

*Water Levels of Great Lakes*

The water levels of Lake Huron, Lake Michigan and Lake Erie are not controlled in any manner at the present time, but when you come down to the last of the Great Lakes, Lake Ontario, you have a body of water that is segregated from the other lakes by the great Niagara Falls, where you have a drop of 168 feet, to say nothing of the drop in the rapids section above the falls and the rapids section below the falls.

Lake Ontario, being isolated from the other Great Lakes, should be considered absolutely independently of the others when consideration is given to the problem of water levels. Now, in considering water levels one has to go back to the basic bedrock of the whole control system, and that is the international treaty, signed in 1909, between the United States and Great Britain on behalf of Canada. It was as a direct result of that treaty that the International Joint Commission, as we know it today, was set up. Its first major activity, following its establishment in 1911, was the regulation and control of Lake Superior, which it has been able to control to the satisfaction of all concerned.

The important point to bear in mind in this treaty between the United States and Great Britain on behalf of Canada, which governs the international boundary waters, is article 8, and I maintain that this international treaty is being violated every day of the week and every week of the year, and no action is being taken to enforce that treaty despite the fact that it was signed on Canada's behalf by one of the most brilliant negotiators the world has ever seen, Lord Bryce.

In article 8 of the treaty there is an agreement between the United States and Canada, through the British government, which states:

The High Contracting Parties shall have, each on its own side of the boundary, equal and similar rights in the use of the waters hereinbefore defined as boundary waters.

The following order of precedence shall be observed among the various uses enumerated hereinafter for these waters, and no use shall be permitted which tends materially to conflict with or restrain any other use which is given preference over it in this order of precedence:

- (1) Uses for domestic and sanitary purposes;
- (2) Uses for navigation, including the service of canals for the purposes of navigation;
- (3) Uses for power and for irrigation purposes

I wish to stress as strongly as I can that water used for domestic and sanitary purposes is given No. 1 priority or precedence. Water to be used for navigation is given second precedence, and the third or last precedence is for water power and irrigation

purposes. If this treaty were being observed to the letter, as I maintain international treaties should be observed when Canada signs them or her representative signs them, we would not have the trouble on Lake Ontario that we are having today.

There is no shortage of water. There is certainly and definitely a shortage of regulation. The problem in connection with Lake Ontario is simply that more water is being allowed to flow out of it than comes into the lake.

There are three major sources of inflow to the lake, the greatest one of course being the Niagara River, which empties all the waters of the Great Lakes down into Lake Ontario. The second great source of water for Lake Ontario is the inflow of such rivers as the Trent, the Moira, the Cataraqui, the Humber, the Don and other rivers that flow into the lake, the Genesee on the south side, and then you have rainfall and snow.

From that sum total of the inflow from Lake Erie, plus the inflow from other rivers and lakes flowing into Lake Ontario, plus rainfall and snow, you have an ample supply of water to keep Lake Ontario at any level man may desire, if the control dams at Iroquois, Ontario, or at Cornwall, Ontario, should be operated with the intention of controlling the level of Lake Ontario.

But unfortunately the powerhouse at Cornwall has been erected with no thought of controlling the water level of Lake Ontario, but primarily with the thought in mind of developing as much electric power through the use of water as it is humanly possible to generate from the waters flowing through the St. Lawrence River.

I have in my hand a yellow or orange covered book which is entitled, "The Regulation of Lake Ontario, Plan 1958D." This book is the report to the International Joint Commission by the International St. Lawrence River Board of Control. This is the book by which the International St. Lawrence River Board of Control operates the canal system, the locks, the dams and the power houses on the St. Lawrence River between Kingston and Montreal.

This book is the bible for the operation of the river as I have mentioned, and I regret exceedingly that the book does not observe the terms of the treaty where precedence is established for the use of water as from 1909. This treaty of 1909 may be 56 years old, but the signatory for Great Britain on behalf of Canada was, as I said before, one of the greatest minds the world has ever seen,