



# PRESS RELEASE

DEPARTMENT OF EXTERNAL AFFAIRS  
OTTAWA - CANADA

NO.85

FOR RELEASE AT 12 NOON EST,  
FRIDAY, DECEMBER 7, 1956.

THE DEPARTMENT OF EXTERNAL AFFAIRS TODAY MADE PUBLIC THE TEXTS OF NOTES DATED NOVEMBER 7 AND DECEMBER 4, WHICH WERE EXCHANGED BETWEEN THE SECRETARY OF STATE FOR EXTERNAL AFFAIRS AND THE UNITED STATES AMBASSADOR IN OTTAWA REGARDING THE DREDGING TO BE DONE IN THE ST. LAWRENCE RIVER NORTH AND SOUTH OF CORNWALL ISLAND.

THE NEED FOR DREDGING IN THE CHANNELS AROUND CORNWALL ISLAND ARISES FROM THE ST. LAWRENCE SEAWAY AND POWER PROJECTS, CONSTRUCTION OF WHICH IS NOW PROCEEDING. TWENTY-SEVEN FOOT DREDGING IS REQUIRED SOUTH OF CORNWALL ISLAND TO COMPLETE THE DEEPENED NAVIGATION CHANNEL BETWEEN LAKE ST. FRANCIS AND THE NEW GRASS RIVER LOCK NEAR MASSENA, N.Y. THE UNITED STATES PLANS FOR THIS SOUTH CHANNEL DREDGING CALLED FOR ADDITIONAL DREDGING IN THE NORTH CHANNEL, BECAUSE OF THE PROVISIONS IN THE BOUNDARY WATERS TREATY OF 1909 REGARDING DREDGING ON ONE SIDE OF THE BOUNDARY WHICH AFFECTS THE LEVEL AND FLOW OF THE RIVER ON THE OTHER SIDE. AS THE NORTH CHANNEL LIES WHOLLY IN CANADIAN TERRITORY, HOWEVER, THE CANADIAN GOVERNMENT HAS EXAMINED THE UNITED STATES PLANS FOR DREDGING THERE IN RELATION TO THE CURRENT AND POSSIBLE FUTURE REQUIREMENTS FOR THAT CHANNEL.

IN THE FIRST PLACE, IT IS NECESSARY TO DEEPEN THE NORTH CHANNEL TO PERMIT DEEP-DRAFT SHIPS TO DOCK AT CORNWALL. HISTORICALLY, THAT CITY HAS BEEN AVAILABLE TO ALL SHIPPING USING THE ST. LAWRENCE SYSTEM, AND UNLESS THE NORTH CHANNEL IS DEEPENED TO TWENTY-SEVEN FEET THE DEEPER DRAFT VESSELS MAKING USE OF THE NEW SEAWAY

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WILL BE UNABLE TO SERVE THIS GROWING COMMUNITY.

SECONDLY, IT WAS CONSIDERED THAT ANY DREDGING DONE IN THE NORTH CHANNEL SHOULD BE DESIGNED TO FIT IN WITH LONG-TERM PLANS FOR POSSIBLE CANADIAN NAVIGATION WORKS IN THIS AREA. IT HAS FOR SOME YEARS BEEN THE CANADIAN GOVERNMENT'S INTENTION TO COMPLETE TWENTY-SEVEN FOOT NAVIGATION WORKS ON THE CANADIAN SIDE AT CORNWALL, IF AND WHEN IT CONSIDERED THAT THE UNITED STATES NAVIGATION WORKS SHOULD BE DUPLICATED. THIS INTENTION WAS CLEARLY EXPRESSED IN THE EXCHANGE OF NOTES OF AUGUST 17, 1954, WHEN THE GOVERNMENT ALSO AGREED TO CONSULT THE UNITED STATES GOVERNMENT BEFORE UNDERTAKING THESE WORKS. THIS POSITION IS MAINTAINED IN THE PRESENT NOTE, AS A TWENTY-SEVEN FOOT CHANNEL NORTH OF CORNWALL ISLAND WOULD BE AN ESSENTIAL PART OF SUCH CANADIAN NAVIGATION WORKS. IT IS MORE ECONOMICAL TO DREDGE A TWENTY-SEVEN FOOT NORTH CHANNEL NOW WHEN SOME DREDGING MUST BE DONE, THAN TO WAIT UNTIL THE DECISION TO BUILD A CANADIAN CANAL AND LOCKS AT CORNWALL IS TAKEN. ALTHOUGH THE CANADIAN GOVERNMENT HAS NO INTENTION OF BUILDING THIS CANAL AND LOCKS AT AN EARLY DATE, IT CONSIDERS IT IMPORTANT TO MAINTAIN THE SAME FREEDOM OF ACTION TO DUPLICATE THAT THE UNITED STATES HAS, SUBJECT TO THE SAME OBLIGATION TO CONSULT.

FOR THESE REASONS, THE CANADIAN GOVERNMENT HAS DECIDED THAT THE NORTH CHANNEL DREDGING SHOULD TAKE THE FORM OF A TWENTY-SEVEN FOOT NAVIGATION CHANNEL, RATHER THAN THE FORM SUGGESTED IN THE UNITED STATES PLANS, WHICH WOULD HAVE MET TREATY REQUIREMENTS BUT SERVED NO OTHER USEFUL PURPOSE. THE CANADIAN ST. LAWRENCE SEAWAY AUTHORITY WILL ACCORDINGLY PROCEED WITH THE NORTH CHANNEL DREDGING CONCURRENTLY WITH THAT BEING UNDERTAKEN IN THE SOUTH CHANNEL.

