that the present rate structure should be replaced with a new structure that more effectively measures pilot workload. The Secretary and Minister further agreed that the new structure should be developed and made effective prior to the 1970 shipping season.

As a result of a detailed review of the Great Lakes Pilotage system conducted by representatives of the Secretary and the Minister, a more representative rate structure has been developed for the Great Lakes Pilotage system and certain additional changes in the Memorandum are required.

The Secretary and the Minister have agreed to adopt a new rate structure which incorporates a computation of pilotage units and the use of a weighting factor for each ship requiring pilotage service. Certain additional definitions would be added to Section 1 and a new Section 6 adopted covering the method of calculating pilotage units and determining the appropriate weighting factor.

The Secretary and Minister have also agreed that certain clarifying language changes should be made in Sections 9 and 10 concerning detention and delays.

Additionally, the Secretary and the Minister have agreed that provision should be made for the assignment of two pilots to a ship requiring pilotage service in certain unusual circumstances.

The Secretary and the Minister have also concluded that certain rate changes should be adopted at this time. The rates recommended herein when utilized with the weighting factor for each ship are designed to assure adequate pilot compensation while keeping the costs to the shipowner as low as practicable.

The Secretary and the Minister have agreed that a continuing review of the Great Lakes Pilotage system be maintained to assure that proper recognition be given to the impact of changing shipping patterns on pilot numbers, pilot boat requirements, pilot travel expenses, and system revenue and administrative costs.

In view of the foregoing, the Secretary of Transportation and the Minister of Transport recommend to their respective Governments that the Memorandum of Arrangements of August 1, 1969 be superseded by a new Memorandum of Arrangements reading as follows :

<sup>1</sup> United Nations, *Treaty Series*, vol. 720, p. 61.

<sup>2</sup> *Ibid.*, vol. 685, p. 143.

MEMORANDUM OF ARRANGEMENTS  
GREAT LAKES PILOTAGE

## DEFINITIONS

1. For the purpose of this Memorandum the following definitions apply :

(a) " Designated waters " means the waters of Districts 1, 2 and 3.

(b) " District 1 " means all the waters of the St. Lawrence River from the International Boundary at St. Regis, Quebec, to a line running from Carruthers Point Light at Kingston, Ontario, on a true bearing of approximately 127° through Wolfe Island, South Side Light and extended to the New York shore.

(c) " District 2 " means the Welland Canal and the waters of Lake Erie westward of a line running on a true bearing of approximately 026° from Sandusky Pierhead Light at Cedar Point, Ohio, to Southeast Shoal Light, the waters contained within the area of a circle of one mile radius eastward of Sandusky Pierhead Light, the Detroit River, Lake St. Clair, the St. Clair River and the northern approaches thereto south of Latitude 43°05'30" N. For the purposes of this definition, " Welland Canal " includes all the waters of that Canal between the following :

(1) at the southern approach, north of Latitude 42°51' N.; and

(2) at the northern approach; for vessels upbound, south of an arc one mile to seaward of the lighthouse on the outer end of the western breakwater at Port Weller and, for vessels downbound, south of the north gate of Lock No. 1.

(d) " District 3 " means the St. Mary's River, Sault Ste. Marie Locks and approaches thereto between Latitude 45°59' N. at the southern approach and Longitude 84°33' W. at the northern approach.

(e) " Great Lakes " means Lakes Superior, Michigan, Huron, Erie and Ontario, their connecting and tributary waters, the St. Lawrence River as far east as Saint Regis, and adjacent port areas.

(f) " Minister " means the Minister of Transport of Canada.

(g) " Registered pilot " means a person registered in the United States or in Canada as a Great Lakes Pilot.

(h) " Secretary " means the Secretary of Transportation of the United States of America.

(i) " Undesignated waters " means all the waters of the Great Lakes other than designated waters.

(j) " Movage " means the moving of a ship within a harbor from one anchored or moored position to another, but does not include the warping of a vessel from one berth to another solely by means of mooring lines attached to a wharf or to the shore or to a mooring buoy unless a pilot is employed.

