

CEC -- Paul Clifton Questions Through the Interrogatory Process

I have over the past three and one half years, made representations to the Manitoba Clean Environment Commission (CEC). In at least three representations, the facts as I have detailed them to the Commission have been altered within the public record by Provincial Government officials unknown.

The same is the case with the below representations, with the answers provided **and publicly posted by MB Environmental Approvals – on the MB Government Web Site.**

My questions of great importance to me, AND THE PUBLIC AS A WHOLE in the operation of the Floodway are misrepresented!!!

The below tells the story. It appears that folks want to continue to “steam roller” Floodway Expansion, with a biased EA process.

Mueller, Joyce (CON)

From: Johnson, Cathy (CON)
Sent: Wednesday, May 25, 2005 10:41 AM
To: Mueller, Joyce (CON)
Subject: FW: CEC Interrogatory Records of Clifton Transferred to the MFA
Sensitivity: Personal

Additional info for the file.

-----Original Message-----

From: Clifton, Paul [mailto:peclifton@hydro.mb.ca]
Sent: May 25, 2005 10:33 AM
To: Johnson, Cathy (CON)
Cc: threno@gov.mb.ca; Webb, Bruce (CON); stephane.dion@EC.gc.ca; grady.keith@infrastructure.gc.ca
Subject: RE: CEC Interrogatory Records of Clifton Transferred to the MFA
Sensitivity: Personal

Manitoba EA File No. 4967.00

Thanks Cathy, no one said the CEC wasn't playing strictly by the rules. I have dug through my files and attach an exact electronic copy of what was provided to Mrs. Joyce Mueller in CD and hard copy. Subsequently, Canada's Ministry of Foreign Affairs & International Trade we alerted to the inadvertent provision of an incomplete Lloyd Axworthy's records per my ATIP request. This in that the back side of several pages was not provided to me in error at the time.

Never the less, the record that was not posted (for expected reason known) was public record of Minister Lloyd Axworthy's intent to garner support for his "Red River Flood Prevention Initiative" of May 1997. This as the record when fully extracted will detail, was the IMMEDIATE MAY, 1997 Axworthy/Filmon initiative to expand the Red River Floodway then!!!

THE HELL WITH FULL AND COMPLETE STUDY, THE MWC, THE IJC AND APPROPRIATE ENVIRONMENTAL ASSESSMENTS IN ADVANCE OF FEDERAL and PROVINCIAL FUNDING

Minister of the Environment, Hon. Stéphane Dion and Mr. Grady please acknowledge receipt of this transmission.

Regards

PE (Paul) Clifton

-----Original Message-----

From: Johnson, Cathy (CON) [mailto:CaJohnson@gov.mb.ca]
Sent: Wednesday, May 25, 2005 9:24 AM
To: Clifton, Paul
Subject: RE: CEC Interrogatory Records of Clifton Transferred to the MFA
Sensitivity: Personal

Paul,

We will FAX you the transmittal letter. The disk and all the printed materials you have identified, as supplied by you, were forwarded to the MFA.

-----Original Message-----

From: Clifton, Paul [mailto:peclifton@hydro.mb.ca]

5/25/2005

Sent: May 24, 2005 4:27 PM
To: Johnson, Cathy (CON)
Cc: THreno@gov.mb.ca
Subject: RE: CEC Interrogatory Records of Clifton Transferred to the MFA
Sensitivity: Personal

Cathy

My facsimile number is (204) 884-3158. I don't need to receive the complete package again, I am just trying to clarify the total number of pages transmitted to the MFA and were there nine questions transmitted. Was page 29 e-mail to Premier Doer, Page 30 front page of FIPPA Request, Page 31 and 32 Hansards of Question Period Monday, May 17, 2004, and Canada Foreign Affairs ATIP release assigned Cdn. FA File No. A-2004-00119/ac in their entirety to the MFA?

Regards

Paul Clifton

-----Original Message-----

From: Johnson, Cathy (CON) [mailto:CaJohnson@gov.mb.ca]
Sent: Tuesday, May 24, 2005 3:57 PM
To: Clifton, Paul
Subject: RE: CEC Interrogatory Records of Clifton Transferred to the MFA
Sensitivity: Personal

We don't have a scanner. We could Fax you a copy of the transmittal letter, but not the whole package. The package contains the same files that you already have as taken off your Nov. 24 CD.

-----Original Message-----

From: Clifton, Paul [mailto:peclifton@hydro.mb.ca]
Sent: May 24, 2005 3:51 PM
To: Johnson, Cathy (CON)
Subject: RE: CEC Interrogatory Records of Clifton Transferred to the MFA
Sensitivity: Personal

Cathy, do you have a scanner and can you scan and send it electronically. Did the complete question package go over, i.e. all nine questions???

Regards

Paul

-----Original Message-----

From: Johnson, Cathy (CON) [mailto:CaJohnson@gov.mb.ca]
Sent: Tuesday, May 24, 2005 3:48 PM
To: Clifton, Paul
Subject: RE: CEC Interrogatory Records of Clifton Transferred to the MFA
Sensitivity: Personal

Paul,

We have gone through our files and have found the transmittal letter from Terry Sargeant to Doug Peterson. The questions provided to the MFA were what you submitted to the CEC (CD version etc.). As for the posting on the public registry, you will have to check with the Environmental Assessment and Approvals Branch (Trent Hreno) as to where the information on the web

was taken from as the CEC does not have any role in this.

We have printed copies of the transmittal letter and the interrogatories for you to pick up at your convenience. Please do call first to make sure someone will be here.

-----Original Message-----

From: Clifton, Paul [mailto:peclifton@hydro.mb.ca]

Sent: May 24, 2005 2:27 PM

To: Johnson, Cathy (CON)

Subject: RE: CEC Interrogatory Records of Clifton Transferred to the MFA

Sensitivity: Personal

Cathy, it is a long and windy road. The MFA provided the opportunity in the public consultations process to ask questions so that public could become further informed on the Floodway Expansion Project in advance of CEC work.

Thus the (567 KB) PaulCliftonresp.pdf file attached. Then in about mid October 2004 the CEC conducted a Interrogatory process in advance of public EA hearings. And because I work away from home all the time, I when home provided Joyce Mueller a CD with the Questions 1 to 8 and Question 9 in paper form. Thus a total of nine questioned were provided to the FEA notable Mr. Peterson, who at the time couldn't open the CD file and thus there was some electronic back-and-forth with him and Joyce.

In the end with the NINE questions transmitted to the FEA by the CEC, the answers in response were posted as the last file above (irt-dec23-04re-clifton.pdf (545 KB).

Even the ill informed will find that something untoward is going on. I'm just seeking exact record of what the CEC provided C/W my record of transmittal, their complete reply and thus what was provided to MB Environmental Approvals for public posting. All of the noted record with clear transmittal records so that a Member of Judge can follow all of this.

I can be reached at Slave Falls G. S. at (204) 884-3110 should you need further directions.

Regards

Paul Clifton

-----Original Message-----

From: Johnson, Cathy (CON) [mailto:CaJohnson@gov.mb.ca]

Sent: Tuesday, May 24, 2005 1:34 PM

To: Clifton, Paul

Subject: RE: CEC Interrogatory Records of Clifton Transferred to the MFA

Sensitivity: Personal

Paul,

Could you be a little more specific of what submissions and documents you are referring to?

We still have all the original documents you submitted since the beginning of this process.

Joyce and I would be happy to retrieve what you need as long as we know specifically what it is we are looking for. You may wish to come in and look through some of it to ensure you have what you want.

If you choose to visit us please call ahead so we can accommodate you.

Thanks.

-----Original Message-----

From: Clifton, Paul [mailto:peclifton@hydro.mb.ca]

Sent: May 24, 2005 1:10 PM

To: cajohnson@gov.mb.ca

Cc: jmueller@gov.mb.ca

Subject: CEC Interrogatory Records of Clifton Transferred to the MFA

Importance: High

Sensitivity: Personal

Manitoba EA 4967.00

Folks, please be advised that I have initiated an RCMP complaint against Canada, Manitoba and the City of Winnipeg as it relates to Red River level control and Breach of the Public Trust and the Breach of the Canadian Constitution. As well as given the recently released Federal Screening Report by Canada on the project, we're also preparing for a Federal Court of Canada action.

In this regard, I am requesting that the CEC provide me an exact copy of my submitted records in electronic form as well as hard copies of the last pages numbered starting at about 30 to 54.

Provide complete record of what was transmitted to the MFA from this package, and provide complete copy of the posted answers to Paul Clifton's questions currently posted on Mb. Environmental Approvals web page.

I return home on Friday of this week, so please have this complete package assembled for pick-up and advise by return e-mail of peclifton@hydro.mb.ca when ready. It is important in all of this, for the CEC to provide clear indication of my complete submitted record and that in fact the complete record was transmitted to the MFA. All of this to detail to the RCMP as well as a Federal Court representatives, the "editing by person's unknown" of Paul Clifton's representations that were subsequently posted as a public record.

Regards

PE (Paul) Clifton
852 Red River Drive
Howden, Mb R5A 1J4I

Paul Clifton Question 1

This question has been provided to Mr. Bruce Webb, Environmental Approvals for reply, though he may not be able to obtain the data as requested, or the question might not make it to the formal public environmental assessment record. Thus it is sent to you.

An environmental assessment of the proposed expanded floodway in my mind, would not be complete without consideration and honest reporting of the historic negative affects, given the known backwater affect of the West Dyke. This condition will also be present off the expanded floodway project.

I note the Winnipeg Free Press article of January 30, 2004 titled: Unnatural flooding reparations planned. "Steve Topping, director of water in the Department of Water Stewardship, said flooding caused by the floodway has occurred only once. That was in 1997 during what became known as the Flood of the Century, when the floodway caused water levels south of the city to be two feet higher than they would have been without it". This statement by the Director is simply not true! If you review the sub-report of the 1980 Manitoba Water Commission, Titled Problems With The Floodway, by Acres, unnatural upstream flooding was evident in 1974 and 1976 because of floodway gate hydraulic cylinder curve errors.

Now my question:

As an attachment I provide an MSeXcel document of historic Red River flood stages at the Inlet Vs actual flood flows recorded for respective flood years since completion of the current Floodway. Given the known completion or near completion of the study by the Water Branch, titled Manitoba Conservation - Engineering Service Contract Number WA-238 - Engineering Services for Recomputation on Natural Water Levels at the Floodway Inlet. Please provide historic deviation +/- from the "Natural" in all years as noted.

Response

It is our understanding that Mr. Rick Bowering, P.Eng., of the Manitoba Water Branch provided the requested information in an e-mail to Paul and Maxine Clifton on June 7, 2004.

Red R., at Inlet to Floodway Channel**In pier nose of
Floodway Inlet
Control Structure**

Year	Peak water level (ft.)	- source of data	Peak discharge (cfs)	- source of data	Peak water level (ft.)	- source of data
1969	759.6	b	57,700	b	n/a	
1970	759.48	b	56,000	b	759.60	a
1971	754.08	b	44,500	b	754.00	a
1972	751.52	b	38,000	b	751.18	a
1974	764.94	b	56,520	b	764.63	a
1975	754.58	b	43,040	b	754.41	a
1976	754.96	b	40,910	b	754.84	a
1979	765.48	b	84,640	b	764.93	a
1982	751.29	a	38,860	b	751.04	a
1983	751.69	a	39,740	b	751.41	a
1987	758.26	a	54,820	b	758.04	a
1989	752.79	a	44,270	b	752.40	a
1992	752.73	a	36,270	b	752.50	a
1995	757.35	a	55,760	b	756.85	b
1996	764.62	a	78,720	b	764.01	b
1997	771.48	a	138,200	b	770.19	a
2001	760.30	a	65,750	b	759.55	a
2002	754.93	a	51,000	b	753.61	b

Notes:

a Water Survey of Canada

b Manitoba Water Branch's Floodway operation records

n/a not available

Peak flows and water levels

Year	Red R. natural flow (cfs)	Assiniboine R. contribution to peak (cfs)	Water level at Inlet		Deviation from Natural (Ft.) Plus or Minus
			Actual (ft.)	Natural (using Acres' 2004 rating curve)	
1969	78,000	20,200	759.60	758.69	0.91
1970	80,500	15,895	759.48	760.08	(0.60)
1971	53,900	3,200	754.08	754.47	(0.39)
1972	56,100	12,082	751.52	753.42	(1.90)
1974	97,126	28,667	764.94	762.40	2.54
1975	60,687	17,649	754.58	753.88	0.70
1976	62,617	28,595	754.96	752.61	2.35
1978	67,100	8,800	758.68	757.43	1.25
1979	106,276	19,308	765.48	764.98	0.50
1982	52,084	13,366	751.35	752.20	(0.85)
1983	53,174	12,914	751.97	752.63	(0.66)
1986	67,600	18,013	754.79	755.97	(1.18)
1987	80,135	20,780	758.33	759.23	(0.90)
1989	50,962	5,425	752.82	753.11	(0.29)
1992	50,300	8,926	752.80	752.11	0.69
1995	65,850	6,800	757.41	757.39	0.02
1996	105,900	22,800	764.64	764.63	0.00
1997	163,000	19,900	771.50	769.32	2.18
1998	55,100	4,200	754.60	754.64	(0.04)
1999	75,900	14,700	758.19	758.96	(0.77)
2001	87,000	24,500	760.29	760.49	(0.20)
2002	38,700	1,390	754.92	749.77	5.15
2004	81,800	18,000	760.08	760.07	0.01

----- Original Message -----

From: [Bowering, Rick \(WSD\)](#)

To: [Paul & Maxine Clifton \(Paul & Maxine Clifton\)](#)

Cc: [Kozera, Eugene \(WSD\)](#) ; [Bjornson, Tanys \(JUS\)](#) ; [Petsnik, James \(WSD\)](#)

Sent: Monday, October 25, 2004 12:51 PM

Subject: FW: Actual and natural w.l.'s at Floodway Inlet

Hello Paul. We have completed our computation of what the computed peak natural levels would have been at the floodway entrance for each year that the floodway was operated if recorded Assiniboine River flows were used in the computation instead of computed natural Assiniboine River flows. The levels are shown in the attached spreadsheet. We also show the impact that the change in definition would have had in downtown Winnipeg.

Please note that the annual levels shown at the floodway entrance for the current procedure are slightly different than the levels I sent to you on June 7, 2004. Those natural levels had been taken from an earlier tabulation of computed natural levels. The levels shown in the attached spreadsheet are taken from Acres final report, and they are the correct levels. I apologize for the confusion.

The alternate computation procedure would lower the computed natural levels at the floodway entrance by an average of 0.77 feet. This would result in higher levels in downtown Winnipeg by an average of 0.5 feet. The largest difference would have occurred in 1976 which was a major flood year on the Assiniboine River. Of course 1976 was not a big flood year on the Red River and there was no significant flooding in the valley south of Winnipeg.

Paul, I understand that you requested this information to assess the benefits and impacts of a change in the computation of "natural" Red River levels. The concept of using unregulated flows on the Assiniboine River has been central to the computation procedures right from the start. It is also

consistent with the overall principal that "natural" means levels that would have occurred in the absence of flood control works. The Assiniboine River flood control works were justified and designed to protect Winnipeg and so it is logical to expect that the benefits in terms of reduced river levels would accrue to Winnipeg. Your proposal would lower the target natural level south of the control structure, but would result in increased levels, and consequently increased damages in the City.

Rick Bowering
(204) 945-6397

-----Original Message-----

From: paul clifton [mailto:pclifton@mts.net]
Sent: Wednesday, September 08, 2004 9:31 PM
To: 'lstrachan@gov.mb.ca'; 'bwebb@gov.mb.ca';
'Dan.Mcnaughton@ceaa-acee.gc.ca';
'grady.keith@infrastructure.gc.ca'; 'gerry.tessier@ceaa-
acee.gc.ca'; 'thomsonb@DFO-MPO.gc.ca';
'jim.vollmershausen@EC.gc.ca'; 'jeannette.godin@EC.gc.ca'
Cc: 'STopping@gov.mb.ca'; 'RBowering@gov.mb.ca'
Subject: FW: Actual and natural w.l.'s at Floodway Inlet

Manitoba Project File No. 4967.00

All PAT members and P&NR, EC. For the public record, I provide below copy of Mr. Richard Bowering's reply to me on my latest Red River level control question.

Regards

PE Clifton

-----Original Message-----

From: Bowering, Rick (CON) [SMTP:RBowering@gov.mb.ca]
Sent: Wednesday, September 08, 2004 4:09 PM
To: 'paul clifton'
Subject: RE: Actual and natural w.l.'s at Floodway Inlet

Paul, this will acknowledge receipt of the request for the computation of natural at the floodway inlet ignoring the

Assiniboine River flood works. I'm asking my staff how much work this will be. Then I or our legal Council will get back to you.

