

*Water Levels of Great Lakes*

Viscount Lord Bryce, and the man who negotiated for the United States was one of the greatest statesmen they have produced, Elihu Root, Secretary of State in three different cabinets of the United States and a man who must have been of great ability and integrity because in 1912, which is something like 53 years ago, he was awarded the Nobel Peace Prize. Mr. Root considered the proper evaluation of the uses of water and came up with the three divisions I have mentioned to you. Those three divisions are true and sufficient for all time.

● (9:00 p.m.)

It is not necessary to add anything to that three-part table; but I would point out to you that the Oxford English Dictionary defines "precedent" as, "a thing or person that precedes or goes before another". Notice the word "precedes". And the Oxford English Dictionary states that "precedes" means "to go before or beyond another in quality or degree; to surpass, excel; to exceed". But if you look at the control statements prepared by Government employees who are endeavouring to operate the St. Lawrence River system, you will find reference time after time to treating all the users of water "equitably". "Let us treat them on a compromise basis". "Let us treat them equally". The table of precedence in the International Boundary Waters Agreement does not say "to treat the users of water equitably" or "on a compromise basis"; it says that they shall be treated on this basis of precedence.

When looking at the operation of the St. Lawrence system one has to consider the low water that is resulting in Lake Ontario as a direct result of the operations now being conducted on that stream. It is more than passing strange that these Parliament Buildings are in a position to overlook the operation of the Ottawa River which is dammed in many places for power development purposes; the Rideau Canal, which is dammed in many places in order to control it for navigation purposes; and the St. Lawrence River, which is within 60 miles of the Parliament Buildings. Here below Parliament Hill you can look down upon the Rideau River with its dams and controls. The water is maintained at an even level and the canals are made navigable by maintaining a certain depth of water during the navigation season. The Ottawa River, which is below Parliament Hill here, is controlled by the Quebec hydroelectric power dam at Carillon, or Point Fortune, and controls a body of water 60 miles in length from

[Mr. Cowan.]

Carillon right back to the Chaudiere Falls just west of the Parliament Buildings.

But what do you find if you look 60 miles to the south down toward Cornwall, Prescott or Johnstown? You find the third side of the triangle where the water is running as free as the day the world was created; as free as it ever ran in history. Yet we are told that Lake Ontario is under control.

I have in my hand a copy of the official application of the Government of Canada to the International Joint Commission in 1952. I see that the Government of Canada was asking the International Joint Commission for the right to proceed with the development of power works on the St. Lawrence River. There are many, many phrases in this application of the Government of Canada, but there are one or two that I wish to draw to your attention specifically. We find this. The application, in paragraph 10, subsection (c), of the Government of Canada asks the International Joint Commission for permission to build these works and says:

Subject to the provisions of paragraph (e) of this section, the flow through the International Rapids Section in any period shall equal the discharge from Lake Ontario as determined for that period in accordance with Method of Regulation No. 5 referred to in paragraph (b) of this section and this flow shall be maintained uniformly throughout that period.

That is a lot of words of which the substance is that the flow of water in the St. Lawrence River after the power development works are installed shall be as great as it ever was before. Why, in the name of heaven would you build a dam at Iroquois and build a powerhouse at Cornwall, both of which are capable of holding Lake Ontario at a predetermined level, if you did not intend to use them? But here we are told:

Subject to the provisions of paragraph (e) of this section, the flow through the International Rapids section in any period shall equal the discharge from Lake Ontario as determined for that period in accordance with Method of Regulation No. 5—

In this interesting application we are also told in subsection (a) that "the works shall be operated and maintained in conformity with the requirements of the prior rights and interests of navigation on the St. Lawrence River." It does not say whether these prior rights of navigation are for the people downstream on the St. Lawrence or upstream; it refers to the prior rights of navigation on the St. Lawrence River. At least in this application, in these words it is admitted that navigation has a prior right on the use of