(k) Rate Computation definitions :

(1) " Length " means the distance between the forward and after extremities of the ship.

- (2) "Breadth" means the maximum breadth to the outside of the shell plating of the ship.
- (3) "Depth" means the vertical distance at amidships from the top of the keel plate to the uppermost continuous deck, fore and aft, and which extends to the sides of the ship. The continuity of a deck shall not be considered to be affected by the existence of tonnage openings, engine spaces or a step in the deck.

#### PILOTAGE SERVICE

2. (a) Coordinated pilotage service shall be provided for the Great Lakes by United States and Canadian registered pilots under the administration and control of the Secretary and the Minister.

(b) The Secretary and the Minister, respectively, will maintain registers of United States and Canadian registered pilots authorized to render pilotage services on all or specified portions of the Great Lakes, and will establish and maintain systems for recruiting and training pilots.

(c) No person may be registered as a pilot, and no registered pilot may continue as such, after he reaches the age of 65 years unless, in the opinion of the Secretary or the Minister, as the case may be, the public interest will be thereby served and that person is fit to perform the duties of a pilot.

#### PARTICIPATION IN PILOTAGE SERVICE

3. (a) The Secretary and the Minister will, from time to time, determine the number of pilots to be registered and the waters for which they are to be registered.

(b) United States and Canadian registered pilots shall participate equally in the pilotage services required on the Great Lakes so that as far as practicable there shall be an equal number of United States and Canadian registered pilots.

#### DISPATCHING

4. The Secretary and the Minister will establish and maintain, or cause to be established and maintained, facilities for the dispatching of pilots and for related services, including pilot boats.

#### ACCOUNTING

5. (a) The Secretary and the Minister will establish and maintain, or cause to be established and maintained, facilities for the billing, collecting, and accounting of pilotage revenues.

(b) The costs of dispatching and related services shall be determined by the Secretary and the Minister and shall be paid out of pilotage revenues and, except as provided in paragraph (c), the remainder of such revenues divided into United States and Canadian shares in proportion to the revenues received for pilotage services rendered by United States and Canadian registered pilots, respectively.

(c) The United States and Canadian shares of the pilotage revenues collected for services by pilots registered only for service in Lake Ontario and Kingston Harbor shall be determined on the basis of the number of days on which the United States and Canadian pilots, respectively, were available for pilotage service.

(d) Billing shall be on the basis of the currency of the nationality of the pilot or on such other basis as the Secretary and the Minister may determine.

(e) Settlement of accounts adjusting amounts due between accounting offices shall be effected on an interim basis as of the end of each month with an annual settlement as of December 31st of each year; and payments on account shall be made on the 15th of the following month with drafts payable in the currency of the nationality of the office making the payment.

(f) The accounts of each office shall be subject to joint audit by designated representatives of the Secretary and the Minister.

#### CALCULATION OF PILOTAGE UNITS AND DETERMINATION OF WEIGHTING FACTOR

6. The equivalent pilotage unit number and appropriate weighting factor for each ship shall be computed by utilizing the following formula and table :

(a) Pilotage Unit Computation :

$$\text{Pilotage Unit} = \frac{\text{Length} \times \text{Breadth} \times \text{Depth}}{10,000}$$

(b) Weighting Factor Table :

<i>Range of Pilotage Units</i>	<i>Weighting Factor</i>
0-99 . . . . .	.85
100-129 . . . . .	1.00
130-159 . . . . .	1.15
160 and over . . . . .	1.30

(c) The charge for pilotage service is obtained by multiplying the weighting factor, obtained from paragraph (b) of this section, by the appropriate basic rate specified in Sections 7 through 12, inclusive.