Rick Bowering
(204) 945-6397

-----Original Message-----

From: paul clifton [mailto:pclifton@mts.net]
Sent: Tuesday, September 07, 2004 9:53 PM
To: 'STopping@gov.mb.ca'; 'RBowering@gov.mb.ca'
Cc: 'lstrachan@gov.mb.ca'; 'bwebb@gov.mb.ca';
'Dan.mcnaughton@ceaa-acee.gc.ca';
'grady.keith@infrastructure.gc.ca';
'gerry.tessier@ceaa-acea.gc.ca'; 'thomsonb@DFO-MPO.gc.ca';
'jim.vollmershausen@EC.gc.ca'; 'jeannette.godin@EC.gc.ca'
Subject: Actual and natural w.l.'s at Floodway Inlet

Folks, I am seeking to limit Manitoba's expenditures on legal council through the course of the environmental assessment of the Red River Floodway Expansion Project. Thus for economy of legal advice provided to the Manitoba Water Branch, we may as well seek advise on two questions Vs just one. Again this question is posed without the Floodway Expansion EIS or it's appendices in hand, because for economy sake, Manitoba has withheld these documents from me. As a courtesy, I request e-mail acknowledgement of receipt of this memo by recipients and all cc's to our e-mail address of pandmax@mts.net.

Mr.'s Topping and/or Bowering

As a fundamental question of the current and proposed Red River level control in Manitoba through Floodway Expansion, the "Natural" must be agreed upon. In this effort I return as an attachment Mr. Bowering's reply to me in advance of the Bill 23 - Public Hearings on the Red River Floodway Act. Contained within, is a chart of the deviation from the "Natural" Upstream of the Inlet since completion of construction of the Floodway in 1968.

Additionally, I attach a web site link to Manitoba Conservation's 1997 Facts & Figures of the Red River Flood, data pages 1 to 5; http://www.gov.mb.ca/conservation/watres/97_facts_figures.html

In consideration of the October 12, 2004 deadline for public comment on the EIS, please immediately provide the "Actual Deviation from the Natural" of all flood years since completion of the floodway. This actual deviation of the Natural without a mathematical calculation related to the Assiniboine River flood contribution into the City of Winnipeg.

To demonstrate this question, I return to you data from the 1997 flood, as well as refer you to Page 4 of 5 of the linked data.

Red R. Natural Flow (CFS) 163,000 cfs
Assiniboine R. Contribution to Peak (CFS) 19,900 cfs
Actual (FT.) 771.50 ft
Natural (Using Acres' 2004 Rating Curve) 769.32 ft

From Conservation's '97 Facts & Figures;

Peak Discharge 17,000 cfs on April 25, 1997
Peak Unregulated Discharge 25,000 cfs on April 25, 1997
Minimum Discharge During the Flood; 1,600 cfs on May 5, 1997

Thus more simply put, what is the additional Upstream of the Inlet flood stage for 1997 flood that is resultant with only 1,600 cfs into Winnipeg when some 19,900 cfs was charged Upstream? From available Water Branch record data, what was this additional deviation through mathematical calculation in the floods of 1969, 1970, 1971, 1972, 1974, 1975, 1976, 1978, 1979, 1982, 1983, 1986, 1987, 1989, 1992, 1995, 1996, 1998, 1999, 2001, spring floods?

What would be the total admitted deviation from the Natural in 1997, i.e.; 2.18 ft + _____ = FT.?

Regards

PE Clifton

-----Original Message-----

From: Bowering, Rick (CON) [SMTP:RBowering@gov.mb.ca]
Sent: Monday, June 07, 2004 9:52 AM
To: Paul & Maxine Clifton (Paul & Maxine Clifton)
Subject: FW: Actual and natural w.l.'s at Floodway Inlet

Paul as requested here is the table of natural levels computed using the New Acres curve.

Rick Bowering

(204) 945-6397

-----Original Message-----

From: Kozera, Eugene (CON)
Sent: Monday, June 07, 2004 9:12 AM
To: Bowering, Rick (CON)
Subject: Actual and natural w.l.'s at Floodway Inlet

As requested, attached is a table with these values.

Eugene F. Kozera, P. Eng.
Flood Damage Reduction Engineer
Water Branch
Manitoba Water Stewardship
200 Saulteaux Cres.
Winnipeg, Manitoba R3J 3W3
204-945-7657 fax: 204-945-7419

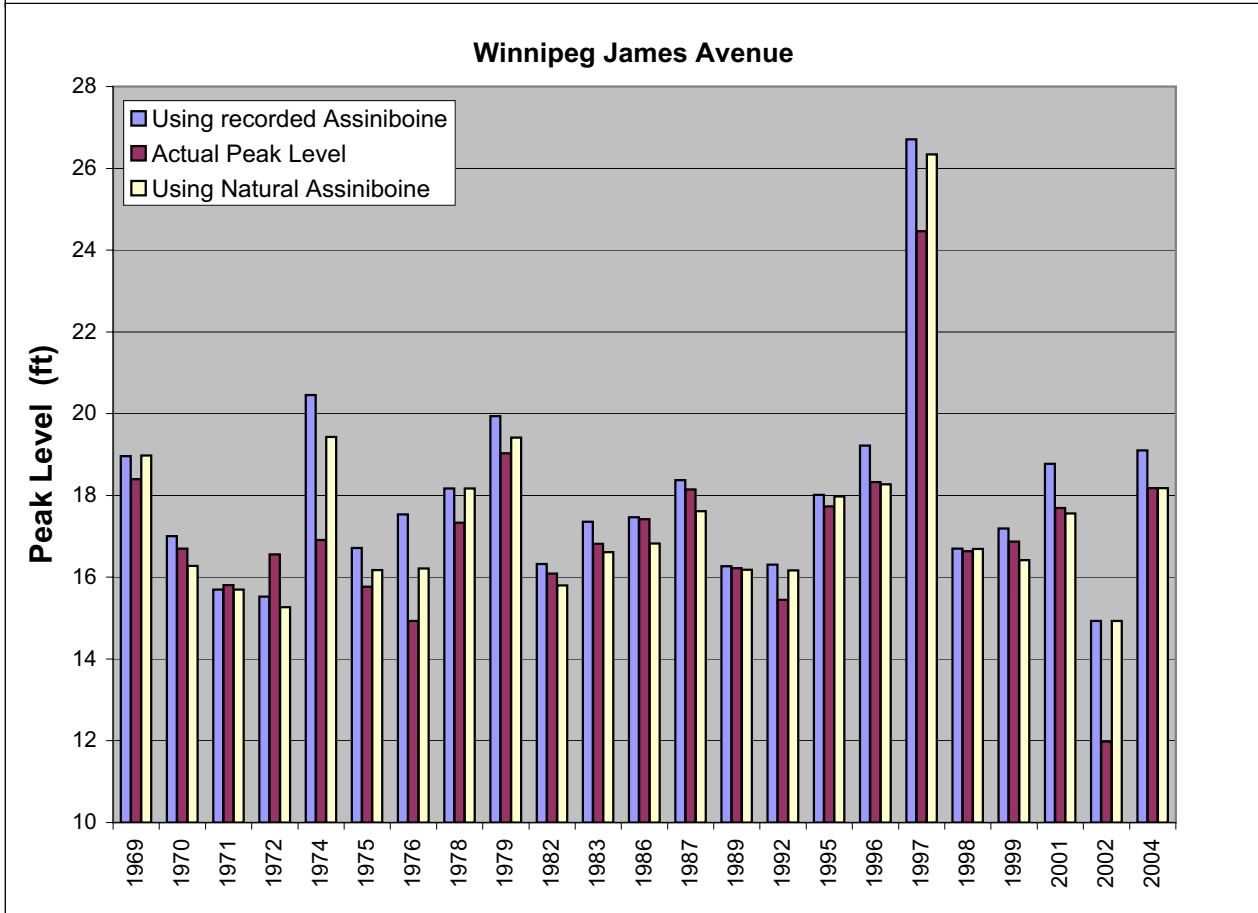
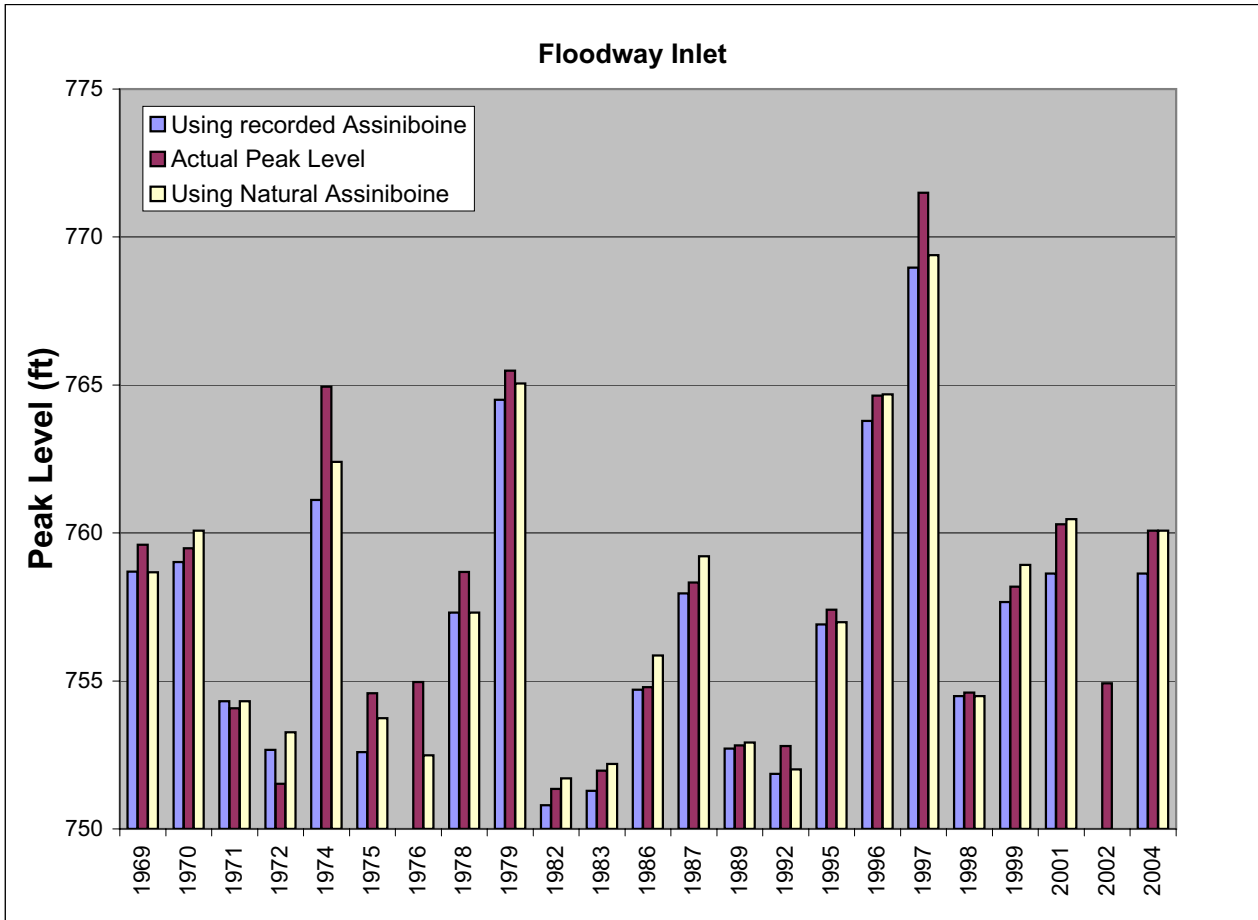
e-mail: ekozera@gov.mb.ca

P e a k w a t e r l e v e l s

Year	Water level at Inlet				James Ave. water level at time of natural peak			
	Natural, if eliminate effect of Shellmouth & Portage Div. (ft.)	Actual (ft.)	Natural, based on methodology currently used by Province * (ft.)	C - A	If Inlet water level is as in column A (ft.)	Actual (ft.)	If Inlet water level is as in column C (ft.)	E - G
	A	B	C	D	E	F	G	H
1969	758.69	759.60	758.67	-0.02	18.96	18.40	18.98	-0.01
1970	759.02	759.48	760.08	1.07	17.00	16.70	16.28	0.72
1971	754.32	754.08	754.32	0.00	15.70	15.81	15.70	0.00
1972	752.67	751.52	753.26	0.59	15.53	16.56	15.27	0.26
1974	761.11	764.94	762.40	1.29	20.45	16.91	19.43	1.02
1975	752.59	754.58	753.74	1.15	16.71	15.77	16.18	0.53
1976	749.92	754.96	752.49	2.57	17.54	14.93	16.21	1.33
1978	757.31	758.68	757.31	0.00	18.17	17.33	18.17	0.00
1979	764.50	765.48	765.05	0.55	19.94	19.03	19.41	0.53
1982	750.80	751.35	751.71	0.91	16.33	16.09	15.80	0.52
1983	751.29	751.97	752.19	0.90	17.35	16.82	16.62	0.74
1986	754.71	754.79	755.86	1.15	17.47	17.42	16.82	0.64
1987	757.96	758.33	759.21	1.25	18.37	18.15	17.61	0.76
1989	752.71	752.82	752.92	0.21	16.27	16.22	16.18	0.09
1992	751.86	752.80	752.01	0.15	16.31	15.45	16.17	0.14
1995	756.91	757.41	756.98	0.07	18.01	17.73	17.97	0.04
1996	763.78	764.64	764.69	0.91	19.22	18.33	18.27	0.95
1997	768.97	771.50	769.38	0.41	26.71	24.46	26.34	0.37
1998	754.49	754.60	754.49	0.01	16.70	16.64	16.69	0.00
1999	757.67	758.19	758.92	1.25	17.19	16.87	16.42	0.77
2001	758.63	760.29	760.46	1.83	18.77	17.69	17.56	1.21
2002	749.57	754.92	749.57	0.00	14.93	11.98	14.93	0.00
2004	758.63	760.08	760.08	1.45	19.10	18.18	18.18	0.92

0.77 Average 0.50
2.57 Max 1.33
-0.02 Min -0.01

* : And using Acres April 2004 natural rating table



Paul Clifton Question 2

I am seeking further details directly relevant to my request for provision of a Valley Flood Hazard Plan. This to further my and the environmental assessment team's understanding of the risks to, and numbers of Valley residents with the Floodway Expansion area. I had requested some of this information through Mr. Rick Hay when he was with the Provincial Water Branch, though I understand he is now with the FEA. This is a good thing, he would be able to follow these questions through to full and complete response.

As a backgrounder, note the following:

The 1958 cost/benefit analysis by the Royal Commission set the Inlet elevation for design at 768.0 ft ASL, with a dike named the West Dike constructed southwestward off the Control Structure. The unlicensed Federal/Provincial funded elevation of the Z-dyke under "Emergency Conditions" prior to the 1997 flood crest was relocated some two miles south after the flood emergency. The total extension and elevation of this "new dike" is currently unknown to me, but this question will be submitted at a later date as another issue. For these questions let's assume the elevation is at 774.0 ft ASL.

I request documentation and quantification of the following:

- *The construction "as-built" top elevation of every ring diked community located within the area of the Flood Hazard Plan (One in Seven Hundred Year Flood Frequency).*
- *The flood frequency protection of each ring dikes design.*
- *The total number of residential and commercial establishments within each ring diked community.*
- *The total developable though vacant, residential or commercial lots within each diked community.*

As well, please provide the total number of non ring diked community properties, be they residential, farm, commercial or whatever, within the area defined by the Flood Hazard Plan.

Response

(a) List of ring dyke crest elevations for communities in southern Manitoba considered in the assessment of effects. (Source: MFEA Round 2 Presentation/Open House Materials)

- a. Emerson – 795.6 feet**
- b. Lettellier – 789.4**
- c. St. Jean Baptiste – 787.4**
- d. Morris – 786.7**
- e. Brunkild – 788.0**
- f. Rosenort – 785.4**
- g. Aubigny – 783.7**
- h. St. Pierre-Jolys – 787.1**
- i. Ste. Agathe – 778.5**
- j. Niverville – 775.5**
- k. St. Adolphe – 774.5**
- l. Avonlea Corner – 787.7**
- m. Floodway Inlet (Turnbull Drive) – 771.0**
- n. Grande Pointe – 774.3**

- (b) Designed to provide flood protection for 1997 event plus a freeboard of two feet.**
- (c) Water levels with Floodway Expansion will be lower than with existing floodway immediately south of the inlet control structure for major flood events and will be similar for extreme flood events. As such, there are no anticipated water regime project-related adverse effects upstream of the Inlet Control Structure on residential and commercial properties. Please see the following sections of the EIS for additional information and discussion on this subject please refer to the following sources: (EIS: Sections 4.1,4.2, 5.3, 8.3, 8.4, 8.5, 8.6. Appendix 5A,5B and within the Engineering Documentation the Main Report and Appendices B, L, H)**
- (d) See (c) above**
- (e) See (c) above.**

Paul Clifton Question 3

I'm again forwarding questions to you and also requiring further historic documentation, this so I can better assess the revised project description of Floodway expansion, when available.

