

4. (1) It is acknowledged and agreed that Canada has the right and obligation to do all things which the Treaty requires Canada to do that British Columbia has not undertaken to do by this Agreement.

(2) Notwithstanding subsection (1) of this section Canada shall obtain the concurrence of British Columbia before;

- (a) confirming by exchange of notes any operating plan pursuant to Article IV of the Treaty;
- (b) making any election pursuant to Article VI(5) of the Treaty relating to payment for flood control;
- (c) agreeing to any variation of entitlement to downstream power benefits pursuant to Article IX of the Treaty;
- (d) confirming any electrical coordination arrangement made pursuant to the Treaty;
- (e) agreeing to any diversion of water by the United States of America pursuant to Article XIII of the Treaty;
- (f) agreeing, as provided for in Article XIII(6) of the Treaty, to any variation in the use of water diverted by British Columbia pursuant to that Article;
- (g) charging the entities designated pursuant to Article XIV of the Treaty with any new power or duty; and
- (h) terminating the Treaty.

5. Canada shall, if requested by British Columbia, endeavour to obtain the agreement of the United States of America with respect to;

- (a) any variation of the operation of any dam constructed under Article XII of the Treaty;
- (b) any modification of the area of land in Canada required for the purposes of any dam constructed under Article XII of the Treaty;
- (c) any diversion of water not provided for by the Treaty;
- (d) any new power or duty which British Columbia wishes to impose upon the entities designated under Article XIV of the Treaty;
- (e) any direction which British Columbia with the concurrence of Canada wishes given to the Permanent Engineering Board established by the Treaty; and
- (f) any proposal relating to the Treaty which Canada and British Columbia agree is in the public interest.