#### DESIGNATED WATER BASIC RATES

7. Basic rates for pilotage in the designated waters shall be as follows :

(a) District 1 :

- (1) Between Snell Lock and Cape Vincent or Kingston, whether or not undesignates waters are traversed. . . . . **\$305**
- (2) Between Snell Lock and Cardinal, Prescott or Ogdensburg . . . . . **\$155**
- (3) Between Cardinal, Prescott or Ogdensburg and Cape Vincent or Kingston, whether or not undesignated waters are traversed . . . . **\$220**

- (4) For pilotage commencing or terminating at any point above Snell Lock other than those named in items (1), (2) or (3), \$3 per statute mile but with a minimum basic rate of . . . . . \$70
- (5) For a movage in any harbor. . . . . \$120
- (b) District 2 :
- (1) Passage through the Welland Canal or any part thereof, \$10 for each statute mile plus \$35 for each lock transited but with a minimum basic rate of \$120 and a maximum basic rate for a through trip of \$430. When pilots are changed at Lock 7 on a through trip, the basic rates are apportioned as follows :
- (i) Between northerly limits and Lock 7 . . . . . \$215
- (ii) Between Lock 7 and southerly limits . . . . . \$215
- (2) Between Southeast Shoal or any point on Lake Erie west thereof and any point on the St. Clair River or the approaches thereto as far as the northerly limit of the District . . . . . \$250
- When pilots are changed at Detroit/Windsor on a through trip the basic rates are apportioned as follows :
- (i) Between Southeast Shoal or any point on Lake Erie west thereof and Detroit/Windsor . . . . . \$125
- (ii) Between Detroit/Windsor and the northerly limits . . . . . \$125
- (3) Between Southeast Shoal and any point on Lake Erie west thereof or on the Detroit River. . . . . \$160
- (4) Between any point on Lake Erie west of Southeast Shoal and any point on the Detroit River . . . . . \$160
- (5) Between points on Lake Erie west of Southeast Shoal. . . . . \$125
- (6) Between points on the Detroit River. . . . . \$125
- (7) Between any point on the Detroit River and any point of the St. Clair River or its approaches as far as the northerly limit of the District. . \$160
- (8) Between points on the St. Clair River including the approaches thereto as far as the northerly limit of the District . . . . . \$125
- (c) District 3 :
- (1) Between the southerly limit of the District and the northerly limit of the District or the Algoma Steel Corporation Wharf at Sault Ste. Marie, Ontario . . . . . \$320
- (2) Between the southerly limit of the District and Sault Ste. Marie, Michigan or any point in Sault Ste. Marie, Ontario, other than the Algoma Steel Corporation Wharf . . . . . \$260
- (3) Between the northerly limit of the District and Sault Ste. Marie, Ontario, including the Algoma Steel Corporation Wharf, or Sault Ste. Marie, Michigan. . . . . \$120
- (4) For a movage in any harbor . . . . . \$125

## UNDESIGNATED WATER BASIC RATES

8. (a) Subject to paragraph (b) of this section, the basic rates to be paid by a ship that has a registered pilot on board in the undesignated waters shall be :

in Lake Ontario . . . . .	\$60;
in Lake Erie . . . . .	\$65;
in Lakes Huron and Michigan . .	\$45;
in Lake Superior . . . . .	\$65;

for each six-hour period or part thereof that the pilot is on board, plus \$60 for each time the pilot performs the docking or undocking of the ship on entering or leaving a harbor or performs a moveage of the ship within a harbor.

(b) When a registered pilot is carried on a ship in a direct transit of the undesignated waters of Lake Erie between Southeast Shoal and Port Colborne, the basic rates referred to in paragraph (a) of this section are not payable unless :

- (1) the ship is required by law to have a registered pilot on board in those waters; or
- (2) services are performed by the pilot in those waters at the request of the master.