The revision of the EIS has been just received and I have one initial comment on this second draft, I hope. Given that Environmental Approvals Director, Strachan has authorized COE, FEA Gilroy's request to remove all components of the City of Winnipeg flood protection infrastructure from the Project Review. *How is the Proponent to determine the total cumulative affects of the revised project as it relates to the immediate forebay or upstream area, through the full proposed range of operation of the expanded Floodway without knowing of the integrity of the Cities flood protection infrastructure?*

Reference to the matter of the City of Winnipeg's infrastructure should be made to my extensive records submission to the Clean Environment Commission (CEC) on the Review of the City of Winnipeg's waste water systems. There is a demonstrable linkage to the efficiencies of these system as it relates to Red River levels. The submission in four parts, there are: two written submissions, April 03, 2003 and April 14, 2003 - a CD MSPower Point presentation to support the my oral presentation and my notes of the oral presentation. I believe they are numbered as Public Registry records, 119, 120, 121 and 122. This record also extensively details the adverse negative effect of "Summer Floodway Operation" that will again be at issue with the upcoming project review. *Was the original Floodway not conceived and constructed to protect the City of Winnipeg from inundation by overtopping of it's primary dykes during Red River Spring Flood events only?*

Request No. 1

Please extract from the proponent the following pages from the 1958 Report of the Royal Commission on Flood Cost Benefit.

- *Page No. 7 --- Flood Insurance*
- *Table 10.2 --- Page 71 Floodway Design*
- *Page 72 --- 1. Diversions (a) Greater Winnipeg Floodway*
- *Page 82 --- 4. Dykes (a) Dyking Systems in Greater Winnipeg*

Questions of the Proponent will be provided after receipt of these excerpts, such as is there presently a pot of monies set aside in lou of flood insurance, if not why not?

Of the two methods of Operation recommended, which one is currently used?

If neither is in use, provide detailed explanation for the rational and justification for another method of Operation used?

How will the proposed Rules be reviewed and changed to provide upstream flood relief without placing the City of Winnipeg under any additional flood risk?

Request No. 2

Lastly for now, please obtain two copies of the sub-report to the 1980 Manitoba Water Commission (MWC), dated September 1980, titled Review of Operational Problems With the Red River Floodway.

Response

"How is the Proponent to determine the total cumulative affects of the revised project as it relates to the immediate forebay or upstream area, through the full proposed range of operation of the expanded Floodway without knowing of the integrity of the Cities Flood Protection infrastructure?"

The City of Winnipeg works have been removed as a component of the Floodway Expansion Project. If the City of Winnipeg infrastructure affects the project or if the project affects the City of Winnipeg infrastructure those affects are assessed. The assessment was conducted based on the City infrastructure provided the appropriate level of protection. Additional clarification on the City of Winnipeg infrastructure will be included in the Supplemental Filing.

"Was the original floodway not conceived and constructed to protect the City of Winnipeg from inundation by overtopping of it's primary dykes during Red River Spring Flood events only?"

The floodway were constructed in conjunction with the primary dykes after the 1950 flood to protect the City of Winnipeg.

Request 1

Copies attached.

Request 2

We do not have copies available to provide to Mr. Clifton but he is welcome to view the document at MFA's office at 200-155 Carlton, Winnipeg.

ROYAL COMMISSION
ON FLOOD COST-BENEFIT
1958

COMMISSIONERS:

H. W. MANNING (*Chairman*)

W. C. RILEY W. J. MACDONALD A. S. BEAUBIEN

J. McDOWELL

Economic Studies

C. L. BARBER (*Economic Advisor*)

C. M. CHESNEY (*Economist*)

Engineering Studies

TEMPLETON ENGINEERING COMPANY

C. TEMPLETON G. R. RESHAUR

R. B. ALEXANDER

Secretary

RECOMMENDATIONS

FLOOD INSURANCE

This Commission made a careful study of the cost and feasibility of a flood insurance program.

The Commission concluded that:

1. A self sustaining flood insurance plan is not practical or feasible, either on a governmental basis or by the insurance industry.
2. An assistance fund could be established.
 - (a) This assistance fund should be supported by the Federal, Provincial and Municipal governments in the same proportion as now applies in disaster relief throughout Canada.
 - (b) For the Upper Red River Valley such a fund would require
 - (i) a capital sum of \$16,000,000 at 4% interest, or

(ii) annual payments of \$750,000 per year.

3. Under the Prairie Farm Assistance Act damage to growing grain crops from many causes, including flood, is reimbursed on a fixed and limited scale, provided the damage caused by flooding is sufficient or extensive enough to qualify the area as a "crop failure area." In its present form the P.F.A.A. does not provide a satisfactory form of flood indemnification. The Federal Government could amend the P.F.A.A. to cover specific losses to individual farmers for flood damages to growing grain crops and for the deterioration to farm lands caused by these floods. The required spread in premiums to make such a scheme operative and self-sustaining is now provided by the of 1% levy on the sale of all grain.

The foregoing are the recommendations and findings of four members of the Commission, namely Mr. H. W. Manning, chairman, Mr. W. C. Riley, Mr. W. J. Macdonald and Mr. A. S. Beaubien whose signatures appear at the conclusion of this report.

A dissenting opinion of the fifth member of the Commission, Mr. J. McDowell, which has not been presented to the other Commissioners at this date, follows the majority report.

BENEFIT-COST ANALYSIS

In utilizing these data, it was necessary to prepare for each reach an estimate of the flood damages and losses that would occur under two different assumptions.

First an estimate was prepared on the assumption that the dykes remained intact and all flooding was prevented behind the main dyking system. Such an estimate for Reach 3 is shown as Line 1 in the Stage-Damage Relation on Plate 22.

Second, an estimate was prepared showing the damages that would occur under natural conditions in the absence of all dykes. Such an estimate for Reach 3 is shown in line 3 on Plate 22.

On the basis of these two estimates and the data given in Table 10.1, a third estimate of flood damages was prepared which shows the damages that would occur with progressive failure of the flood defence system in the face of higher and higher water elevations. This estimate appears as line 2 in Plate 22 and is prepared in the following manner. The data in Table 10.1 indicate that in a 3.3 percent flood (29 ft. at James Avenue) the risk of flooding in Reach 3 is 45 percent. This means that for such a flood, the damages caused by flooding behind the main dyking system would amount, on the average, to 45 percent of the additional damages that would result from the absence of any flood defence. Accordingly, the corresponding point for line 2 is plotted 45 percent of the distance from line 1 to line 3, at an elevation of 754.6, the elevation reached by a flood of this frequency at Redwood Bridge. Other points on line 2 are plotted in a similar way. Thus line

2 begins to diverge from line 1 at the elevation where some risk of flooding behind the main dyking system begins and gradually approaches line 3 as higher elevations are reached and the risk of flooding increases. It merges completely with line 3 at the point where the risk of flooding behind the primary line of defence becomes 100 percent.

This approach attributes to the primary defence system a benefit corresponding to the area between lines 2 and 3 in the frequency-damage chart on Plate 22. This amounts to an annual benefit of \$850,200 for all three reaches.

If the "freeboard approach" had been adopted, it would be necessary to assume that the dykes were completely safe to an elevation of about 29.5 feet above city datum at James Avenue in order to give the dyking system this same annual benefit. Thus, in effect our approach attributes a very substantial part of the benefit that arises from the elimination of the more frequent floods to the primary defence dyking system. Benefits attributable to the Greater Winnipeg Floodway and other projects are additional benefits that arise from the elimination of damages in the larger, less frequent floods, damages which cannot be prevented by the main dyking system.

The approach used by the Commission is conservative since the attribution of a smaller benefit to the main dyking system would have left a larger benefit for other projects and would have resulted in higher benefit-cost ratios on these projects.

Having adopted this basis for the treatment of the dyking system, benefit-cost ratios were

Table 10.2
BENEFIT-COST ANALYSIS
GREATER WINNIPEG FLOODWAYS

Project Design	Capital Cost	Annual Cost at 4 Percent	Annual Benefit	Average Benefit-Cost Ratio
20-766 Floodway	\$30,220,000	\$1,675,800	\$ 5,058,500	3.02
40-768 Floodway	41,724,000	2,303,400	7,595,000	3.30
60-768 Floodway	57,361,000	3,161,700	9,127,200	2.89
80-768 Floodway	71,436,000	3,931,800	10,151,400	2.58
100-770 Floodway	77,485,000	4,275,900	10,408,300	2.43
Increase				
Increase in Size of Floodway		in Annual Cost	Increase in Annual Benefit	Incremental Benefit-Cost Ratio
From 0 to 20,000 c.f.s.		\$1,675,800	\$5,058,500	3.02
From 20,000 to 40,000 c.f.s.		627,600	2,536,500	4.04
From 40,000 to 60,000 c.f.s.		858,300	1,532,200	1.79
From 60,000 to 80,000 c.f.s.		770,100	1,024,200	1.33

NOTE: Floodway designations refer to the capacity of the floodway in thousands of cubic feet per second for a given water surface elevation at the floodway inlet. Thus, 20-766 indicates a floodway with a capacity of 20,000 second-feet for a water surface elevation at the inlet of 766 feet above mean sea level.

Annual benefits are based on income and property values in existence in 1957.

BENEFIT-COST ANALYSIS

then calculated for various flood protection measures. This was carried out first, considering each project by itself. This analysis indicated that certain projects could be eliminated and provided a basis for judging the relative merits of the remaining projects.

1. Diversions

(a) Greater Winnipeg Floodway

Before evaluating the benefits of the Greater Winnipeg Floodway, it was necessary to decide how the control structure just below the floodway inlet should be operated. Two alternative methods of operation were considered.

With the first method, when the river level in the city approached the top of the dykes, which would occur at a flow of about 80,000 c.f.s., the water level above the control structure would be raised above the natural level, thus diverting more water down the floodway and keeping water levels within the city below the top of the existing primary dyking system. This method of operation would afford more protection to Greater Winnipeg but it would raise water levels upstream of the intake structure and cause some additional damage in that area.

In the second method of operation, the control structure would be operated at all times to keep the upstream water level at the same elevation as it would have reached in the absence of a floodway.

Although the Commission recognized that the first method of operation offered some additional margin of protection to Winnipeg and would attribute larger benefits to the floodway,

they decided to adopt the more conservative basis of estimation afforded by the second method. An analysis of benefits carried out on this basis indicates that all floodways in the size range from 20,000 c.f.s. to 100,000 c.f.s., have favourable benefit-cost ratios. (See Table 10.2). The highest ratio, 3.30 is shown by the 40,000 c.f.s. floodway. But even a floodway with a design capacity of 100,000 c.f.s. has an overall benefit-cost ratio of 2.43.

However, when consideration is given to incremental benefit-cost ratios it becomes evident that it would not be economical to build a floodway with a capacity much in excess of 80,000 c.f.s. This relationship between average and incremental benefit-cost ratios is shown in more detail in Plate 23. This Plate shows that the incremental benefit-cost ratio falls to 1.0 at a floodway capacity of about 90,000 c.f.s. Up to that point, the additional cost of increasing the size of the floodway is more than offset by the additional benefits this increase in size provides. Beyond that point, the additional benefits fall below the additional cost of providing them. All of the above ratios are based on the benefits derived from present property and incomes only. They make no allowance for the additional benefits justified by the prospective growth of the Greater Winnipeg Area. (See Chapter 9).

Not only the favourable benefit-cost ratios but a number of other considerations recommend the Greater Winnipeg Floodway. It provides a fairly uniform degree of protection to all parts of Greater Winnipeg. Since it is located on the main stem of the Red River, it will provide dependable protection to the city for

Table 10.3

DISTRIBUTION OF FLOWS: GREATER WINNIPEG FLOODWAY

NATURAL CONDITIONS			WITH FLOODWAYS IN EXISTENCE		
Peak Flow at Redwood	Assiniboine Flow at Headingley	Flow at Floodway Inlet	Flow in Floodway		
(1)	(2)	(3)	40-768	60-768	80-768
(Thousand cubic feet per second)					
40	8	32	3.5	4.8	7.4
60	9	51	12.7	17.3	25.3
80	12	68	21.5	30.7	42.3
100	16	84	30.8	45.3	61.0
120	20	100	36.8	54.7	73.2
140	23	117	40.6	60.5	80.6
160	28	132	43.5	64.9	86.3
180	32	148	46.4	69.3	92.0
200	34	166	49.4	73.9	98.0
220	37	183	52.5	78.5	104.0

NOTE: The flow in the river channel below the floodway inlet can be obtained by subtracting columns (4), (5), or (6) from Column (3). The flow at Main Street or Redwood Bridge with the floodway in existence can be obtained by adding this latter result to Column (2). For example, if a 40-768 floodway had been constructed, then in a flood that would have resulted in a flow of 160,000 c.f.s. at Redwood Bridge under natural conditions, the flow in the river Channel below the floodway inlet would be 88,500 c.f.s. (132,000 - 43,500). The flow at Main Street or Redwood Bridge would be 116,500 c.f.s. (88,500 + 28,000).

BENEFIT-COST ANALYSIS

(c) Channel Improvement South of Winnipeg

Two schemes for channel widening in the area south of Winnipeg were given preliminary analysis. The first scheme would provide for a channel with a capacity of 95,000 c.f.s. from St. Norbert to a point 10½ miles south of Ste. Agathe. Its capital cost would be about \$14 million. The second scheme would provide, at a capital cost of \$50 million, for a similar channel from St. Norbert to Emerson. Under both schemes an addition would have to be made to the Greater Winnipeg Floodway to offset the loss of natural storage that this scheme would cause. The cost of this addition has been estimated at roughly \$10 million. Thus the total cost of the two schemes would be of the order of \$24 million and \$60 million respectively.

No detailed benefit-cost analysis of these schemes was carried out since preliminary data indicated that expenditures of this magnitude would not be economically justified. Even if all flooding in the area south of Winnipeg were completely eliminated, the capital expenditure that would be justified to achieve this would be only \$15,712,000. Since each of these schemes would cost a good deal more than this and since they would each eliminate only part of the total damage, it is clear that the benefit-cost ratio for both schemes would be well below one. Thus, the Commission has been forced to conclude that a channel improvement scheme designed to reduce flooding in the valley area south of Winnipeg would not be economically justified.

4. Dykes

(a) Dyking System in Greater Winnipeg

The Report of the Red River Basin Investigation advances a proposal for a system of dykes through Greater Winnipeg that would provide protection to a level of 28.5 feet above city datum.

To analyze this proposal it was assumed that the existing dyking system is safe to Stage 25 feet. This provides a freeboard allowance of 1½ feet. It was further assumed that the dyking system proposed would be completely safe to 28½ feet above datum, the design level which allows 3 feet of freeboard. A stage of 28½ feet corresponds to approximately 95,000 c.f.s. at Redwood Bridge or a 3½% flood.

The capital cost of building dykes up to Stage 28½ feet was assumed to be \$10 million and to require a construction period of two years. This allows an increase of \$1 million over the cost estimated by the R.R.B.I. to cover increased construction costs and the rise in the cost of property acquisition since 1952. On this basis, the following annual costs and benefits were obtained:

Total annual benefits of dykes safe to 28½ feet	\$711,000.00
Annual benefits on dykes safe to Stage 25	\$129,500.00
Additional benefits from increasing dykes from 25 to 28½ feet	\$581,500.00
Annual cost at 4% interest of additional dykes	\$484,100.00
Benefit-cost ratio on construction of additional dykes	1.2

The benefit-cost ratio for this project is quite low for a project considered separately and would undoubtedly be below 1.0 if it were considered in combination with other projects. In addition, the costs estimated by the Red River Basin Investigation appear to be on the low side. Since the benefit-cost ratio is comparatively low and since raising a dyking system often creates an unwarranted feeling of confidence and induces additional building in low lying areas, the Commission decided that this proposal did not deserve further consideration.

(b) Existing Dykes: City of Brandon

The existing dyke in the City of Brandon which protects a settled area in the Brandon flats on the south side of the river was constructed between 1954 and 1956 at a cost of \$50,000. With some emergency work, it witheld the spring floods of 1954, 1955 and 1956, the peak flow at Brandon during this period being 18,900 c.f.s. The top of the present dyke corresponds to a flow of about 29,000 c.f.s.

In evaluating this dyke an allowance of 1½ feet was made for freeboard. With this amount of freeboard it can be assumed that the dyke would be safe for flows of up to 21,000 c.f.s. On this basis the benefit-cost ratio is 7.99 to 1.

Capital Cost of Dykes	\$50,000
Annual Cost (including interest & amortization)	\$ 2,470
Annual Benefits Basis 1½ Feet Freeboard	\$19,740

The high benefit-cost ratio shown by the existing dyke at Brandon might suggest the desirability of improving and strengthening this dyke. However, there are some additional hazards and costs not included in this ratio. For example, the above costs do not include any provision for maintenance or for the cost of pumping sewage over the dyke in flood periods. Further, since there is no shortage of good residential land in the Brandon area, it would be undesirable to take any steps that would encourage the construction of additional properties in the flats. Then too, if the Russell Reservoir is constructed it will provide a substantial amount of additional protection to this area.

Paul Clifton Question 4

I am seeking to obtain record of public comment on the review of the Floodway Operating Rules, submitted to government from between April 10, 2000 to about May 1, 2000. I know that the public registry was used to manage the Draft Operating Rules under Conservation File No. 4512.00 though comments went to Minister of Conservation, Lathlin at the time. Mr. Rick Bowering at 945-6397 was the contact person (MB Water Branch).

This question is relevant to the Expansion Proposal, as I believe the Proponent propose or intend to use the "Current Operating Rules" for the expanded floodway.