WITH RESPECT TO THE SOUTH CHANNEL, THERE HAS BEEN SOME QUESTION AS TO WHICH ENTITY WAS TO DO THE VARIOUS PARTS OF THE WORK,

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BECAUSE THE DIVISION OF RESPONSIBILITY HAD NOT BEEN CLEARLY DEFINED IN PREVIOUS AGREEMENTS AND ARRANGEMENTS. BECAUSE A CONSIDERABLE PART OF THE SOUTH CHANNEL DREDGING IS IN CANADIAN TERRITORY, THE CANADIAN GOVERNMENT HAS AUTHORIZED THE ST. LAWRENCE SEAWAY AUTHORITY TO UNDERTAKE THE DREDGING OF A PART OF THE SOUTH CHANNEL UPSTREAM FROM THE INTERNATIONAL BOUNDARY.

THE ENGINEERING ARRANGEMENTS OF JULY 18 MENTIONED IN THE CANADIAN NOTE PROVIDE FOR AN ALLOCATION BETWEEN THE TWO SEAWAY ENTITIES OF THE WORK TO BE DONE IN BOTH CHANNELS. A SUBSTANTIAL CONTRIBUTION TO THE DREDGING COSTS WILL BE MADE BY THE ONTARIO HYDRO-ELECTRIC POWER COMMISSION AND THE NEW YORK STATE POWER AUTHORITY. THE POWER ENTITIES WILL THEMSELVES DO ADDITIONAL DREDGING IN THE TAILRACE IMMEDIATELY BELOW THE BARNHART ISLAND POWERHOUSES, AND THIS, TOGETHER WITH THE CHANNEL DREDGING NORTH AND SOUTH OF CORNWALL ISLAND, WILL LOWER THE TAILWATER LEVEL AND INCREASE THE HEAD OF WATER WHICH CAN BE DEVELOPED FOR POWER. THE BENEFIT FROM CHANNEL DREDGING IS SUFFICIENT TO JUSTIFY A SUBSTANTIAL PAYMENT BY THE POWER ENTITIES TOWARDS THE COST OF THE DREDGING COVERED BY THE JULY 18 ARRANGEMENTS.

WITH THE ALLOCATION OF DREDGING NORTH AND SOUTH OF CORNWALL ISLAND, WORK ON THE NAVIGATION CHANNELS IN THIS AREA MAY PROCEED AT THE START OF THE NEXT DREDGING SEASON.

Ottawa, December 4, 1956.

No. 294

Excellency:

I have the honour to refer to your Note No. 126 of November 7, 1956, and to recent consultations between representatives of our two Governments regarding excavations in the St. Lawrence River north and south of Cornwall Island.

The Canadian Government cannot accept the opinion of the United States Government that the Canadian decision to undertake twenty-seven foot excavations in the Cornwall north channel is not in accord with the exchange of notes of August 17, 1954, or other arrangements between the two countries. In its note of August 17, 1954, the Canadian Government declared its intention to complete twenty-seven foot navigation works on the Canadian side of the International Rapids Section, if and when it considered, after consulting your Government, that parallel facilities were required. The Canadian Government does not propose to complete parallel navigation facilities at Cornwall at an early date. However, it considers that the Canadian right to build such facilities, including twenty-seven foot excavations north of Cornwall Island, was reserved in the 1954 exchange of notes and in the other exchanges of notes and letters on the St. Lawrence projects, whereas these exchanges of notes and letters cover only by implication the navigation excavations in the south channel. Moreover, the north channel excavations will compensate for the south channel excavations and thus serve the purposes of the Boundary Waters Treaty.

Engineers of the two seaway entities met on July 18, 1956, and evolved plans for the excavations in both channels and for the apportionment between the two seaway entities of responsibility for the different parts of the work. The Canadian Government finds that these plans meet the requirements of the Boundary Waters Treaty, and accepts responsibility for the excavations in the north channel and a part of those in the south. The Government has accordingly directed that, as the Saint Lawrence Seaway Development Corporation proceeds with its excavations in the south channel, the St. Lawrence Seaway Authority should concurrently undertake the excavations assigned to it in the July 18 arrangements. It is understood that the two power entities will make a contribution to the costs of these excavations. As the plans envisage that each entity will undertake excavations in the territory of both countries, the Canadian Government is prepared to grant customs and immigration waivers on a reciprocal basis.

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

(SIGNED) L.B. PEARSON

Secretary of State  
for External Affairs.

His Excellency  
Livingston T. Merchant,  
Ambassador of the United States of America,  
O t t a w a.

United States Embassy,  
Ottawa, November 7, 1956.

No. 126

Dear Sir:

I have the honor to refer to the Department of State's aide memoire of April 21, 1956, concerning the excavations in connection with the St. Lawrence Seaway in the Cornwall Island channels, and also to discussions which have recently taken place between representatives of our two governments in which it was stated that your government had decided to dredge the channel north of Cornwall Island to a depth suitable for deep-water navigation at the same time that the seaway is dredged in the south channel.

The Government of the United States has given careful consideration to the situation which will exist if the Government of Canada proceeds to carry out its announced plan. While it believes that the proposed Canadian action is not in accord with the agreement which this Government entered into as a result of the enactment of PL-358, 83rd Congress (2nd Session) and with the other arrangements which have been made between our two governments with respect to the St. Lawrence Seaway, the Government of the United States does not wish to delay the construction of the joint Seaway project, in which both governments are mutually interested, and consequently it is bound by events to take cognizance of the de facto situation which is created by the decision of Canada to proceed with deep-water dredging in the channel north of Cornwall Island.

In the circumstances, the Government of the United States deems it important to record that the United States reserves all its rights to protect its interests in this matter.

"Livingston T. Merchant"

Honorable L. B. Pearson,  
The Secretary of State for External Affairs,  
Ottawa.