## DETENTION

9. When the passage of a ship is interrupted for the purpose of loading or discharging cargo or for any other reason and the services of the registered pilot are retained during such interruption or when a pilot is detained on board a ship after the end of an assignment for the convenience of the ship, the ship shall pay an additional charge calculated on a basic rate of \$10 for each hour or part of an hour during which each interruption lasts with a maximum basic rate of \$160 for each 24-hour period of such interruption. However, there is no charge for any interruption caused by ice, weather, or traffic, except during the period beginning the first day of December and ending on the eighth day of the following April. Additionally, no charge shall be made for any interruption if the total interruption is ended during the six-hour period for which a charge has been made under Section 8.

## DELAYS

10. When the departure or the moveage of a ship for which a registered pilot has been ordered is delayed for the convenience of the ship for more than one hour after the pilot reports for duty at the designated boarding point or after the time for which he is ordered, whichever is the later, the ship shall pay an additional charge calculated on the basic rate of \$10 for each hour or part of an hour after the first hour of such delay with a maximum basic rate of \$160 for each 24-hour period of such delay.



## CANCELLATION

11. When a registered pilot reports for duty as ordered and the order is cancelled, the ship shall pay :

- (a) a cancellation charge calculated on a basic rate of \$60;
- (b) If the cancellation is more than one hour after the pilot reports for duty at the designated boarding point or after the time for which he is ordered whichever is the later, a further charge calculated on a basic rate of \$10 for each hour or part of an hour after the first hour with a maximum basic rate of \$160 for each 24-hour period of such cancellation.

## PROVISION FOR ADDITIONAL PILOT

12. The Director, Great Lakes Pilotage Staff, U.S. Coast Guard or the Regional Superintendent of Pilots, Ministry of Transport may require the assignment of two pilots to a ship upon request of the ship or when in his judgment because of anticipated long transits, uncommon ship size, adverse weather and sea conditions or other abnormal circumstances the assignment of two pilots is considered necessary for the safe navigation of the ship. Additionally, he shall direct which of the pilots is to be in charge as circumstances may require. The charge to the ship shall be one and one half the charge provided for in Sections 7 through 11. This section does not apply to a ship in a direct transit of the undesignated waters of Lake Erie between Southeast Shoal and Port Colborne unless the ship is required by law to have a registered pilot on board in these waters.

## OTHER CHARGES

13. (a) No charges different from those set forth in the Memorandum shall be made for any of the pilotage services dealt with in the Memorandum.

(b) Except with the approval of the Secretary or the Minister, as the case may be, no charge shall be made for the performance by a registered pilot of a service for which a charge is not set forth in this Memorandum.

## RULES AND REGULATIONS

14. The Secretary and the Minister will respectively establish such rules and regulations as they deem advisable respecting the dispatching of pilots, the accounting for revenues and other matters to give effect to the intent and purposes of this Memorandum.

## VIOLATIONS

15. The Secretary and the Minister will inform one another when it is brought to their attention that a registered pilot or dispatching office of one country has violated any pilotage regulations in the waters of the other country.

The Secretary of Transportation and the Minister of Transport further agree to recommend to their respective Governments that this Memorandum become effective on July 7, 1970.

DON JAMIESON  
Minister of Transport of Canada  
Ottawa, June 24, 1970

John VOLPE  
Secretary of Transportation  
of the United States of America  
Washington, D.C., June 23, 1970

## II

CANADIAN EMBASSY  
WASHINGTON, D. C.

July 6, 1970

Sir,

I have the honour to refer to your Note of July 6, 1970 and the Memorandum annexed thereto, signed on June 23, 1970 by the Secretary of Transportation of the United States and on June 24, 1970 by the Minister of Transport of Canada, concerning the operation of pilotage on the Great Lakes to be provided in Canadian waters and United States waters of the Great Lakes and St. Lawrence Seaway as far east as St. Regis.

On the instructions of my Government, I have the honour to agree to your proposal that the existing arrangements governing the above-mentioned coordination of pilotage services be replaced by the Memorandum annexed to your Note referred to above with effect as of July 7, 1970.

I also have the honour to agree to your proposal that your Note and this reply, which is authentic in English and French, shall constitute an agreement between our two Governments on this subject which shall enter into force on the date of this Note.