I'm requesting copy of ALL the public comments, though I am expecting that the writer's name and personal information should be removed for the provision of privacy I understand that there were over eighty letters to Lathlin, presumably not in support of the recommended changes.

Response

Mr. Bowering was contacted regarding release of the submissions. Mr. Bowering will confirm with the Department's freedom of information advisor to determine if he can release the submissions from private citizens. Mr. Clifton can be advised to contact Mr. Bowering directly.

Paul Clifton Question 5

No. 1)

I make reference to the Manitoba Water Commission (MWC) June 1998 report, and Recommendation No. 10. "The function that the West Dike is intended to perform as a fail-safe under extreme conditions - by allowing floodwaters to enter the LaSalle River system before excessively high water can cause damage to the Floodway Control Structure - should be considered when planning any extension to the West Dike".

Thus, I contend the \$ 30M Federal / Provincial cost shared construction of the 21 mile (34 km) of dike, that was constructed under the "1997 flood emergency", was without assessment under the Canadian Environmental Assessment Act (CEAA). This dike was substantially modified, post flood emergency, by relocation and potential further topped-up again without federal assessment. Even though funds this time for "Clean-up" were again provided by the federal government. Please advise when an assessment of the "existing dike extension" will be done under the CEAA process.

No. 2)

I make reference to the Manitoba Clean Environment Commission, public meetings - FLOOD PROTECTION OPTIONS FOR THE CITY OF WINNIPEG MEETING No. 5 - WINNIPEG - JANUARY 28, 2002 SUMMARY Page 3 last paragraph of my public comments, (also a project photo is attached).

I understand that the work undertaken in the Winters of 2001 and 2002 (for the second gate) was by KGS Group and I believe the contractor was MD Steele Construction Ltd. *Please obtain and provide the following for my review or alternately arrange for the records be made available for independent engineer opinion.*

I wish to see the tender specifications for the work, lists of drawings created for the work, lists of record drawings of the existing works and the purposes of all the works. This question is generated because I have strong reason to believe that the work detailed within this contract was not only to replace gate seals, but was also to fortify the gates to assuredly withstand 778.0 ft ASL of flood waters. I strongly contend that the 1968 Greater Winnipeg Floodway design was for an Inlet design from 768.0 to about 770.25 ft ASL. I also contend that within this winter enclosure, work licensed under "maintenance work" was well in excess of maintenance. I contend that the work included extensive fortifications of the works to assuredly withstand 778.0 ft ASL at the Inlet.

I understand the sensitivity to the Province of providing me or others upstream resident detailed technical information of the inner control structure works, though I will accept an out of Province engineer from possibly Acres International out of Toronto. I request that the proponent, providing me an independent engineering assessment of the work. Was their work also undertaken as "fortifications" or was the work strictly "maintenance" as KGS have contended?

Response

No. 1)

This question has been referred to Mr. D. McNaughton, Director, Canadian Environmental Assessment Agency. See copy of attached letter.

No. 2)

These documents are available for viewing at the Manitoba Floodway Authority office at 200-155 Carlton, Winnipeg, Manitoba.

Manitoba

Floodway Authority



Room 200, 155 Carlton Street
Winnipeg, MB R3C 3H8
Phone: (204) 945-4900
Fax: (204) 948-2462

November 4, 2004

Mr. Daniel McNaughton
Director, Prairie Region
Canadian Environmental Assessment Agency
Suite 263, 123 Main Street
Winnipeg, MB R3C 4W2

Dear Mr. McNaughton:

Re: Public Questions – Floodway Expansion Project

The Manitoba Floodway Authority (formerly the Manitoba Floodway Expansion Authority) conducted an extensive public involvement program during the preliminary design and environmental assessment phase of the Floodway Expansion Project (the Project). During and following those events, the public submitted several requests for clarification or additional information. Certain of these requests are beyond the scope of the Project and the Authority's mandate.

Mr. Paul Clifton submitted the following request:

I content the \$ 30M Federal / Provincial cost shared construction of the 21 mile (34 km) of dike that was constructed under the "1997 flood emergency", was without assessment under the Canadian Environmental Assessment Act (CEAA). This dike was substantially modified, post flood emergency, by relocation and potential further topped-up again without federal assessment, Even though funds this time for "Clean-up" were again provided by the federal government. Please advise when an assessment of the "existing dike extension" will be done under the CEAA process.

This question is beyond the scope of The Manitoba Floodway Authority and would appear to be properly addressed to the Canadian Environmental Assessment Agency.

Please do not hesitate to contact me at 945-2366 should need further information or clarification. Please provide a copy of your response for our records.

Yours truly,

A handwritten signature in black ink, appearing to read 'D. Peterson', written over a horizontal line.

D. Peterson, P. Eng

c. Mr. Paul E. Clifton
Group 5 Box 16 RR #1
St. Norbert, MB R3V 1L2

Paul Clifton Question 6

I attach several record photos for your reference, though hopefully next time, Valley "emergency flood protection" dikes won't have to be this high! There is an environmental implication as well as a project implication in my questions, the latter is to be passed on to others.

As background, the present presumption by Government, given the current flood protection infrastructure in place within the Valley, is that properties can and will be further flood protected. This permanent protection is generally ring diked properties, mounded homes or structures, or structural ring dike protected properties of various descriptions. In all cases these properties can generally be considered to be at 2 feet above 1997 Red River flood levels. This equates to roughly 773.8 ft. ASL at Clifton's or that of our immediate neighbors as an example. With the current intent with the "Present, Program of Operation" for the floodway, with an maximum operating level currently set at 778.0 ft ASL, some considerable shortfall in flood protection exists.

This difference or shortfall in Valley flood protection, though likely not achievable or likely attainable over the complete course of a flood event, is to build up the flood protection. In this effort, all dikes of any description leak, with this leakage requiring management. The management will likely be done with pumps, manned by residents who while in the flooded Valley, will be traveling by boats and maintaining properties.

Pumps will likely be predominately electric which are supplied by the power utility. Given the surface water elevation over the flood plain and residents requiring to move around by boat for supplies etc., these residents may come within an unsafe distance from high voltage power conductors (environmental concerns). Additionally, the primary source of power in the immediate upstream area is from St. Norbert sub-station, pictured from 1997. *Within the project environmental assessment or the project description, what mitigate measures are intended to be implemented to keep residents safe from this electrocution hazard? What project infrastructure improvements, such as sub-station flood protection mounding are to be implemented to provided for residents uninterrupted power for their emergency flood protection efforts, through a flood event?*

Response

The potential for electrocution hazard was a substantial area of concern during the 1997 Flood Event. As a result of the experiences learned during 1997, flood management coordination practices have been improved. The assessment of water regime changes as a result of the operation of the Project determined that water levels with Floodway Expansion will be lower than with Existing Floodway immediately south of the inlet control structure for major flood events and will be similar for extreme flood events. As such, there are no anticipated water regime project-related adverse effects upstream of the Inlet Control Structure. Please see the following sections of the EIS for additional information and discussion on this subject please refer to the following sources: (EIS: Sections 4.1,4.2, 5.3, 8.3, 8.4, 8.5, 8.6. Appendix 5A, 5B and within the Engineering Documentation the Main Report and Appendices B, L, H). Local improvement, outside of the Project, have not been identified or assessed in the EA.

Paul Clifton Question 7

I make reference to Hansard records of the all party committee of the Legislature on governments discussions of the best option to flood protect the City of Winnipeg, interestingly titled COMMITTEE ON THE FLOODWAY. This committee conducted two meetings that I am aware of, the first on Thursday, March 7, 2002 and the second on Tuesday, April 2, 2002. In my questions for the Proponent, I make reference to page 3 only of the second meeting. Within this section the Chair of the Clean Environment Commission details to the all party Legislative Committee, "Duguid's top four", or the four most important points brought to Mr. Duguid's attention through the public consultation process on flood protection options for the City. This was a play on David Letterman's top 10, from late night TV.

They were:

1) Compensation

What has the Proponent done in this regard, in governments obtaining by negotiated agreement with upstream residents, the ANNUAL RIGHT TO FLOOD and binding and bullet proof flood compensation agreements?

2) Terms of reference of the KGS report

What has the Proponent done in this regard to this public concern. This as it relates to the KGS Group's determining that the incremental costs of floodway expansion and it's determination of "Project Induced Damages" will start at 778.0 ft ASL. Thus damages relating to the expansion project will start to be amassed above 778.0 ft ASL, when the 1958 Cost Benefit study of the current floodway set the Inlet elevation at 768.0 ft ASL for a channel flood flow of 60,000 cfs. How was this free 10.0 ft across the Valley obtained by the Proponent?

3) Operation of the Red River floodway

The Manitoba Water Commission (MWC) in it's 1998 report on the Red River flood, made under Recommendation No. 2, reference to all interested parties being involved in the review of the Program of Operation as it related to revisions, and "Emergency Operation".

The International Joint Commission (IJC), on page 31 in the first paragraph makes clear reference to "... proposals for additional flood protection for the city or alterations to the operating rules for the Winnipeg Floodway must take account of the full economic, social and human costs for other areas that would be affected by such measures".

When is it the intention of the Proponent to comply with the recommendations of the MWC and the IJC, as it relates to revisions of the Programs of Operation, be they the 1970 or the 1984 programs. When will this be done with full inclusion of interested upstream residents?

4) Other flood protection options

Are there other flood protection options other than the Ste Agathe detention option or floodway expansion options out there? Have they been identified, studied and discounted with supporting documentation?

Response

1) Compensation

Proposed compensation legislation known as Bill 23 and titled "The Red River Floodway Act" received third reading by the Manitoba Legislative Assembly of Manitoba on June 9, 2004 and received Royal Assent from the Lieutenant Governor on June 10, 2004. The Bill will come into force on a day to be fixed by proclamation.

2) Terms of reference of the KGS report

The question is not understood. Please re-phrase and re-submit.

3) Operation of the Red River floodway

"When is it the intention of the Proponent to comply with the recommendations of the MWC and the IJC, as it relates to revisions of the Program of Operation, be they the 1970 or the 1984 programs. When will this be done with full inclusion of interested upstream residents?"

The Manitoba Floodway Authority did not exist in 1970 or 1984. Any revisions of the Program of Operation made at those times are past and further amendments have since been made. It is our understanding that the current Rules of Operation were developed by a committee that included:

Rick Bowering Manitoba Water Resources

Erminio Caligiuri PFRA

Doug McNeil City of Winnipeg

Valerie Rutherford, RM of Ritchot

Herm Martens RM of Morris

Doug Dobrowolski RM of MacDonald

Maurice Sydor Environment Canada

Rick Hay Manitoba Water Resources.

4) Other flood protection options

The Environmental Impact Statement filed on August 3, 2004 lists the options considered on page 1-10.

paul clifton

From: paul clifton [pclifton@mts.net]
Sent: Sunday, March 07, 2004 12:41 PM
To: 'josler@intergroup.ca'
Subject: Additional Verification and Validation of Complete Project Assessments, Please.

Project File No. 4967:00

John

Again you may only be the mail man on this one, please though acknowledge that the questions below are placed into the queue for the Proponent.

I make reference to Hansard records of the all party committee of the Legislature on governments discussions of the best option to flood protect the City of Winnipeg, interestingly titled *COMMITTEE ON THE FLOODWAY*. This committee conducted two meetings that I am aware of, the first on Thursday, March 7, 2002 and the second on Tuesday, April 2, 2002. In my questions for the Proponent, I make reference to page 3 only of the second meeting. Within this section the Chair of the Clean Environment Commission details to the all party Legislative Committee, "*Duguid's top four*", or the four most important points brought to Mr. Duguid's attention through the public consultation process on flood protection options for the City. This was a play on David Letterman's top 10, from late night TV.

They were:

1) Compensation

What has the Proponent done in this regard, in governments obtaining by negotiated agreement with upstream residents, the ANNUAL RIGHT TO FLOOD and binding and bullet proof flood compensation agreements?

2) Terms of reference of the KGS report

What has the Proponent done in this regard to this public concern. This as it relates to the KGS Group's determining that the incremental costs of floodway expansion and it's determination of "*Project Induced Damages*" will start at 778.0 ft ASL. Thus damages relating to the expansion project will start to be amassed above 778.0 ft ASL, when the 1958 Cost Benefit study of the current floodway set the Inlet elevation at 768.0 ft ASL for a channel flood flow of 60,000 cfs. How was this **free 10.0 ft** across the Valley obtained by the Proponent?

3) Operation of the Red River floodway

The Manitoba Water Commission (MWC) in it's 1998 report on the Red River flood, made under Recommendation No. 2, reference to all interested parties being involved in the review of the Program of Operation as it related to revisions, and "*Emergency Operation*".

The International Joint Commission (IJC), on page 31 in the first paragraph makes clear reference to "*... proposals for additional flood protection for the city or alterations to the operating rules for the Winnipeg Floodway must take account of the full economic, social and human costs for other areas that would be affected by such measures*".

When is it the intention of the Proponent to comply with the recommendations of the MWC and the IJC, as it relates to revisions of the Programs of Operation, be they the 1970 or the 1984 programs. When will this be done with full inclusion of interested upstream residents?

4) Other flood protection options

Are there other flood protection options other than the Ste Agathe detention option or floodway expansion options out there? Have they been identified, studied and discounted with supporting documentation?

Paul Clifton Question 8

"I attach copy of a letter written to MB EMO re. "Evacuation Order of the Red River Valley" dated Feb. 19, 2001. To date government has not replied, maybe the Proponent is now a little more motivated to answer some of the tougher questions relating to floodway Expansion"

Response

The Manitoba Floodway Authority staff is not in position to respond to the questions provided regarding authorities during a declared emergency. The questions have been referred to Mr. Paul Anderson, Executive Coordinator, Manitoba Emergency Measures Operations.

paul clifton

From: paul clifton [pclifton@mts.net]
Sent: Saturday, September 18, 2004 6:30 AM
To: 'premier@leg.gov.mb.ca'; 'JEldridge@leg.gov.mb.ca'
Cc: 'lstrachan@gov.mb.ca'; 'Bwebb@gov.mb.ca';
'Dan.mcnaughton@ceaa.gc.ca'; 'grady.keith@infrastructure.gc.ca';
'Gerry.tessier@ceaa.gc.ca'; 'thompsonb@DFO-MPO.gc.ca'
Subject: EC 0005 - Transfer of Records documentation GR 5384 -
Manitoba Project No. 4967.00

Folks, I am seeking to access records and documentation from the Filmon government that have been requested and denied by the Doer government. This as it relates to immediate (1997), advancement of Red River Floodway Expansion. This work of West Dyke relocation and elevation, Control Structure enhancements and structural modifications and revisions of the Floodway Program of Operation has been completed. Please note that the requested access to Manitoba Archive records must be granted before the comment deadline on the Red River Floodway Expansion Project EIS of October 12, 2004. As a courtesy, I request e-mail acknowledgement of receipt of this memo by recipients and all cc's to our e-mail address of pandmax@mts.net.

Premier Gary Doer and/or Mr. James R. Eldridge;

I provide as attachments, record of my Freedom of Information and Protection of Privacy Act request for access to Filmon government records maintained within the Provincial Archives. Please immediately grant my delegate or myself access to these sheltered records.



application.pdf



FOFIAP~Cabinet
Records (re-add...

Regards

PE Clifton
852 Red River Drive
Howden, Mb R5A 1J4

Please see reverse for instructions

Applicant

Surname: Clifton First Name: Paul E.

Address: 852 Red River Drive

Howden, Manitoba

Date 03 10 12 Postal Code: R5A 1J4

Daytime Telephone Number (204) 269-7760 Fax Number: (204) 275-8142

What Information Are You Requesting? Please check one

My own personal information

Personal information for another

General information

person (Attach proof of authority)

I wish to obtain access to the following records: **Cabinet Records - EC 0005, Government Transfer of Records GR 5384**

Expunge from the record my Access Request dated 03 10 11 and mailed under Canada Post tracking number 78 699 318 907, as this request was written in error.

Replace with: We understand from a Provincial Archivist that Cabinet records, EC 0005 transferred in two bundles under Transfer of Records documentation GR 5384 are held within the Provincial Archives.

These Cabinet records are to be held in confidence for five years or until a change of government. Given the latter has transpired in 1999, we wish to view records from two periods. 1) The period of April 01, 1997 to May 30, 1997 seeking insights into government decisions during the Red River Flood. 2) Records from June 01, 1997 to the date of change of government, seeking insights into post flood treatment on compensation.

Please provide approval to view and copy portions of the above referenced records.

Applicant's Signature: _____

FOR PUBLIC BODY USE ONLY

Date Received: _____ Number: _____

INSTRUCTIONS

Please

- Make only one request on each application form.
- Describe the records or information to which you want access in as much detail as possible.
- Send or take this form to the Access and Privacy Coordinator of the public body most likely to have the records you wish access to. Addresses of Coordinators are provided in the ***Access and Privacy Directory*** found in most public body offices and public libraries, or on the **Internet** at www.gov.mb.ca.

