



THE HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO

OFFICE OF THE CHAIRMAN

620 UNIVERSITY AVENUE  
TORONTO 2

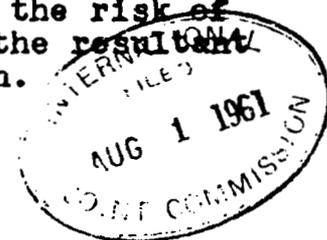
July 21, 1961.

General A. G. L. McNaughton,  
Chairman, Canadian Section,  
International Joint Commission,  
OTTAWA,  
Canada.

Dear General McNaughton:

Pursuant to the provisions of Article III of the Boundary Waters Treaty of 1909, The Hydro-Electric Power Commission of Ontario hereby respectfully applies for permission to carry out the works recommended by the International Joint Commission in its interim report dated June 23, 1961, and described as follows:

- (i) The extension of the control structure in the Niagara River, which was constructed pursuant to the recommendations of the International Joint Commission Report of May 5, 1953, by the addition of five sluices identical to those in the existing structure.
- (ii) The construction of a training wall generally parallel to the Canadian shore, extending from a point about 1700 feet upstream from Pier No. 4 of the control structure to a point about 2000 feet downstream from that pier, to provide a high velocity channel for transporting ice past the Sir Adam Beck plant intakes and through the control structure to the Cascades; together with a concrete weir across the channel at the downstream end of the training wall.
- (iii) The removal of the top of the submerged weir which is located about 250 feet upstream from the control structure to elevation 552.5 feet, which is one foot lower than the sill of the control structure, to eliminate the risk of ice collecting on the weir and the resultant difficulties of winter operation.



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July 21, 1961.

The Hydro-Electric Power Commission of Ontario proposes that:

1. The design of the five additional sluices of the control structure be identical with that of the existing structure and the sluices shall be equipped with gates similar to those now installed; and the training walls be as low and unobtrusive as practicable so as not to impair the scenic beauty of the area.
2. No single feature of construction be undertaken until the corresponding final general arrangement plans, design analysis and schedule of construction have been approved by the International Niagara Board of Control on behalf of the International Joint Commission.
3. Since virtually all of the recommended works are to be located in Canadian waters and for practical purposes will be accessible only from the Canadian side of the river, the task of construction of the recommended works be allocated solely to The Hydro-Electric Power Commission of Ontario, and be carried out under the supervision of the International Joint Commission; that Commission to report to the two Governments when the said works have been satisfactorily completed.
4. The operation of the additional works be under the control and supervision of the International Niagara Board of Control in the same manner and degree as the remedial works previously constructed.
5. The costs of construction of the recommended works be borne entirely by the Power Authority of the State of New York and The Hydro-Electric Power Commission of Ontario and be allocated on the basis which has been agreed between them. These two Power Entities have agreed that, taking into account the remedial nature and the relative benefits to them of each of the recommended works,

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the cost of construction of these works be allocated as follows:

<u>Item</u>	<u>The Power Authority of the State of New York.</u>	<u>The Hydro-Electric Power Commission of Ontario.</u>
(a) Five sluice extension to existing control structure.	50%	50%
(b) Downstream Section training wall and end weir.	40%	60%
(c) Upstream Section training wall.	0	100%
(d) Removal of Rock Weir.	50%	50%

6. The cost of operation and maintenance of these recommended works be borne by the two Power Entities in the same proportions as the construction costs in paragraph 5 above.

The Hydro-Electric Power Commission of Ontario shall be responsible for the disposition of claims and for the satisfaction of any valid claims for physical injury or damage to persons or property occurring in Canadian territory in connection with the construction and operation of any of the works authorized by the International Joint Commission as a result of this application.

We are advised that a similar application of a complementary character is being made concurrently by the Power Authority of the State of New York to the International Joint Commission through the Government of the United States and that the application of the Power Authority of the State of New York

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contains similar provisions for the disposition of claims occurring in the United States territory to those included in this application in respect of Canadian claims.

The Power Entities urge authorization for immediate prosecution of the work to avoid if possible the necessity for reducing diversions next fall and winter to maintain the Chippewa-Grass Island Pool at prescribed levels. The cofferdam for the control structure extension will serve the same purpose as the extension in maintaining pool levels. To minimize the possibility of an unmanageable run of ice while the cofferdam is in the river, every effort will be made to achieve a sufficient degree of completion of the training walls to make them effective in time for ice runs next winter.

Yours sincerely,



Chairman.



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#20 UNIVERSITY AVENUE  
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July 21, 1961.

The Honourable Howard C. Green,  
Secretary of State for External Affairs,  
OTTAWA,  
Canada.

Dear Mr. Green:

I wish to acknowledge and thank you for your letter of July 19, 1961, with regard to the Niagara River Remedial Works. Enclosed with your letter was a copy of the International Joint Commission's interim report of June 23, 1961, a copy of the Niagara Board of Controls report of June 1, 1961 and a copy of your letter dated May 5, 1961 to the Secretary of the Canadian Section of the International Joint Commission.

We submit herewith, for your transmission to the International Joint Commission, our application for permission to carry out the works recommended by the Commission in its interim report dated June 23, 1961.

The application conforms with all the recommendations contained in the Commission's interim report dated June 23, 1961, and it is our understanding that a similar letter and application are being forwarded to the Secretary of State for the United States by the Power Authority of the State of New York.

Your co-operation in transmitting the application to the Commission at the earliest possible moment is respectfully requested.

Yours sincerely,

Chairman.





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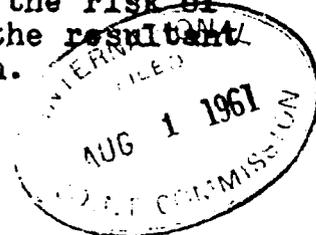
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