Accept, Sir, the renewed assurances of my highest consideration.

[Signed]  
M. CADIEUX  
Ambassador

The Honourable U. Alexis Johnson  
Acting Secretary of State  
Department of State  
Washington, D. C.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT <sup>1</sup>  
BETWEEN THE UNITED STATES OF AMERICA AND  
CANADA AMENDING THE AGREEMENT OF 6 JULY 1970 <sup>2</sup>  
GOVERNING THE OPERATION OF PILOTAGE ON THE  
GREAT LAKES

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## I

August 11, 1970

Sir :

I have the honor to refer to the exchange of notes of July 6, 1970, <sup>2</sup> constituting an agreement between the Government of the United States and the Government of Canada governing the operation of pilotage on the Great Lakes to be provided in United States waters and Canadian waters of the Great Lakes and the St. Lawrence Seaway as far east as St. Regis.

I propose that the existing arrangements be changed in accordance with the attached amendment, which was signed on July 31, 1970 by the Minister of Transport of Canada and on August 6, 1970 by the Secretary of Transportation of the United States.

If this proposal meets with the approval of the Government of Canada, I propose that this note and its attached amendment and your Government's reply, which is authentic in English and French, shall constitute an agreement between our two Governments. This agreement shall amend that of July 7, 1970, <sup>3</sup> and shall govern the operation of pilotage on the Great Lakes as of August 12, 1970.

Accept, Sir, the renewed assurances of my high consideration.

For the Secretary of State :

MARTIN J. HILLENBRAND

Attachment :

Amendment to Memorandum  
of Arrangements on Great Lakes Pilotage.

The Honorable Peter M. Towe  
Chargé d'Affaires, ad interim of Canada

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<sup>1</sup> Came into force on 11 August 1970 by the exchange of the said notes.

<sup>2</sup> See p. 10 of this volume.

<sup>3</sup> See Memorandum of Arrangements, p. 12 of this volume.

AMENDMENT TO MEMORANDUM OF ARRANGEMENTS, GREAT LAKES  
PILOTAGE, BETWEEN THE SECRETARY OF TRANSPORTATION OF  
THE UNITED STATES OF AMERICA AND THE MINISTER OF  
TRANSPORT OF CANADA

The Secretary of Transportation of the United States and the Minister of Transport of Canada have agreed to recommend to their respective Governments that the Memorandum of Arrangements concerning Great Lakes pilotage which became effective on July 7, 1970, should be amended by substituting, effective on August 12, 1970, the following for sections 7 and 8 thereof:

DESIGNATED WATER BASIC RATES

7. Basic rates for pilotage in the designated waters shall be as follows:

(a) District 1:

- |  |       |
|--|-------|
| (1) Between Snell Lock and Cape Vincent or Kingston, whether or not undesignated waters are traversed. . . . .   | \$332 |
| (2) Between Snell Lock and Cardinal, Prescott or Ogdensburg. . . . .   | \$166 |
| (3) Between Cardinal, Prescott or Ogdensburg and Cape Vincent or Kingston, whether or not undesignated waters are traversed. . . . .   | \$240 |
| (4) For pilotage commencing or terminating at any point above Snell Lock other than those named in items (1), (2) or (3), \$3.30 per statute mile but with a minimum basic rate of . . . . . | \$ 75 |
| (5) For a movage in any harbor. . . . .  | \$120 |

(b) District 2 :

- |  |       |
|--|-------|
| (1) Passage through the Welland Canal or any part thereof, \$10 for each statute mile plus \$35 for each lock transited but with a minimum basic rate of \$120 and a maximum basic rate for a through trip of \$430. When pilots are changed at Lock 7 on a through trip the basic rates are apportioned as follows: |       |
| (i) Between northerly limits and Lock 7 . . . . .  | \$215 |
| (ii) Between Lock 7 and southerly limits . . . . .   | \$215 |
| (2) Between Southeast Shoal or any point on Lake Erie west thereof and any point on the St. Clair River or the approaches thereto as far as the northerly limit of the District . . . . .  | \$300 |