The addresses may also be obtained by calling the

- Government Records Office (945-3738 or toll free in Manitoba 1-800-617-3588)
or
- Citizens' Inquiry Service (945-3744 or toll free in Manitoba 1-800-282-8060)
- Keep a copy for your records.
- Note that you may be asked to pay certain costs as prescribed by Regulation, before gaining access to records.
- Note that if the public body does not respond within 30 days of receipt of this application, or if the public body extends this 30-day time period under subsection 15(2) of the Act, you may file a complaint with the Office of the Ombudsman.

**Personal information collected on this form is protected by
The Freedom of Information and Protection of Privacy Act
and will be used only to respond to this request.
Inquiries about the use and protection of this personal information
should be directed to the Access and Privacy Coordinator
of the public body to whom the application is sent.**

LEGISLATIVE ASSEMBLY OF MANITOBA

Monday, May 17, 2004

The House met at 1:30 p.m.

PRAYERS

Mr. Speaker: For the information of the House, Volumes 38A, 38B are there for the members. Volume 38C will be delivered in about an hour.

ROUTINE PROCEEDINGS

PETITIONS

TABLING OF REPORTS

Hon. Eric Robinson (Minister responsible for Sport): Mr. Speaker, I am pleased to table the 2004-2005 Departmental Estimates for Sport.

Introduction of Guests

Mr. Speaker: Prior to Oral Questions, I would like to draw the attention of all honourable members to the public gallery where we have with us today Kris Van de Spiegle and Sigrid DeGroot who are from Belgium. These visitors are participating in a study tour of Canada and they are the guests of the honourable Member for River Heights (Mr. Gerrard).

On behalf of all honourable members, I welcome you here today.

ORAL QUESTIONS

Red River Floodway Expansion Protected Communities

Hon. Jon Gerrard (River Heights): Mr. Speaker, Manitoba Liberals support the expansion of the Red River Floodway. For example, we are concerned about recent reports which show different levels of flood protection for different communities in the Red River Valley. With the floodway expansion, Emerson, St. Jean Baptiste, St-Pierre-Jolys, Morris and Winnipeg will be protected from a one-in-seven-hundred-year flood.

Grande Pointe, St. Adolphe, Niverville and Ste. Agathe will not be protected from such a flood. Is the Premier going to establish a double standard where some Red River Valley communities are protected from a one-in-seven-hundred-year flood and others are not protected?

Hon. Gary Doer (Premier): Mr. Speaker, the first community we should be talking about in Manitoba probably is the Peguis First Nation, and we are quite concerned that they have even less protection than any other community in Manitoba. Hopefully, we can get an agreement with the federal government to deal in a more equitable way with the conditions in the Fisher River.

I would say that people living in and around the Fisher River and the Peguis First Nation, a First Nation I might say, Mr. Speaker, that was established with people from the Red River Valley living in and around the Red River and Lake Winnipeg being sent into a reserve on the Fisher River and still today we would argue not adequately protected in that community. I would hope the member opposite is looking at the priorities on the basis of need.

Secondly, Mr. Speaker, the whole issue of flood protection, there is no question that it was decisions made by former Minister Axworthy and former Premier Filmon, an announcement that was made in Room 254 in the Legislative Building dealing with floodproofing, I think it was in the election. In fact, I think the member opposite was still in Cabinet, if I am not mistaken.

There were a number of decisions made in May of 1997, after the great throwing of the sandbag of the same period. I expect that those decisions were cleared through Cabinet *[interjection]*. No, we were not in government at the time. There was a lower level of protection. I will be accountable for the decisions we have made in government and, certainly, it is a lot different than the decisions the member opposite made.

Mr. Gerrard: Mr. Speaker, I, too, am concerned about Peguis and the Fisher River. In fact, I raised it earlier on.

But my question today deals with the Red River Valley. I have a concern, and Liberals have a concern, that the NDP government, of which you are a part, is setting a double standard. Recent reports show that, under the floodway expansion and the construction which is planned, there are no plans to protect Grande Point, St. Adolph, Niverville and Ste. Agathe from a one-in-seven-hundred-year flood while Emerson, St. Jean Baptiste, St. Pierre-Jolys, Morris and Winnipeg will all be protected from a one-in-seven-hundred-year flood.

I ask the Premier why is the Premier setting a double standard for flood protection for communities in the Red River valley.

Mr. Doer: A number of those decisions were made by the former Liberal government, in which he was a partner, and the former government. Subsequent to that, the IJC reported and recommended that Winnipeg and the Capital Region of Winnipeg, it is not just Winnipeg, I might point out, proceed to a one-in-seven-hundred-year protection. At the committee two years ago we talked about this challenge, and we also talked about the whole issue of the fact that there is an investment today. It is the only money today, the \$240 million, by the way, that has been approved by the federal government and the provincial government to date, that deals with one-in-two-hundred and I think it is eighty years, which is consistent with the flood of 1812 and its impact on the city of Winnipeg.

There is no question individual farm houses have been protected to one-in-one-hundred years in 1997, 1998, 1999. Some communities are protected to one-in-one-hundred years, some protected to one-in-two-hundred-and-fifty years, Winnipeg now is one-in-ninety years. There is no question that this will provide for one-in-two-hundred-and-fifty-year protection. As different reports come out, there are different levels of protection in Manitoba, starting with the decisions that were made and announced in May of 1997.



Lester B. Pearson Building
125 Sussex Drive
Ottawa, Ontario
K1A 0G2

NOV 15 2004

Mr. Paul E. Clifton
852 Red River Drive
Howden, Manitoba
R5A 1J4

Dear Mr. Clifton:

Request No. A-2004-00119 / ac

This is in reply to your request under the *Access to Information Act*, which was received on July 23, 2004, for the following:

On or about April 30, 1997 the Minister of Foreign Affairs and senior minister for Manitoba, on behalf of Canada, was involved in secretive discussions with the Province of Manitoba and/or the City of Winnipeg given the ever increasing Red River flood and threat to the City of Winnipeg at the time.

Given this threat, Canada through Minister Axworthy, participated in discussions with regard to initiating an "Emergency Operation" of the Greater Winnipeg Floodway under Rule 2.

Provide all records, notes, position papers in hard copy or electronic format, of Canada's participation with Manitoba and/or the City of Winnipeg to flood the Upper Red River Valley for Winnipeg's exclusive salvation.

Attached is a copy of the information relevant to your request. No exemptions or exclusions have been invoked to withhold any portion of information.



FACT SHEET

Frank
to Marie

REVISED: 28 April 1997 (17:00 EDT)

FEDERAL GOVERNMENT ASSISTANCE TO VICTIMS OF THE MANITOBA FLOODS

We need a
one paper by
May 5/6
and week

Individual federal government organizations are playing an important role in supporting the efforts of the Province of Manitoba and the Manitoba Emergency Management Organization during the current flooding in Southern Manitoba.

on our schemes
to
deal with

The province is in charge of co-ordinating the overall emergency response, with local authorities playing a primary role. The province declared a state of emergency in Southern Manitoba on April 22, 1997.

the
long term

Emergency Preparedness Canada is providing overall co-ordination among the federal team members and with the Manitoba emergency management team.

JP

The following is a brief outline of measures taken by federal departments and agencies to help Manitoba deal with the current flood situation:

New Federal Activities

National Defence

Currently, there are approximately 2,500 Canadian Forces personnel (representing bases in every region of the country) and a wide array of equipment working around the clock to help the people of Manitoba. Additional personnel and equipment are arriving every day. Approximately 800 troops from Land Forces Central Area (Ontario) and 1,250 soldiers from the Lord Strathcona's Horse Battle Group in Edmonton, are beginning to arrive. A further 1,700 personnel are in transit from Petawawa, Ont., Valcartier, Que., and Gagetown, N.B. They are augmented by small elements from across Canada. Air Command is supporting the effort with three Sea King helicopters from Canadian Forces Base Shearwater, eight Griffon helicopters from Edmonton, three Labrador helicopters from Comox and Trenton and six Jet Ranger helicopters from Portage-la-Prairie. Canada's Navy is also providing small boats and personnel from Maritime Command and Naval Reserve units from across the country to help in the evacuation of affected areas. Approximately 7,000 Canadian Forces men and women will be in the area by May 2.

The following is a breakdown of some military activities:

- More than 350 men and women are sandbagging in the towns of St-Malo, St-Jean Baptiste, Ridgeville, Emerson, Dominion City, Lowe Farm, Morris, and the rural municipalities of Salaberry and Montcalm.

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Transport Canada is coordinating all air taskings as there is a lot of Canadian Forces, federal, provincial, and private air traffic in the Red River valley area. A "5,000-foot" air space has been declared restricted. TC is setting up procedures for all air traffic in this restricted air space.

Canada Mortgage and Housing Corporation

Canada Mortgage and Housing Corporation (CMHC) is working with the province in setting up emergency housing. CMHC has secured a multiple unit to accommodate between 300 and 400 people in Teulon.

Industry Canada

Industry Canada is acting in a consultant role and is assisting cell phone providers with cellular setups. The department is arranging for more cellular channels and looking after cellular sites and working closely with the Manitoba Telephone Services and the Manitoba Emergency Management Organization. The department has provided MSAT units on loan to the Canadian Coast Guard. The department worked with NAV Canada to free up the Search and Rescue frequency.

Veterans Affairs Canada

Three staff and some computer equipment have been made available to Emergency Preparedness Canada and more personnel are available if needed. One staff member is working with the Red Cross to track veterans evacuated. Counsellors on staff maintain liaison through the province for the elderly population. Arrangements have been made for early delivery of pension cheques by Canada Post.

Elections Canada

Elections Canada will make special arrangements for voters who have been displaced by the flooding.

Western Diversification

Western Diversification is on standby to assist with intergovernment situations and contribute to communications between departments.

Ongoing Federal Activities

Emergency Preparedness Canada (EPC)

Emergency Preparedness Canada's Regional Director for Manitoba is coordinating federal assistance in support of provincial authorities in their efforts against the floods, and federal disaster financial assistance for flood victims.

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Environment Canada

Environment Canada is providing specialized weather briefing services and support to flood forecasting operations. Water monitoring data is being posted on the Internet Green Lane from its major hydrometric gauging stations at Emerson, Ste. Agathe, and Winnipeg. Flood information numbers have been incorporated into Environment Canada's telephone weather information lines. Environment Canada's Internet address: <http://www.mb.ec.gc.ca/flood/>

Revenue Canada Customs

Revenue Canada has announced that the tax-filing deadline for victims of floods in Western Canada has been extended. People unable to meet the April 30 filing deadline are asked to include a letter in their return outlining the reasons why they could not file on time. Revenue Canada will take these circumstances into account and will deal accordingly with the late-filing penalties and interest usually charged, as long as returns are filed within a reasonable time after the flood emergency has passed. Revenue Canada also plans to conduct community visits once the waters have receded to answer questions and assist individuals and businesses unable to file because of the floods.

Revenue Canada Customs has arranged to provide 24-hour service at other entry sites (Winkler and Sprague) to expedite commercial truck traffic detoured from its usual Emerson port of entry.

Canada Post Corporation

Canada Post is arranging delivery of all mail to flood evacuees, including cheques. A flood evacuation outlet is now open in Winnipeg. Mail pickup for other evacuees will be announced as evacuation destinations are confirmed.

Indian and Northern Affairs Canada

Indian and Northern Affairs Canada remains in close communication with First Nations Communities.

Human Resources Development Canada

Human Resources Development Canada (HRDC) arranged for an early release of Old Age Security and Canada Pension Plan cheques by Public Works and Government Services Canada for all cheques destined to people living in areas directly affected by the flood. The advance release by HRDC Manitoba Region with assistance from headquarter permits Canada Post to deliver the cheques prior to their due dates which were April 28, 1997. Some 30 percent of OAS and CPP clients still have their cheques delivered by mail. The majority received their payments through direct deposit to their bank, trust company or credit union.

Human Resources Development Canada has also readied its Human Resources Development Centres in Winnipeg to register volunteer emergency workers. A temporary location has been set up at the St. Vital Arena to assist evacuees who need assistance with EI applications and information, as well as with CPP and OAS information.

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RED RIVER BASIN FLOOD PREVENTION

ISSUE:

Develop a cross-border approach to:

- a) improved coordination of emergency response to flood threats;
- b) longer-term measures for flood prevention in the Red River Basin.

BACKGROUND:

Minister Axworthy raised the issue of water management along the Canada/US border with Secretary Albright, during the Prime Minister's visit to Washington in April.

The devastation, costs to individuals, and costs to governments on both sides of the border is so significant that it has generated a strong desire to examine, with a longer-term perspective, how to better prevent, or at the least minimize, the damage from future floods along the length of the Red River valley. Such a cross-border, cooperative effort would represent an effective and appropriate response to this major transboundary problem.

North Dakota and Minnesota have proposed to establish a "Red River Management Authority", but no details have been fleshed out.

In a letter dated 1 May, the Minister proposed to Secretary Albright that Canada and the US initiate in-depth discussions immediately to address this issue.

The Province of Manitoba has indicated support for such a proposal.

CONSIDERATIONS:

Timing:

The relevant people from the Government of Manitoba and from other federal government departments who would normally be part of this initiative are totally focussed at the moment on the emergency response to the flood. Getting their attention right now will be difficult, and may well irritate those who are in the midst of coping with the disaster.

It is unlikely that we could get any serious discussions going with Manitoba before the middle of the summer.

This initiative must be couched as a reasonable and thoughtful proposal to **secure the long-term future of Manitobans**...but will be pursued in earnest only when the

recovery period is well in hand.

Potential US actions:

Consideration must be given to the potential impacts on Canada of flood management measures that might be taken independently in North Dakota and Minnesota, for example, if flood management measures there were to result in faster drainage from the south, earlier in the spring, it could affect the northern part of the basin which would still be frozen.

Initiating preliminary action:

Exploratory discussions could be started with senior levels in federal departments (as opposed to the technical people in the field who are preoccupied at the moment with flood response) to generate support, to solicit preliminary ideas, and to identify responsible offices/officers who would later be engaged in this initiative.

Similarly, exploratory discussions could be started with senior levels in the US government to identify possible ways and means of pursuing this initiative. It would not be necessary to have Manitoba Government staff present at this stage, as long as they support the launch of such exploratory discussions.

Ultimately, the development of a cross-border approach would require the involvement of all levels of government, industry and business associations, citizens and interest groups from both countries.

Institutional structures:

Existing institutions should be drawn upon to initiate, plan and implement this endeavour, as appropriate within the bounds of their respective mandates. For example, the International Joint Commission and bilateral emergency measures mechanisms exist and the extent of their potential involvement needs to be explored.

New avenues may be necessary to examine the causes of the problem and to seek creative ways to resolve or mitigate them, and therefore should not be rejected *a priori*.

Geographic area of interest:

While the Red River would be the major focus of attention, other areas in the West could also benefit from such an approach (see attached drainage basin map).

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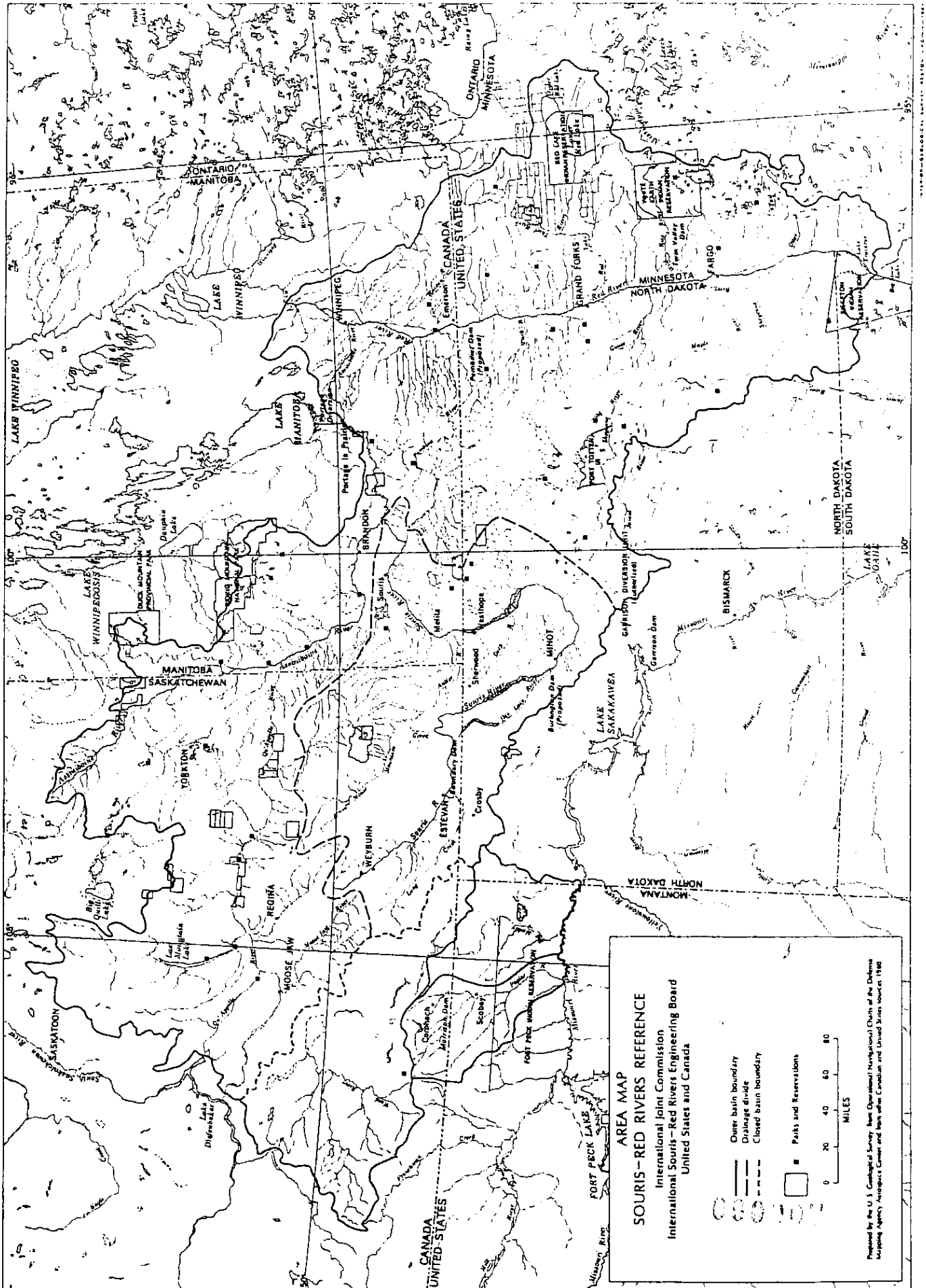
PROPOSED PROCEDURAL STEPS:

- a) Develop a departmental strategy and overall plan of action to carry out this initiative.
- b) Define the initial preliminary interdepartmental, federal/provincial, and Canada/US discussions to scope the initiative and develop a cross-border management/operating framework, e.g., consultative groups, management committees, implementation authorities (see proposed meetings/timelines attached).
- c) Establish the management/operating framework, including its funding (see preliminary list of existing institutions attached).
- d) The cross-border management/operating framework subsequently develops an action plan to address technical, scientific, engineering, economic and social questions and issues (see attached preliminary reference table).
- e) Coordinated implementation plans are developed and management/financial structures put in place.
- f) Implementation.

