

additional flood protection. Of first importance is the establishment of an objective test to determine whether flood control is actually needed and the recognition of the right of Canada to have a substantial voice in determining the extent and frequency of these calls. It should be pointed out that notwithstanding this improvement of Canada's position the amounts of compensation payable to Canada for the various types of flood control have not been altered.

The scheme of Item I requires that the United States entity making the additional flood control call must submit its request to the Canadian operating entity, which is given the right of rejecting or suggesting modifications to the call. If agreement between the entities cannot be reached, the call is then submitted for examination to the Permanent Engineering Board, a joint Canada-United States body whose decision is binding on both entities. However, so that the possibility of loss of life will be avoided and damage to property be minimized, Canada has agreed that the "call" will be honoured in the event that the Board does not agree on the need for the call.

Item I is quite specific as to when the United States can call for additional flood control. During the initial 60-years of the Treaty period, calls for additional storage can only be made if the flood peak expected at The Dalles, Oregon, would exceed 600,000 cubic feet per second (the level of flood control at present desired by the United States) after the use of all storage facilities which existed or were under construction in the United States portion of the basin in January 1961, as well as the storage at the Libby Dam and the 8,450,000 acre-feet of basic flood control storage provided by Canada. Thus only a flood of major proportions would require the use of additional Canadian storage during this period.

After this initial 60-year period, calls upon Canada for flood control operation can be made only if the flood peak at The Dalles would exceed 600,000 cubic feet per second after the use of all storage facilities which existed in the basin in the United States at the expiration of this 60-year period. Therefore Canada is effectively protected against an undue number of calls.

2. In preparing the flood control operating plans in accordance with paragraph 5 of Annex A of the Treaty, and in making calls to operate for flood control pursuant to Articles IV(2) (b) and IV(3) of the Treaty, every effort will be made to minimize flood damage both in Canada and the United States of America.

#### Comment

While substantial flood control protection to Canada is automatic when the Treaty projects are in operation, the specific inclusion