When pilots are changed at Detroit/Windsor on a through trip the basic rates are apportioned as follows:

- |  |       |
|--|-------|
| (i) Between Southeast Shoal or any point on Lake Erie west thereof and Detroit/Windsor . . . . . | \$150 |
| (ii) Between Detroit/Windsor and the northerly limits . . . . .                                  | \$150 |

(3) Between Southeast Shoal and any point on Lake Erie west thereof or on the Detroit River. . . . .	\$190
(4) Between any point on Lake Erie west of Southeast Shoal and any point on the Detroit River . . . . .	\$190
(5) Between points on Lake Erie west of Southeast Shoal. . . . .	\$125
(6) Between points on the Detroit River. . . . .	\$125
(7) Between any point on the Detroit River and any point on the St. Clair River or its approaches as far as the northerly limit of the District . .	\$190
(8) Between points on the St. Clair River including the approaches thereto as far as the northerly limit of the District. . . . .	\$150
(c) District 3:	
(1) Between the southerly limit of the District and the northerly limit of the District or the Algoma Steel Corporation Wharf at Sault Ste. Marie, Ontario . . . . .	\$370
(2) Between the southerly limit of the District and Sault Ste. Marie, Michigan or any point in Sault Ste. Marie, Ontario, other than the Algoma Steel Corporation Wharf . . . . .	\$310
(3) Between the northerly limit of the District and Sault Ste. Marie, Ontario, including the Algoma Steel Corporation Wharf, or Sault Ste. Marie, Michigan. . . . .	\$140
(4) For a moorage in any harbor. . . . .	\$125

#### UNDESIGNATED WATER BASIC RATES

8. (a) Subject to paragraph (b) of this section, the basic rates to be paid by a ship that has a registered pilot on board in the undesignated waters shall be:

in Lake Ontario. . . . .	\$ 60
in Lake Erie . . . . .	\$ 65
in Lakes Huron and Michigan . . . . .	\$ 60
in Lake Superior. . . . .	\$ 65

for each six-hour period or part thereof that the pilot is on board, plus \$60 for each time the pilot performs the docking or undocking of the ship.

(b) When a registered pilot is carried on a ship in a direct transit of the undesignated waters of Lake Erie between Southeast Shoal and Port Colborne, the basic rates referred to in paragraph (a) of this section are not payable unless:

- (1) the ship is required by law to have a registered pilot on board in those waters;  
or
- (2) services are performed by the pilot in those waters at the request of the master.

JOHN VOLPE  
Secretary of Transportation  
of the United States of America  
Washington, D.C., August 6, 1970

DON JAMIESON  
Minister of Transport of Canada  
Ottawa, July 31, 1970

## II

CANADIAN EMBASSY  
WASHINGTON, D.C.

August 11, 1970

No. 205

Sir,

I have the honour to refer to your Note of August 11, 1970 and the Memorandum annexed thereto, signed on July 31, 1970, by the Minister of Transport of Canada and on August 6, 1970 by the Secretary of Transportation of the United States, concerning the operation of pilotage on the Great Lakes to be provided in Canadian waters and United States waters of the Great Lakes and St. Lawrence Seaway as far east as St. Regis.

On the instructions of my Government, I have the honour to agree to your proposal that existing arrangements governing the above coordination of pilotage services be changed in accordance with the Amendment contained in the Memorandum annexed to your Note referred to above, with effect as of August 12, 1970.

I also have the honour to agree to your proposal that your Note and this reply, which is authentic in English and French, shall constitute an agreement between our two Governments on this subject which shall enter into force on the date of this Note.

Accept, Sir, the renewed assurances of my highest consideration.

[Signed]  
P. M. TOWE,  
Chargé d'Affaires, a.i.

The Honourable William P. Rogers  
The Secretary of State  
Washington, D.C.