Prepared by:
Marie Adam
US Transboundary Division/URE
DFAIT
2/5/97

redideas.pap

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PROPOSED MEETINGS TO LAUNCH THE RED RIVER BASIN FLOOD PREVENTION INITIATIVE

Interdepartmental:

Initial discussion within the sub-committee dealing with "Improved Regional Water Management Planning", established under the MOU with Manitoba. It includes activities on both sides of the border.

Objectives:

- garner support for Minister Axworthy's Flood Prevention initiative;
- explore the interest, mandate, capabilities, programs of various departments and agencies;
- identify contacts for further detailed discussions;
- identify existing institutions and their mandates, and explore potential for channelling actions under this initiative through these organizations;
- develop a federal strategy to carry through with this initiative.

Canada/US:

Informal preliminary discussions between DFAIT and Dept. of State

Objectives:

- garner understanding of and support in principle for the Flood Prevention initiative;
- identify and explore US concerns or barriers to the pursuit of the initiative;
- establish the broad parameters of a cross-border approach or process;
- explore the interest, capabilities, programs of various state and federal departments and agencies that could be drawn into the initiative, including existing provincial/state institutions and their mandates;
- identify the US's preferred structure for further detailed discussions and identify contacts;
- develop a Canadian proposal that could be formally delivered to the US with some certainty of acceptance.

Canada domestic:

DFAIT/Manitoba bilateral

Objectives:

- garner understanding of and support in principle for the Flood Prevention initiative;
- establish the parameters of a partnership between the Governments of Canada

030103

- and Manitoba in pursuing this initiative;
- explore the interest, capabilities, programs of various provincial departments and agencies;
- identify contacts and Manitoba's preferred structure for further detailed discussions;
- identify existing provincial/state institutions and their mandates, and explore potential for channelling actions under this initiative through these organizations;
- develop a Canadian strategy to carry through with this initiative.

DFAIT/Manitoba/Saskatchewan/Alberta Multilateral

Objectives:

- garner understanding of and support in principle for the Flood Prevention initiative;
- establish the provinces' policy and geographic interests, regarding flood prevention measures;
- establish parameters of a partnership between Government of Canada and governments of the three prairie provinces in pursuing this initiative;
- explore the interest, capabilities, programs of various provincial departments and agencies;
- identify provinces preferred structure for further detailed discussions;
- identify existing provincial/state institutions and their mandates, and explore potential for channelling actions under this initiative through these organizations.

DFAIT/International Joint Commission

Objectives:

- garner understanding of the Flood Prevention initiative;
- establish the areas of expertise and review mandate of IJC to define scope of potential involvement in the initiative;
- examine the potential role of the International Souris-Red Rivers Engineering Board (see attached Terms of Reference).

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INTRODUCTION

At the request of the Governments of Canada and the United States to investigate and make recommendations regarding present and future water requirements, including apportionment, conservation and utilization of waters of common interest, the International Joint Commission appointed the International Souris-Red Rivers Engineering Board on April 7, 1948:

1. To investigate and report on the water requirements arising out of the existing dams and other works or projects located in the waters which are of common interest along, across, or in the vicinity of the international boundary from the eastern boundary of the Milk River drainage on the west up to and including the drainage basin of the Red River of the North on the east.
2. To report whether, in the judgement of the Commission, further uses of these waters within their respective boundaries by Canada and the United States would be practicable in the public interest from the points of view of the two Governments.
3. Having regard to the reports made under paragraphs 1 and 2, and for those streams where in the judgement of the International Joint Commission apportionment of the waters is advisable, to make advisory recommendations concerning the apportionment which should be made between Canada and the United States of such of the waters under reference as cross the international boundary, and with respect to each such crossing of the international boundary.
4. To conduct necessary investigations and to prepare a comprehensive plan or plans of mutual advantage to the two countries for the conservation, control, and utilization of the waters under reference in accordance with the recommendation apportionment thereof.

The International Souris-Red Rivers Engineering Board is composed of three members from each country that serve as professionals rather than as representatives of their respective agencies when considering references made to the Board.

The Board provided its Annual Report for 1995-96, to the Commission on November 5, 1996. In addition to the public meeting the Board had on July 11, 1996, in Morden, Manitoba, the Board met with the Red River Pollution Board and had a field tour of the Devils Lake and Pembina River areas en route to Morden, Manitoba on July 9-10, 1996.

This Interim Report provides highlights of active projects and new issues. Refer to the Annual Report for background information.

0809

**INSTITUTIONS OPERATING IN THE
RED RIVER BASIN**
(preliminary)

International

International Joint Commission

- International Souris-Red Rivers Engineering Board

Commission on Environmental Cooperation

Federal/Provincial

[water agreements?]

[agriculture agreements]

[emergency measures]

Canadian Council of Ministers of the Environment

Regional

[??]

Research Institutes

National Hydrology Research Institute, Saskatoon

Freshwater Fisheries Institute, Winnipeg

International Institute for Sustainable Development, Winnipeg

Prairie Farm Rehabilitation Administration, Regina

AAFC research institute, Lethbridge

Social Sciences and Humanities Research Council

Natural Sciences and Engineering Research Council

Canada Centre for Remote Sensing

University of Manitoba

University of Winnipeg

University of Brandon

University of Saskatoon

University of Calgary

University of Lethbridge

University of Alberta, Edmonton

080111

**RED RIVER BASIN FLOOD PREVENTION
TECHNICAL AND SCIENTIFIC ACTIVITIES**
(speculative)

ACTION/DATA	PURPOSE	AGENCY
Flood mapping	identify vulnerable areas; identify extreme of area of concern; identify cycles;	NR Can/CCRS CSA EPC Manitoba Nat. Resources Sask. & Alta.
Drainage mapping	identify trends in land drainage; examine remediation alternatives;	AAFC/PFRA DOE/NHRI NR Can Manitoba Nat. Resources Sask. & Alta.
Climate change impacts	scenario prediction, and probability;	DOE
Hydrologic modelling	analyze flows, volume, speed, timing; analyze historical cycles, future trends;	DOE/NHRI
Natural mitigation	examine alternative measures, e.g. increase wetlands, reforestation, pooling, storage; snow management; identify eco-technology options; estimate feasibility;	CCME (?) DOE/CWS, NHRI AAFC/PFRA NR Can Manitoba Nat. Resources Manitoba Environment Manitoba Agriculture Sask. & Alta.

080121

Engineering mitigation	design of structures, floodways, roads, drainage options;	PWC EPC Manitoba Nat. Resources
Economic/social analysis	costs of options; alternative/innovative funding arrangements; socio-cultural impacts and feasibility;	Dept. Finance TBS WEDC SSHRC
Socio-urban analysis	building design and construction innovations; floodplain use alternatives; fiscal options e.g., insurance, taxation, regulation.	Manitoba CMHC SSHRC PWC
Project Management	organize federal interests; organize Canadian domestic framework/task force; initiate Canada/US preliminary discussions; coordinate Can/ US/ Man/ ND/ Minn discussions;	DFAIT

delivery_date : Monday April 28 1997 16:31:22
message-id :
166:lappe*catherine*i\$\$extott.05\$gc+eaitc.aecec\$\$telecom.canada\$ca
send_date : Monday April 28 1997 14:11:07

from : LAPPE Catherine -MINA

to : PRESTON David -URE
cc : KERGIN Michael -MMK
LEIR Michael -URD
BROCK Michael -USS
PEARSON Michael -MINA
NERI Patricia -MINA
HICKEY David -MINA -WINNIPEG

subject : Canada-US Water Control

Importance : Routine
Sensitivity : UNCLASSIFIED

Marie
The original
"change" for
mid A.

David -

The Minister had a discussion with some provincial officials in Manitoba (notably Don Leitch) when the PM went to visit Winnipeg on the weekend. He raised with them the need to have in-depth talks with the US about flood control and cross-border water management. The Province agreed. The Minister proposed that these talks should take place soon so that people in MB are reassured that we are doing whatever possible to prevent a repeat of this year (he has a number of other measures he is pursuing on the domestic front to address some of the other problems).

He asked that a letter be drafted to Sec of State Albright in the next few days to put the matter on the agenda. My understanding is that the Province and the states would be included in the discussions. Would it be possible to draft such a letter so the Min could send off before the end of the week?

Thanks,

Catherine

000011

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Summary Reports\)](#)[Pesticide Approvals](#)[Public Registry Network
\(maintained by the
Library\)](#)[Publications & Forms](#)[Staff Contact List](#)[Approvals Homepage](#)

Environmental Stewardship Division Environmental Assessment and Licensing Branch

Public Registry Index

Red River Floodway Expansion

(Latest information was posted 24 June 2005)

(Download Acrobat Reader free from [here](#) to view pdf files.)

Public Comments Received on the Federal Environmental Assessment Document Entitled "Screening Report - Red River Floodway Expansion Project, May 2005":

- [Part 1 Contents & Submission No. 1 to 6](#) (pdf 1,789KB)
- [Part 2 Submission No. 7](#) (pdf 3,794KB)
- [Part 3 Submission No. 8 to 9](#) (pdf 2,548KB)
- [Part 4 Submission No. 9 \(cont'd\) to 14](#) (pdf 3,554KB)

Manitoba Clean Environment Commission's Report on Public Hearing for the Red River Floodway Expansion Project - June, 2005 is available on the Commission's website at www.cecmanitoba.ca

(French version) **Federal Screening Report of the Proposed Red River Floodway Expansion Project, May 2005.** (pdf 5,202KB)

Avis: Examen préalable du projet en français - Notice: Screening report for the project in French. (pdf 16KB)

(English version) **Federal Screening Report of the Proposed Red River Floodway Expansion Project, May 2005.** (pdf 5,148KB)

Letter of March 17, 2005 from Infrastructure Canada to MFA. (pdf 76KB)

Clean Environment Commission's Exhibit 107 entered on March 7, 2005 - Manitoba Floodway Authority and Infrastructure Canada correspondence. (pdf 2,372KB)

Letter of February 16, 2005 from Infrastructure Canada to MFA, re: response to MFA's letter of December 20, 2004 that referred to questions that have arisen in the context of the federal screening. (pdf 320KB)

Letter of February 11, 2005 from Manitoba Water Stewardship, Fisheries Branch to Department of Fisheries & Oceans, re: information respecting development along the river that may impact fish habitat and fisheries values. (pdf 73KB)

Letter of February 8, 2005 from MFA to Navigable Waters Protection of Transport Canada, re: additional attachment to February 4, 2005 letter regarding applications under the Navigable Waters Protection Act. (pdf 106KB)

Letter of February 4, 2005 from MFA to Navigable Waters Protection of Transport Canada, re: submission of applications under the Navigable Waters Protection Act for all major structures that require modification as part of the project which could affect navigable waters. (pdf 1,253KB)

Letter of January 14, 2005 from the Chair of PAT to the Clean Environment Commission regarding public hearings. (pdf 259KB)

Comments received on the Supplementary Filing to the Environmental Impact Statement, from organizations, individuals, and federal and provincial Technical Advisory Committee members, compiled January 11, 2005. (pdf 2,691KB)

Additional material to the Supplementary Filing to the Environmental Impact Statement, submitted by MFA - updated Section 8.0 Floodway Operation only. (pdf 22,682KB)

Response of the MFA to additional questions from the Clean Environment Commission provided by Paul E. Clifton, dated December 23, 2004. (pdf 546KB)

Manitoba Floodway Authority's responses to Clean Environment Commission's questions of November 29, 2004:

- [Table of Contents](#)

Supplementary Filing of the Proposed Floodway Expansion Project, November 2004, report submitted by the Manitoba Floodway Authority (MFA) in response to additional information request from PAT:

- [Table of Contents](#)

Floodway Channel Drilling Investigation Program at Springhill/Oasis Road, November 2004, report submitted by MFA:

- [Report](#) (pdf 7,817KB)
- [Appendix A Hayles Geoscience Surveys Ltd. Geophysical Survey Report](#) (separated from main report pdf 6,763KB)

Additional information request from the Floodway Expansion Cooperative Environmental Assessment Project Administration Team (PAT) to the Manitoba Floodway Expansion Authority (MFEA) regarding the Environmental Impact Statement, dated November 1, 2004. (pdf 750KB)

Comments received on the Environmental Impact Statement:

- [Organizations' Comments-1](#) (pdf 2,704KB)
- [Organizations' Comments-2](#) (pdf 1,415KB)
- [Individuals' Comments](#) (pdf 954KB)
- [Federal and Provincial Technical Advisory Committee Members' Comments](#) (pdf 1,976KB)

Brochure on the Cooperative Environmental Assessment Process Concerning The Red River Floodway Expansion Project developed by Canada as represented by Fisheries and Oceans Canada & Infrastructure Canada and Manitoba as represented by Manitoba Conservation, Environmental Approvals Branch, July 2004. Available in English and French:

- [English Version](#) (pdf 437KB)
- [French Version](#) (pdf 355KB)

Notice of Environmental Impact Statement (pdf 72KB)

Environmental Impact Statement for the Red River Floodway Expansion Project, August 2004, submitted by Manitoba Floodway Expansion Authority:

- [Table of Contents](#)

Final Guidelines for the Preparation of an Environmental Impact Statement for the Red River Floodway Expansion Project, February 5, 2004. (pdf 169KB)

Disposition of Comments on Project Description and Draft Environmental Impact Statement Guidelines, February 5, 2004. (pdf 53KB)

Notice of Environment Act Proposal

Environment Act Proposal - A Project Description filed by the Floodway Expansion Management Authority for the expansion of the Red River Floodway, July 2003. (pdf 29,407KB)

Draft Guidelines for the Preparation of an Environmental Impact Statement for the Red River Floodway Expansion, August 2003. (pdf 171KB)

Information will also be available at the following public registry locations: (*ask for Public Registry File: 4967.00*)

Conservation and Environment Library Main Floor, 123 Main St Winnipeg	Centennial Public Library 251 Donald St Winnipeg
Legislative Library 200 Vaughan St Winnipeg	Manitoba Eco-Network 2nd Floor, 70 Albert St Winnipeg
Selkirk & St. Andrews Regional Library 303 Main St Selkirk	Jake Epp Public Library 255 Elmdale St Steinbach

Environmental Approvals Contact:

Bruce Webb
ph: (204) 945-7021
fx: (204) 945-5229
email: bwebb@gov.mb.ca

Manitoba

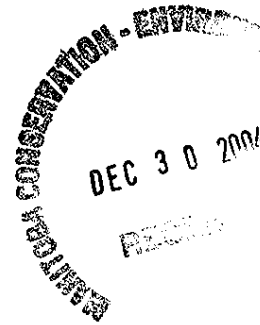
Floodway Authority



Room 200, 155 Carlton Street
Winnipeg, MB R3C 3H8
Phone: (204) 945-4900
Fax: (204) 948-2462

December 23, 2004

Mr. Terry Sargeant
Chair
Manitoba Clean Environment Commission
305-155 Carlton Street
Winnipeg MB R3C 3H8



Dear Mr. Sargeant:

RE: Red River Floodway Expansion Information Request- Responses to Mr. Paul E. Clifton

I am writing in response to your letter of December 3, 2004, in which you requested that the Manitoba Floodway Authority (MFA) provide information to Mr. Paul Clifton. The original submission from Mr. Clifton to the Clean Environment Commission (CEC) provided background information and copies of responses made to Mr. Clifton to previous questions he had from the public consultation process MFA undertook. That submission did not identify the areas that he believes were deficient. Through subsequent correspondence with Mr. Clifton we were able to identify 11 specific questions or requests for information.

