

**RED RIVER FLOODWAY**  
**PUBLIC CONSULTATION ON THE RULES OF OPERATION**

**VOLUME II**  
**WRITTEN COMMENTS AND RECORD OF MEETINGS**

**OCTOBER 2010**

## **CONTENTS**

### **SECTION ONE: MUNICIPAL COMMENTS AND RECORD OF MEETINGS**

**CITY OF WINNIPEG**

**RURAL MUNICIPALITY OF ST. CLEMENTS**

**MAYOR STEFANIUK, RURAL MUNICIPALITY OF RITCHOT**

**RECORD OF MEETING:**

- **City of Selkirk**
- **Rural municipality of St. Clements**
- **Rural municipality of St. Andrews**
- **Rural Municipality of Ritchot**

### **SECTION TWO: PRESENTATIONS BY ORGANIZATIONS AND ASSOCIATIONS**

**Coalition for Flood Protection North of the Floodway**

**NORTH RITCHOT ACTION COMMITTEE**

**ELM PARK RESIDENTS ASSOCIATION**

**THE FORKS RENEWAL CORPORATION**

**ECONOMIC DEVELOPMENT WINNIPEG**

**TRAVEL MANITOBA**

**FRONTIERS NORTH ADVENTURES**

**CITY OF WINNIPEG COUNCILLOR GERBASI**

**RED RIVER FLOODWAY  
PUBLIC REVIEW OF THE RULES OF OPERATION**

**VOLUME II  
WRITTEN COMMENTS AND RECORD OF MEETINGS**

**SECTION ONE:  
MUNICIPAL PRESENTATIONS AND RECORD OF MEETINGS**



Water and Waste Department • Service des eaux et des déchets

August 31, 2010

Our File No.: 020-08-00-00-00

Manitoba Water Stewardship  
Box 14, 200 Saulteaux Crescent  
Winnipeg, MB R3J 3W3

Attention: Review Floodway Rules

Dear Sir or Madam:

**RE: City of Winnipeg Comments on Red River Floodway Operation Rules**

The City of Winnipeg welcomes the opportunity to provide comments to the Province on the Floodway Rules of Operation. Our comments are as follows:

**Rule 1** – The City agrees with this rule where the Floodway is operated to maintain natural levels upstream of the Floodway up to a level of 24.5 ft James within the City – the nominal height of our primary dike system. The only comment we have on this rule is that we don't agree with the practice (that has occurred in the past 5 to 6 years) of operating 0.5 ft or more below the computed natural level. The City believes during Floodway operation, levels should be kept as close as possible to natural, even if later analysis with better flow information has shown natural has been exceeded. Decisions should be made based on the best flow information at the time and not rely on an additional 0.5 ft or more safety factor. Operating at natural, lowers water levels within the City and reduces the amount of flood activities that the City needs to undertake, as well as maximizing the gravity capacity of the sewer system.

**Rule 2** – In this rule once levels reach 24.5 ft James, levels upstream of the Floodway are initially allowed to go 2 ft above natural and if levels are expected to go higher, then the Province will inform the City that raises of its dike system will be required. As dikes are raised additional water will then be passed through the City. The City wonders what this wording means to Floodway operation. For example, does it mean holding levels at the Floodway to get back to natural, or does it mean following the natural rating curve staying 2 ft above natural, or does it mean larger floods would be split equally between upstream users and Winnipeg. The City requires clarification on this portion of the rule.

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110-1199 Pacific Avenue • 1199, Avenue Pacific, Porte 110 • Winnipeg • Manitoba R3E 3S8  
tel/tél. (204) 986-7550 • fax/télec. (204) 224-0032 • winnipeg.ca

The City recognizes the logic behind this rule and its role to minimize adverse impacts to upstream stakeholders to the extent possible. With this rule (and current flow performance of the Floodway) the City notes that it will likely have to begin to raise our diking system and relying on temporary flood protection measures for floods only slightly greater than a 1997 flood (the 1:100 yr flood). The City notes that this fact presents a communication challenge to Manitobans as they have been told that the Floodway Expansion provides 1:700 yr level of flood protection.

