

improvements to the Treaty are:

- (a) New procedures for Canadian participation in determining the need for any flood control requested by the United States that is additional to the flood control covered by the initial payments.
- (b) Reaffirmation in positive terms of Canada's right to make any diversions of Columbia basin water required for consumptive needs such as irrigation and municipal uses.
- (c) Clarification of Canada's right to continue in perpetuity any diversions of Kootenay River water undertaken in accordance with the Treaty.
- (d) Confirmation of Canadian control over the detailed operation of the Canadian Treaty storage for power purposes.
- (e) An increase in Canada's downstream energy benefits by 14 to 18 per cent by using a longer period of streamflow in benefit calculations.
- (f) A clear statement that the Treaty does not establish any principle or precedent that applies to any waters other than those of the Columbia River basin, and does not modify the application of the Boundary Waters Treaty to such other waters.
- (g) Elimination of the Treaty Standby transmission charges for the 30-year period of the sale of Canadian downstream power benefits to the United States and thereafter if the service is not required.

The Protocol also modifies the Treaty on a point which is vital to the sales agreement with the United States. Article VIII (1) of the Treaty, which refers to a possible disposal of downstream power benefits in the United States, requires that such disposals be covered by an exchange of notes between the two countries "as soon as possible after the ratification date". The sale of Canada's entire entitlement to downstream benefits for 30 years as is now planned and the absence of immediate markets for those power benefits in Canada make it essential that assurance of purchase by the United States is made either before, or contemporaneously with, ratification by Canada. The Protocol requires a simultaneous exchange of the ratifications and completion of the initial sales agreement and therefore insures a market for Canada's downstream benefits.

The total effect of the improvements through the Protocol is to establish a better balance between essentially Canadian interests and the interests of the Columbia River basin as a whole.