Enclosed are responses to the 11 identified information requests. Certain of these requests (PC IR#2 to 4) seek information that, in our respectful view, are details beyond the need of the environmental assessment and are not readily available. Where it has not been considered appropriate to generate certain additional data, the information has not been provided. Item PC IR#10 requests information that has been denied through previous applications for access to information. MFA cannot release such information. Other requests (PC IR# 6, 7 and 8) pose questions regarding the feasibility study for the original floodway that was conducted in 1958. These requests are again respectfully considered beyond the scope of the assessment of the proposed Floodway Expansion Project.

Certain of Mr. Clifton's requests are similar to requests made by the CEC's technical advisors or groups that made application to funding as participants to the hearing. In those instances, we have suggested that Mr. Clifton refer to the responses made. Accordingly, we will provide Mr. Clifton with a copy of the Supplementary Filing and the Responses to Information Requests for his reference.

MFA will, again, make the enclosed responses available to the Federal Provincial Project Administration Team, the other participants, and your technical advisors. Again, we thank the CEC for their attention to this matter.

Yours truly,

A handwritten signature in black ink, appearing to read "Ernie Gilroy".

Ernie Gilroy
Chief Executive Officer

Encl.

cc: Larry Strachan

1 **REFERENCE:** Flood Hazard Plans

2

3

4 **QUESTION:**

5

6 In the United States the Corp of Engineers use "Flood Inundation Plans" or "Flood Hazard Plans".

7 Provide said plan.

8

9 **RESPONSE:**

10 Manitoba does not follow the same practices and procedures as the U.S. Army Corp of Engineers.

11

12 In Manitoba, the portion of the Red River Valley with a potential flooding hazard is designated as
13 a flood area under Section 17 of *The Water Resources Administration Act*. The area corresponds
14 to the 1 in 100-year flood (the general North American standard) and is very similar to the 1997
15 flooded area.

16

17 Emergency preparedness is undertaken under the authority of the Emergency Measures
18 Organization by the various Provincial departments and local jurisdictions. Descriptions of some
19 aspects of these practices are described in Section 6 of the Supplementary Filing and in response
20 to Information Request RCCC IR#49. As well flood inundation maps have been provided in
21 Section 8 of the Supplementary Filing and in response to Information Requests RCCC IR#29a and
22 RCCC IR#41.

23

24

25

1 **REFERENCE:** Flood Hazard Plans

2

3 **QUESTION:**

4

5 In the United States the Corp of Engineers use "Flood Inundation Plans" or "Flood Hazard Plans".

6

7 Question 2.2 The total number of residential and commercial establishments within each ring
8 diked community.

9

10 **RESPONSE:**

11 The level of detail requested is not necessary to assess the effects of the Project and that
12 information has not been gathered or provided.

13

14 For areas upstream of the Floodway Inlet, water levels with the Floodway Expansion are
15 expected to be the same or lower for all flood scenarios compared to water levels with the
16 Existing Floodway. Therefore, though there is artificial flooding associated with the operation of
17 the proposed Floodway Expansion during some flood scenarios, water levels are expected to be
18 no higher (and in some cases are expected to be lower) than with the Existing Floodway (see
19 EIS, page 8-32). There are no anticipated water regime project-related adverse effects upstream
20 of the Inlet Control Structure on residential and commercial properties.

21

22 Please see the following sections of the EIS for additional information and discussion on this
23 subject: (EIS: Sections 4.1, 4.2, 5.3, 8.3, 8.4, 8.5, 8.6. Appendix 5A, 5B and within the
24 Engineering Documentation the Preliminary Engineering Main Report and Appendices B, L, H)

25

26

1 **REFERENCE:** Flood Hazard Plans

2

3 **QUESTION:**

4

5 In the United States the Corp of Engineers use "Flood Inundation Plans" or "Flood Hazard Plans".

6

7 Question 2.3 The total developable though vacant, residential or commercial lots within each
8 ring diked community.

9

10 **RESPONSE:**

11 Please see response to PC IR #2.

12

13 The level of detail requested is not necessary to assess the effects of the Project and that
14 information has not been gathered or provided.

15

1 **REFERENCE:** Flood Hazard Plans

2

3 **QUESTION:**

4

5 In the United States the Corp of Engineers use "Flood Inundation Plans" or "Flood Hazard Plans".

6

7 Question 2.4 The total number of non ring diked community properties, be they residential,
8 farm, commercial or whatever, within the area defined by the Flood Hazard Plan.

9

10 **RESPONSE:**

11 As stated in response to PC IR #1, Manitoba does not follow the same practices and procedures
12 as the U.S. Army Corp of Engineers.

13

14 The level of detail requested is not necessary to assess the effects of the Project and that
15 information has not been gathered or provided.

16

1 **REFERENCE:** Flood Hazard Plans

2

3 **QUESTION:**

4

5 Question 3.1 How is the Proponent(s) to determine the total cumulative affect of the revised
6 project as it relates to the immediate forebay or upstream area, through the full proposed range
7 of operation of the expanded Floodway without knowing of the integrity of the Cities flood
8 protection infrastructure?

9

10 **RESPONSE:**

11

12 It is assumed that the question refers to the City of Winnipeg flood protection infrastructure. The
13 integrity of the City of Winnipeg flood protection infrastructure is known. Under *The Dyking*
14 *Authority Act*, the City is required to maintain its primary dykes. For more information on the
15 City of Winnipeg flood protection infrastructure please refer to Section 11 of Supplementary Filing
16 submitted on November 29, 2004, and response to Information Request CEC IR#3 and CE
17 CIR#5.

18

19

1 **REFERENCE:** Flood Hazard Plans

2
3 **QUESTION:**

4
5 Question 3.2 Review Page 41, of the Report of the Red River Floodway Operation Rules Review
6 Committee, December 1999. Under Rule No. 1 "Should deviation of the Natural be permitted
7 should there be no threat to overtopping of the Primary Dykes"?

- 8
9 a) Was the original Floodway AND the CURRENT floodway not conceived and constructed to
10 protect the City of Winnipeg from inundation by overtopping of it's primary dykes during
11 Red River Spring Flood events only?
12 b) Did Canada ever intend in 1962 or now (April 2001 to December 2004) to offset the
13 shortfall in the City of Winnipeg Wastewater Systems with the Red River Floodway use.
14 c) How is it possible that Red River levels in the summer are to such an elevation or flood
15 stage to allow for operation by Rule No. 1?
16

17 **RESPONSE:**

- 18 a) The floodway was originally designed and is currently operated so as to protect the
19 City of Winnipeg from Red River flooding. Page 31 of the Royal Commission on
20 Flood Cost Benefits, 1958 states "The benefits of a flood-control project consist of
21 the flood damages and flood losses which the project will prevent." Although the
22 computed benefits focused on reducing the potential occurrence of overtopping of
23 the dykes, there is nothing in that or any subsequent report to limit damage
24 prevention to solely dyke overtopping.
25 b) MFA does not know what Canada intended in 1962 nor is that intension integral to
26 the assessment of impacts of the proposed expansion of the existing floodway.
27 However, in 2002 Canada did agree to the emergency summer operation of the Red
28 River Floodway. In 2003 the Canada Manitoba agreement was amended such that
29 Canada's approval is not longer required regarding matters associated with operating
30 of the floodway.
31 c) Although it is rare that summer levels of the Red River would rise to an elevation that
32 would permit operation according to Rule 1, it did occur in June of 2002. The gate
33 operation from June 19 to 25, 2002 was done in accordance with Rule 1. The
34 computed natural peak level during that period was 754.3 feet. The recorded peak
35 level was 753.6 feet. However in July of 2002 and also in June and July of 2004 the
36 Red River did not reach levels such that the floodway was operated under Rule No.

- 1 1. The Minister of Conservation operated the floodway during those periods under
- 2 the authority designated under *The Water Resources Administration Act*.

1 **REFERENCE:** **Flood Hazard Plans**

2

3 **QUESTION:**

4

5 Request No. 1 all in reference to the Report of the Royal Commission of Flood Cost Benefit
6 (1958).

7

8 a) Reference Pg. 7 – Flood Insurance. Is there presently a pot of monies set aside in lieu of
9 flood insurance, if not why not?

10

11 **RESPONSE:**

12 How flood insurance was considered prior to 1958 is not integral to the assessment of impacts of
13 the proposed expansion of the existing floodway. The following response is offered for
14 informational purposes.

15 The Report of the Royal Commission of Flood Cost Benefit states on page 7, in part, that the
16 Commission concluded that an assistance fund could be established. It is our understanding that
17 a designated fund has not be established and that disaster assistance is provided through cost
18 sharing by the Federal and Provincial governments from their general operating funds. It is also
19 our understanding that disaster assistance is approved for each specific disaster event, whether it
20 be flooding, fires, drought, or other natural disasters.

1 **REFERENCE:** Flood Hazard Plans

2

3 **QUESTION:**

4

5 Request No. 1 all in reference to the Report of the Royal Commission of Flood Cost Benefit
6 (1958).

7

8 b) Reference pg. 72 – (a) Greater Winnipeg Floodway. Of the two methods of Operation
9 recommended, which one is currently used? If neither is in use, provide detailed explanation for
10 the rational and justification for another method of Operation used?

11

12 **RESPONSE:**

13 How Royal Commission floodway considered operating the floodway prior to 1958 is not integral
14 to the assessment of impacts of the proposed expansion of the existing floodway. The following
15 response is offered for informational purposes.

16 The current method of operation follows the Report of the Red River Floodway Operation Rules
17 Review Committee as accepted by the Minister. Rule 2 provides for the water level upstream of
18 the control structure to be raised above the natural level and diverting more water down the
19 floodway channel keeping water levels within the City of Winnipeg below the top of the existing
20 primary dyking system until the water level at the inlet structure reaches an elevation of 778 feet
21 above sea level. This method of operation is most similar to the first alternative described on
22 page 72 of the Royal Commission's report.

23

1 **REFERENCE:** Flood Hazard Plans

2

3 **QUESTION:**

4

5 Request No. 1 all in reference to the Report of the Royal Commission of Flood Cost Benefit
6 (1958).

7

8 c) How will the proposed Rules be reviewed and changed to provide upstream flood relief
9 without placing the City of Winnipeg under any additional flood risk?

10

11 **RESPONSE:**

12

13 The Manitoba Floodway Authority is not aware any plans to change the existing spring rules of
14 operation. A new rule was added by the Minister of Water Stewardship to describe emergency
15 summer operation. Please refer to the response to Information Request RCCC IR#26 for
16 additional information.

17

1 **REFERENCE:** Flood Hazard Plans

2

3 **QUESTION:**

4

5 a) I am requestingthat access be arranged for me or my delegate, to the requested and
6 denied records held under **Cabinet Records – EC 0005, Government Transfer of**
7 **Records GR 5384.**

8 b) The MFA is requested to provide the MOU referenced in this Foreign Affairs Canada
9 release, explain all of Canada and Manitoba's May 1997 intentions. As well, detail all
10 activities found within this Memorandum of Understanding that has been fully or partially
11 completed to date.

12

13 **RESPONSE:**

14

15 a) The Manitoba Floodway Authority has no authority to release information requested
16 through Freedom of Information legislation and subsequently denied by the information
17 holder.

18 b) Attached is a copy of the May 1, 1997 Canada – Manitoba Agreement on Red River Valley
19 Flood Disaster Assistance (1997) which we believe to be the document referenced. The
20 activities listed in the agreement are beyond the scope of the floodway expansion project
21 so no detailed analysis of the activities is provided. However the Floodway Authority
22 understands that the activities outlined in the document have all been completed to the
23 satisfaction of Canada and Manitoba.

24

CANADA – MANITOBA AGREEMENT

ON

RED RIVER VALLEY FLOOD DISASTER ASSISTANCE (1997)

MAY 1, 1997

CANADA - MANITOBA AGREEMENT

ON

RED RIVER VALLEY FLOOD DISASTER ASSISTANCE (1997)

In the spring of 1997, the Red River Valley has experienced one of the most severe floods in the recorded history of the Province of Manitoba.

In the face of this natural disaster, cooperation among governments, the Canadian armed forces, public and volunteer agencies, communities and individuals has been unequalled, and a great credit to the people of Manitoba and Canada.

To extend existing cooperation and to clarify important elements of disaster assistance and support at a critical time, the Governments of Canada and Manitoba are entering into this Canada-Manitoba Agreement on Red River Valley Flood Disaster Assistance (1997). This agreement is a complement to the existing Province of Manitoba Disaster Financial Assistance Policy and to Canada's Disaster Financial Assistance Arrangements.

Under this agreement, the Governments of Canada and Manitoba have committed to the following specific actions, in addition to those underway and planned under existing arrangements:

- 1) Advance Payments - The Government of Canada will forward to the Government of Manitoba, at the earliest opportunity, an advance payment of \$25 million to help cover initial costs incurred by the Province, eligible for support under the Disaster Financial Assistance Arrangements (DFAA). Both parties understand that one or more subsequent advance payments may be requested and agree that such advances shall reflect actual expenditures by the Province, and be supported by appropriate documentation. A special federal-provincial officials' committee will be established as soon as practicable to review updates on 1997 flood disaster costs.
- 2) Accountable Advances to Individuals and Local Governments - Upon receipt of the advance, the Province of Manitoba will provide compensation advances to local governments and to individuals in cases of demonstrated need to assist them in meeting initial eligible costs associated with the flood disaster. Specific information will be made available in the near future.
- 3) Local Government Credit Guarantees - As required, and to complement existing special arrangements with financial institutions, the Province of Manitoba will provide municipalities with credit guarantees to ensure their ability to meet local financing requirements related to the flood disaster.

- 4) **Increased Compensation for Individual Property Owners** - The limit for cost-shareable compensation to individual property owners under the provincial program of assistance will be raised to \$100,000, in line with levels established in some other provinces. The Province has decided that this compensation will be for losses of real and personal property which are eligible for cost-sharing under the DFAA.
- 5) **Flood Proofing and Enhanced Diking**
 - (a) Dike enhancement and related work which has been or is being undertaken to prevent or reduce damage from the 1997 flood and which remains in place is cost-shareable under the terms of the DFAA.
 - (b) Discussions will take place between Canada and Manitoba for the purpose of developing a joint, longer-term plan outside the DFAA, including financial arrangements, for improved permanent diking and enhanced flood proofing in the Red River Valley.
 - (c) The province will revise land use and zoning criteria in light of recent flood experience to minimize potential flood damage in future.
- 6) **Agricultural Compensation and Reconstruction** - Eligible agricultural producers will need to be compensated for damages caused by the 1997 flood at levels generally consistent with those provided under the Crop Insurance Program. Many potential claimants are not currently insured. To ensure that key agricultural resources can be placed back into production as soon as possible, Canada and Manitoba will develop a joint proposal, to be announced in the near future, to cover the cost of agricultural compensation and reconstruction for this year. Canada and Manitoba will also undertake a joint review of the adequacy of the existing Crop Insurance system with respect to future floods.
- 7) **Red River Valley Business Restoration Program** - Canada and Manitoba will put in place as soon as possible a separate program, outside of the DFAA, to help address the recovery of the economy of the Red River Valley, including the restoration of business operations. Previous programs in Alberta and Quebec will serve as guidelines. Small business, as defined in the DFAA guidelines, will be assisted through the DFAA.
- 8) **Improved Regional Water Management Planning** - Cooperation among agencies involved in water management planning in the Red River basin is increasing on both sides of the international boundary. Joint steps will be taken to improve this cooperation still further in the wake of this year's flood experience.
- 9) **Enhanced International Technical Cooperation** - Canada and Manitoba will work closely with the U.S. federal government and state governments to ensure continuing technical improvements and optimal cooperation among jurisdictions

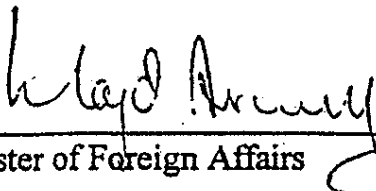
in flood and other emergency forecasting. These efforts will be complemented by Manitoba's advances in remote sensing and data analysis and new Doppler Radar installations in Canada.


Activities under this Agreement will be initiated immediately and reviewed regularly and jointly by the Governments of Canada and Manitoba.

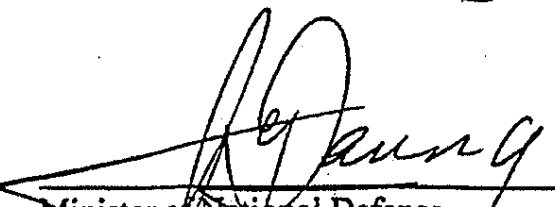
A federal-provincial officials' coordinating group, co-chaired by the Clerk of the Executive Council for Manitoba and the Assistant Deputy Minister of Western Economic Diversification for Canada, will confirm departmental responsibilities for each of the undertakings under the Agreement. Wherever appropriate, existing arrangements for departmental cooperation will be maintained. The coordination committee will also monitor progress under this agreement and report directly to the undersigned, who will meet to review these reports and take such further joint action as may be required.