The City is fully supportive of the emergency provisions in this Rule that do not allow flood levels to encroach on the 2 ft of freeboard of our primary dike system or compromise the emergency measures undertaken to protect our sewer system. The City states that once advised by the Province that we will be going above 24.5 ft James the City will work as quickly as possible to raise its primary dike system to the forecasted elevation. We note that there are areas outside of our primary dike system that may not be as fortunate, as resources will focus on raising the City's primary dike system. Some of the City's apartment blocks will be extremely vulnerable as they are protected by concrete floodwalls that cannot be raised and will likely have to be evacuated.

**Rule 3** – The City recognizes that once levels reach 778 ft at the Floodway, more water will need to be passed through the City to protect the overall Floodway system. The City fully supports this rule.

**Rule 4** – The City also supports the recent addition of a summertime Floodway operation rule, where the Floodway would be operated under threat of significant rain to reduce the potential for basement flooding. It should be noted that that the City is co-funding a study with the Province to better quantify the economic benefits of this Rule.

The City would also be supportive if the Province would review their summertime operation to see if there is potential to operate the Floodway to keep the river walkways at the Forks open as long as possible.

Yours truly,



Barry D. MacBride, P.Eng.  
Director

GEM/jr

c: Dave Farlinger, Farlinger Consulting Group (email)  
Mike Shkolny, P.Eng., Water and Waste Department  
Grant Mohr, P.Eng, Water and Waste Department

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September 1, 2010

Manitoba Water Stewardship  
Box 14, 200 Saulteaux Crescent  
Winnipeg MB R3J 3W3  
Via E-mail

### **Public Review of Floodway Rules of Operation**

Let me begin by thanking the Province for the opportunity to submit this document for consideration Public Review of Floodway Rules of Operation and also for the opportunity to speak on this review with Steve Topping, Dave Farlinger and Harold Westdal on May 3, 2010.

The Rural Municipality has been one of the most affected by the Red River Floodway. The floodway cuts the south part of the RM in two, creating numerous servicing issues and greatly reducing our ability to subdivide properties east of the project. We have lost a good portion of our most valuable property to make way for the floodway with nothing in return. We understand the need to protect the city of Winnipeg but that protection should not create a financial burden nor should it disturb the day to day life's of our residents. The following paragraphs touch on some of the impacts the floodway creates.

The first issue that comes to the for front is the financial burden that this structure has put on the Municipality. We have had to spent hundreds of thousands of dollars fighting the issues of the floodway, its expansion, the effects of the expansion now brings and now its licensing renewal. These costs should be refundable and total covered by the authority. Our residents should not be forced to burden the costs to protect themselves from what this structure brings to them.

Dunning Crossing connects the Pineridge trailer park (400 plus homes) and numerous "east of Highway 59" properties to Henderson Highway. This crossing is heavily used throughout the year. Each instance the floodway gates are opened result in this road

Rural Municipality of St. Clements  
1043 Kittson Road  
RR1, East Selkirk, Manitoba R0E 0M0  
Office Phone : 204 482-3300  
Winnipeg Phone : 204 474-2642  
Toll Free : 1 888 797-8725  
Fax : 204 482-3098  
[www.rmofstclements.com](http://www.rmofstclements.com)

being lost to the public. Once the water has receded the RM is responsible to restore the road to a useable condition. It is for this reason we oppose increased operation of the floodway outside of its current license requirements. Heavy rainfall events also can cause this crossing to washout. A bridge would be the best long term solution to address this issue, however we are realistic and understand the high cost of bridges make this solution unlikely. Alternatively we ask the authority to consider developing and funding an upgraded structure, such as a low level concrete crossing, that can withstand the floodway waters and not require reconstruction.

Safety is a major concern to the RM regarding this crossing, in high rain events when the road washes out, some will still attempt to travel over the road. The gate system that was set up is being breached when it is closed and the RM feels it needs to be improved to prevent this from occurring. Currently we rely on our public works department to monitor the crossing during these rainfall events, however, this is not a fool proof or a formal process. Gates similar to train gates would greatly increase the safety of this crossing. A sensing system to notify officials when the water reaches a certain height would alleviate the potential of motorists becoming trapped by high water. On more than one occasion motorists have had to be towed due unsuspecting driving onto the crossing when it was flooding in the night time. Improvements at the gates also need to be done to prevent them from driving around the gates when they are closed

The loss of Dunning Road also has an impact on our fire protection. Response time is increased drastically during closures of the crossing. Our residents on the east side of Highway 59 are greatly affected by this and are not protected at a level they should be. The east side continues to develop and each time this issue comes to the table it becomes more important. Our residents deserve the protection of our Municipal Fire Department and should not be sacrificed for the protection of the City. It is felt there should be a satellite fire hall set up on the east side and the cost of operation of such should fall to the authority. If this option is not financial viable, then a contract with the RM of East St. Paul should be set in place to response to these fire calls during high water events.

