

Lake of the Woods Control Board

during the interval he has received any objections from the public and if so whether he would indicate from what source. Then I am concerned about the fact that this is a board composed of four people. Has the chairman, who it is stated will be a federal representative, any over-riding authority if there should be a tie in the voting? Finally, would the minister indicate to the committee the responsibility of the authority with respect to sharing claims for damages that might result from flooding in the area.

Mr. Hamilton (Qu'Appelle): Mr. Chairman, there is one question I should like to deal with first, namely, how are the land rights protected under the new legislation? The answer is that there is no additional protection of land rights under the new legislation, which is simply an amendment to give Manitoba membership on the board as well as allowing for the taking in of this new area under the Lake of the Woods Control Board Act. I would point out to the hon. member something which he knows, that this year with low water probable in the Lake of the Woods the position is strengthened by the fact that the diversion from the Albany will give additional water which is required so much in the Lake of the Woods.

As I understand the working out of the Lake of the Woods control board, they meet and they do receive information on the amounts of snow and all the other information, and from that they try to guide their decision in letting out the water.

As the hon. member has recognized, this is purely a matter of power between the two provinces of Ontario and Manitoba.

Mr. Benidickson: Which power is now integrated.

Mr. Hamilton (Qu'Appelle): Yes, their flows are integrated.

Mr. Benidickson: There are connected transmission lines.

Mr. Hamilton (Qu'Appelle): Yes, there is an interconnection between them. The federal responsibility is navigation and with the levels affecting international obligations.

As I understand it, as far as land rights are concerned, the hon. member is thinking of the people upstream who are trying to get enough water in front of their property to operate.

Mr. Benidickson: I probably should have said this. As the minister knows, we have here a most important resort area, one of the most important in Canada. I suppose one can conceive of people having damage as a result of having their shoreline damaged

owing to inadequate amounts of water as a result of some artificial interference with the rights that were there when they took the properties over. Are there rights for individuals who might suffer as a result of water being too low owing to a decision reached by the board?

Mr. Hamilton (Qu'Appelle): I was right in my first statement. Under the Lake of the Woods Control Board Act they do have certain levels, maximums and minimums. When there is a maximum the international board takes over and when there is a minimum they have to stop draining the lake.

As far as we know in the department the only recourse that any person has who has land rights is to go to law and sue. I suppose the government of Ontario, or the government of Manitoba, as the case may be,—in this case it is the government of Ontario—is the interested party. I am very sorry, I cannot answer these legal questions. My deputy knows no more about it than I do.

Mr. Benidickson: My recollection is not necessarily good on this but I do recall that we had damage claims again about 1937. My recollection is that they were due to flooding but that there was a federal contribution at that time. The claims were probably assessed by a provincial organization but a contribution was paid by the federal government. That is why I asked the question as to the percentage of the responsibility for damage claims in practice or by law under this board.

Mr. Hamilton (Qu'Appelle): The hon. member has information which is not available to us at the moment. As I understand it, he has said that there were claims for damages in 1937 in which the federal government participated. We know nothing about that in the department.

Mr. Benidickson: The minister did not yet reply to the question as to whether or not there had been any objections received by him to the bill since it was given first reading and became public knowledge.

Mr. Hamilton (Qu'Appelle): There are two questions that I would like to answer at the one time. We have had no complaints from anybody on this bill. Of course, the two governments concerned have passed enabling legislation.

The hon. member asked another question earlier on which I was trying to get some information. He asked, if there was a division of opinion between Ontario and Manitoba, how would the board members vote. As a matter of fact, as I understand it, if there is a clash between Ontario and Manitoba they