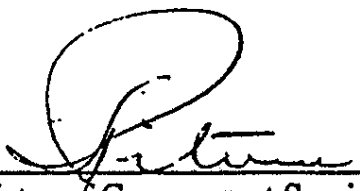
For Canada:

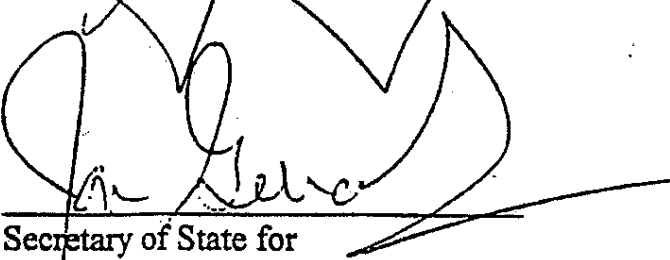
For Manitoba:



Minister of Foreign Affairs


Premier


Minister of National Defence


Minister of Government Services


Secretary of State for
Western Economic Diversification


Minister of Natural Resources

1 **REFERENCE:** Flood Hazard Plans

2

3 **QUESTION:**

4

5 I request that because I was the writer on May 24, 2000 letter, [Clifton to the Hon. O. Lathlin]
6 release of Conservation's "Received Copy" of said letter. Please provide copy of Conservation's
7 received letter complete with "Received Stamp", as well as all other letters by public in this
8 matter.

9 **RESPONSE:**

10 Letters to the Honourable Oscar Lathlin in 2000, prior to the adoption of recommendations in the
11 Report of the Red River Floodway Operation Rules Review Committee on operating rules for the
12 floodway, are not integral to the assessment of impacts of the proposed expansion of the existing
13 floodway. The current operating rules are presented in the EIS submitted to Manitoba
14 Conservation on August 3, 2004, baseline conditions and the proposed mode of operation.

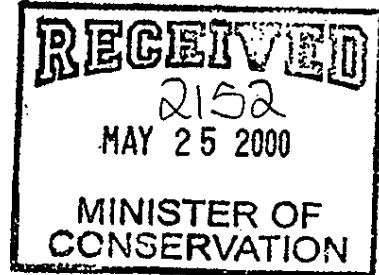
15

16 Attached, for informational purposes, is a copy of a letter dated May 24, 2000 from Mr. P.E.
17 Clifton to Honourable Oscar Lathlin.

1200,273

May 24, 2000
P.E. Clifton
Group 5 Box 16 RR #1
St. Norbert, Mb R3V 1L2

Honourable Oscar Lathlin
Minister of Conservation
Legislative Bldg, Room 333
450 Broadway
Winnipeg, R3C 0V8



Dear Minister Lathlin.

It is with tremendous disappointment that the report, "A Review of the Red River Floodway Operating Rules, dated December 1999", which is fundamentally flawed for it's lack of inclusion of all interested parties, nevertheless being released for public comment.

Firstly I provide a historical documentation package for your review and record, listed in chronological order.

1. 28th day of May, 1962 agreement between the Government of Canada and the Government of the Province of Manitoba for the construction of the Greater Winnipeg Floodway.
2. Letter Environment Canada, dated 22 April, 1998
To Clifton Re: Federal Approval
3. Department Memorandum dated 01 February 1999, Bowering to Topping. Re: Red River Floodway Operation Review Committee
4. Department e-mail, dated February 04, 1999, Bowering to Committee members
5. Clifton meeting notes for presentation to 1/2 day meeting to review report, "A Review of the Red River Floodway Operating Rules", dated 04/09/99.
6. Position and affiliation document of signatories to the Red River Floodway Operation Review Committee Report.

I write as resident of the immediate upstream or forebay area of the Greater Winnipeg Floodway, and an advocate for our communities' rights. This advocacy for others in our community is for those that can not for a myriad of reasons come to grips with the far reaching and potentially more damaging effects in the next Red River flood, to our neighbourhood. These residents expect openness and fairness from their governments.

With reference to The Manitoba Water Commission June, 1998 report to the former Minister of Natural Resources.

Recommendations Page 36, reads in full:

2. The Red River Floodway Program of Operation should be reviewed and revised for emergency operation by the Province of Manitoba in full consultation with the Government of Canada and the affected municipalities, including the City of Winnipeg, **and residents of the Valley.**

Until an agreement for emergency operation is reached, any further negative impacts on residents south of the floodway gates created as a result of deviating from the published Program of Operation in order to protect the City of Winnipeg from flooding, should be the responsibility of the City of Winnipeg.

The Province of Manitoba has had more than 30 years of operational experience with the Greater Winnipeg Floodway, controlling varying degrees of flooding in at least 18 years. In three of those years, 1974, 1979 and 1997 artificial flooding has been admitted or documented. Additionally it is the view of our community's life long residents that since completion of the Floodway, "many floods have been far worse, than they experienced in 1950".

The 1962 agreement, (Attachment "1") required under Section 20 (1) The Province to submit to the Federal Minister for approval, (a) A program for the Control and Operation under routine and emergency conditions, and (3) Any changes which the Province may desire to make in the programs submitted ... to the Federal Minister for approval.

My record of reply from Environmental Canada, (Attachment "2") reads in part, "Please be advised that there are no federal approval documents for the 1970 or the 1984 Programs of Operation for the Greater Winnipeg Floodway". This record clearly shows that the 1970 Program although submitted was never approved and the 1984 Program was never submitted for approval.

Thus there is to date, no federal approval for the Programs of Operation for the Greater Winnipeg Floodway, as required in the 1962 agreement, for construction and maintenance of the Floodway.

I presently have an incomplete reply to my two questions to your Deputy Minister, Mr Norman Brandson, as to whether the, 1999

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As noted within, (Attachment "3"), the Chair of the Review Committee writes to his Director; in part, *"At the January 30 meeting of the Red River Operation Review Committee a number of members raised the issue of local representation on the committee"*. Presumably the queries to the Committee Chair, were from members of the three southern municipalities, forwarding requests from southern constituents. Not constituents from the City of Winnipeg or from the Federal department of Environment Canada and PFRA, as most Winnipeg residents are afforded protection from the Floodway and the latter two do in their Federal capacities not represent constituents at all.

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The review of the Program as recommended by the Manitoba Water Commission was **NOT fully inclusive**, including residents of the Valley. Thus several upstream residents had advocated to their elected representative to be allowed standing at the Operational Rules Review Committee and for reasons unknown were denied. The exclusion of residents to be most damaged by the revised rules, now are forced to lobby from the outside for proper reason to prevail. The very people alienated by this process are the very folks that will cast judgement on the obviously larger projects required to ultimately protect the City of Winnipeg, from the 1826 magnitude or larger floods. These projects will obviously require Federal funds and will require full and complete review under the Canadian Environmental Assessment Act.

The present report to the Minister could well be the basis for full, complete and unlimited study, with full inclusion of all interested residents of the Valley. Additionally independent technical representation must be provided, to work through these political sensitive issues, recommending and implementing solutions all stakeholders can live with.

I provide only one example of the kangaroo court like inclusion of myself and my colleague when granted attendance to a 1/2 day review of the completed draft of the Revised Operating Rules, along with a member of The Elm Park Flood Committee. The former

solely to the operating rules and as such the committee will not address the issue of compensation for flooding".

I provide my Memorandum as (attachment "5"). Where I advised the committee that the review process had not fully complied with the intention of MWC Recommendation No. 2, for full inclusion of Valley residents. I also advised the committee that, Mr. Hnytka and myself, "do not in any way represent the interests of all upstream residents", in the review process.

From my first item under; Later discussion points, I related the upstream concern to the committee about the, Rate of Rise of Floodway gates and the corresponding affect on upstream flood preparations. The City of Winnipeg representative, cited the cities vulnerability to being "flooded from within", because of the threat to their storm sewer systems and required the, "shortest high water duration as possible". The Chair, acknowledged the City representatives concern and ceased discussion on this point, moving on to our next concern. This in no way can be construed as open two way communications.

As the last item of my documentation package I provide a list of signatories and positions or municipal jurisdiction they represent as, (Attachment "6"). It is of some relevance to note only the southern municipality of Morris, is represented by it's Reeve and the RM of MacDonald, which is situated on the fringe of the major upstream flooding area is represented by it's Councillor for Ward one. The councillor for the RM of Ritchot, has been elected to represent Ward four, which is only the northern portions of the municipality including Red River Drive and Portions of Grande Pointe. The remainder of the Municipalities rural properties and two major ring dyked communities of St. Adolphe and newly ring dyked community of Ste. Agathe are represented by Ward two and Ward three respectively. Ile Des Chenes is represented by Ward one.

The representation of my interest immediately upstream of the Floodway is best conducted by the North Ritchot Action Committee, who was elected by our community to represent upstream resident interests. It is my belief that the RM of Ritchot councillor is not authorised under the Municipal Act to sign off the rights of private landowners, nor is the Reeve for that matter.

Mr. Minister, who in this review process is going to inform the immediate upstream residents, their 1997 flood level plus 2ft., floodproofing efforts may well be for not? Who is to inform residents within the new ring dyked community of Ste. Agathe and most certainly the ring dyke community of St. Adolphe that their homes, properties and lives may were be flooded artificially, to save the grief caused in flooding portions of Winnipeg?

Omitted Manitoba Floodway Authority – Requested Records

The complete letter as sent to **Minister of Conservation, the Hon. Oscar Lathlin** was cc'd to **Minister of the Environment the Hon. David Anderson** and **Premier Doer**.

Page 5, was sheltered by the **co-proponents** in their interrogatory response by the **MFA** and the **MB Water Branch** for reasons known.

The below is the complete received letter, and **Premier Doer's acknowledgement** of receipt of same and tells the **full story**.

May 24, 2000
P.E. Clifton
Group 5 Box 16 RR #1
St. Norbert, Mb R3V 1L2

Honourable Oscar Lathlin
Minister of Conservation
Legislative Bldg, Room 333
450 Broadway
Winnipeg, R3C 0V8



Dear Minister Lathlin.

It is with tremendous disappointment that the report, "A Review of the Red River Floodway Operating Rules, dated December 1999", which is fundamentally flawed for it's lack of inclusion of all interested parties, nevertheless being released for public comment.

Firstly I provide a historical documentation package for your review and record, listed in chronological order.

1. 28th day of May, 1962 agreement between the Government of Canada and the Government of the Province of Manitoba for the construction of the Greater Winnipeg Floodway.
2. Letter Environment Canada, dated 22 April, 1998
To Clifton Re: Federal Approval
3. Department Memorandum dated 01 February 1999, Bowering to Topping. Re: Red River Floodway Operation Review Committee
4. Department e-mail, dated February 04, 1999, Bowering to Committee members
5. Clifton meeting notes for presentation to 1/2 day meeting to review report, "A Review of the Red River Floodway Operating Rules", dated 04/09/99.
6. Position and affiliation document of signatories to the Red River Floodway Operation Review Committee Report.

I write as resident of the immediate upstream or forebay area of the Greater Winnipeg Floodway, and an advocate for our communities' rights. This advocacy for others in our community is for those that can not for a myriad of reasons come to grips with the far reaching and potentially more damaging effects in the next Red River flood, to our neighbourhood. These residents expect openness and fairness from their governments.

With reference to The Manitoba Water Commission June, 1998 report to the former Minister of Natural Resources.

Recommendations Page 36, reads in full:

2. The Red River Floodway Program of Operation should be reviewed and revised for emergency operation by the Province of Manitoba in full consultation with the Government of Canada and the affected municipalities, including the City of Winnipeg, **and residents of the Valley.**

Until an agreement for emergency operation is reached, any further negative impacts on residents south of the floodway gates created as a result of deviating from the published Program of Operation in order to protect the City of Winnipeg from flooding, should be the responsibility of the City of Winnipeg.

The Province of Manitoba has had more than 30 years of operational experience with the Greater Winnipeg Floodway, controlling varying degrees of flooding in at least 18 years. In three of those years, 1974, 1979 and 1997 artificial flooding has been admitted or documented. Additionally it is the view of our community's life long residents that since completion of the Floodway, "many floods have been far worse, than they experienced in 1950".

The 1962 agreement, (Attachment "1") required under Section 20 (1) The Province to submit to the Federal Minister for approval, (a) A program for the Control and Operation under routine and emergency conditions, and (3) Any changes which the Province may desire to make in the programs submitted ... to the Federal Minister for approval.

My record of reply from Environmental Canada, (Attachment "2") reads in part, "*Please be advised that there are no federal approval documents for the 1970 or the 1984 Programs of Operation for the Greater Winnipeg Floodway*". This record clearly shows that the 1970 Program although submitted was never approved and the 1984 Program was never submitted for approval.

Thus there is to date, no federal approval for the Programs of Operation for the Greater Winnipeg Floodway, as required in the 1962 agreement, for construction and maintenance of the Floodway.

I presently have an incomplete reply to my two questions to your Deputy Minister, Mr Norman Brandson, as to whether the, 1999 Revised Program of Operation will require review under the Provincial Environmental Assessment process or by the Manitoba Water Commission. And whether the Revised Program will be submitted to the Federal Minister of Environment Canada, responsible for the former Ministry of Northern Affairs and National Resources (1962).

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Committee writes to his Director; in part, *"At the January 30 meeting of the Red River Operation Review Committee a number of members raised the issue of local representation on the committee"*. Presumably the queries to the Committee Chair, were from members of the three southern municipalities, forwarding requests from southern constituents. Not constituents from the City of Winnipeg or from the Federal department of Environment Canada and PFRA, as most Winnipeg residents are afforded protection from the Floodway and the latter two do in their Federal capacities, not represent constituents at all.

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The review of the Program as recommended by the Manitoba Water Commission was **NOT fully inclusive**, including residents of the Valley. Thus several upstream residents had advocated to their elected representative to be allowed standing at the Operational Rules Review Committee and for reasons unknown were denied. The exclusion of residents to be most damaged by the revised rules, now are forced to lobby from the outside for proper reason to prevail. The very people alienated by this process are the very folks that will cast judgement on the obviously larger projects required to ultimately protect the City of Winnipeg, from the 1826 magnitude or larger floods. These projects will obviously require Federal funds and will require full and complete review under the Canadian Environmental Assessment Act.

The present report to the Minister could well be the basis for full, complete and unlimited study, with full inclusion of all interested residents of the Valley. Additionally independent technical representation must be provided, to work through these political sensitive issues, recommending and implementing solutions all stakeholders can live with.

I provide only one example of the kangaroo court like inclusion of myself and my colleague, when granted attendance to a 1/2 day review of the completed draft of the Revised Operating Rules, along with a member of The Elm Park Flood Committee. The former Minister of Natural Resources specifically advised; "The mandate of the Red River Floodway Operation Review Committee relates solely to the operating rules and as such the committee will not address the issue of compensation for flooding".

I provide my Memorandum as(attachment "5"). Where I advised the committee that the review process had not fully complied with the intention of MWC Recommendation No. 2, for full inclusion of Valley residents. I also advised the committee that, Mr. Hnytka and myself, "do not in any way represent the interests of all upstream residents", in the review process.

From my first item under; Later discussion points, I related the upstream concern to the committee about the, Rate of Rise of Floodway gates and the corresponding affect on upstream flood preparations. The City of Winnipeg representative, **Mr. Doug McNeil P. Eng., currently VP Hydrology, Manitoba Floodway Authority** (*Bolding and text emphasis added, subsequent to my May 24, 2000 writings*) cited the cities vulnerability to being "flooded from within", because of the threat to their storm sewer systems and required the, "*shortest high water duration as possible*". The Chair, acknowledged the City representatives concern and ceased discussion on this point, moving on to our next concern. This in no way can be construed as open two way communications.

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Yours Sincerely

P.E. Clifton

Xc: Hon. Mr. David Anderson, Minister of Environment Canada,
Terrassess de la Chaudiere, 10 Wellington Street, 28 th Floor
Hull, Quebec K1A 0H3

Mr. David Iftody, MP for Provencher, P.O. Box 1243
Steinbach Mb. R0A 2A0

The Hon. Premier Gary Doer, Legislative Bldg, Room 204
450 Broadway, Winnipeg, R3C 0V8

Mr. Patrick Riley, Taylor, McCaffrey Barristers, 9th Floor,
400 St Mary Avenue, Winnipeg, Mb R3C 4K5



PREMIER OF MANITOBA

Legislative Building
Winnipeg, Manitoba, CANADA
R3C 0V8

June 23, 2000

Mr. P.E. Clifton
Box 16 Grp 5 RR #1
St. Norbert MB R3V 1L2

Dear Mr. Clifton:

Thank you for sending me a copy of your recent letter to the Honourable Oscar Lathlin, Minister of Conservation.

I do appreciate your taking the time to keep me informed of your thoughts and concerns regarding the report *A review of the Red River Floodway Operating Rules*, of December 1999.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary Doer".

Gary Doer