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Notification is a sensitive issue as well. I have had numerous conversations with Minister Meinick on this issue and believe she is supportive of improving the notification process. Under the present operating rules, a siren is sounded at the entrance of the floodway upon the opening of the gates.. There is no requirement for notification of Municipalities or residents north of the entrance. The timing of the opening of the gates drastically the affects residents to the north as the water from floodway reaches the outlet in the dark and further heightens the stress of our residents.

Drainage is becoming an increasing concern for most Manitoba municipalities, as climate change seems to be upon us and 25 year rain events seem to occur annually. Our drainage options are exasperated by the existence of the floodway. Normal flow of water to the Red River is now more convoluted. On the east side there has been

improvements to the highway drainage system as the new Hwy 44 bridge is being completed. However there was NO consideration given to the RM who's water at Highway 44 and east of Highway 44 drain through the same system that is being modified during the bridge construction. We continue to see overland flooding in this area during major rain events and the requests for assistants in this matter has fallen on deaf ears with no response each time we inquire and request help.

The surface area of the floodway which total drains into our Municipality has increased two fold since the expansion of the floodway. As stated, these waters all travel to our municipal drains on the west side and must be adsorbed within our already loaded drain system. The authority must deal with this issue and take care of their own water runoff or partner with the RM to address the issues. We continue to be forced to deal with over land flooding in the Gunn's Creek area, as it is Gunn's Creek that takes all runoff water from the west side of the floodway which makes it way to the river. Again this is an issue which has been brought forward many times, including this year when over land flooding hit us hard. We feel this issue continues to be ignored and the hardship of our residents and the expense to the RM is put to the side.

More issues which are still placed as a responsibility to the Municipality is the policing of the floodway. The floodway is a ATV magnet for many residents, most coming from the City of Winnipeg. These riders feel that once they are outside the perimeter they can go where ever they want. The RM is left with the policing this activity and we have doubled are by-law enforcement budget to help address this issue. This is a huge cost for us on an annual bases. Garbage dumping is also a major issue over looked. Many people from various municipal jurisdictions illegally dump garbage on the floodway. There are many times where we are called in to do clean ups on the floodway to prevent these items from be washed away each spring. It is to the point where we are having an annual clean up event to prevent this from happening. Again a cost which is absorbed by the RM.

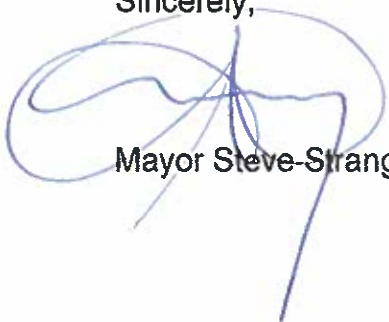
Lastly consideration must be given to the RM for the need to defend itself each time a renewal, or a modification comes forward. To place factual information behind the statements we bring forward creates major expenses. We need engineers to full drainage reviews, we require studies to document these issue we are bringing forward, however the cost of producing such documentation is expensive. Simply put, we do not have the resources required to effectively and factually bring our case forward. We should not be forced to pay to protect the rights of our citizens. This is particularly frustrating when St. Clements needs to bear these costs while the benefit of the floodway is mostly to protect the citizens of the City of Winnipeg and its infrastructure.



At the end of the day we know the floodway is important to the safety of many Manitobans. As the same time we realize that the costs faced by the municipality and that the lost revenue from the land the floodway utilizes are not borne by all Manitobans, but only the people of St. Clements and the other RM's it effects. We feel that this should be addressed in this license review and consideration should be given to providing our Municipality with some form of taxation revenue to compensate us for these increased expenses to address the above issues and lost revenues from the lands that can no longer be developed. We ask that it be considered to provide revenue in terms of a grant in lieu (as is the case for Manitoba Hydro) or personnel property (like the TransCanada pipeline).

Again, thank you for the opportunity to express our concerns.

Sincerely;

A handwritten signature in blue ink, appearing to read "Steve Strang", is written over the printed name. The signature is stylized with several loops and a long vertical stroke at the end.

Mayor Steve Strang

September 1, 2010

### **R.M. of Ritchot Submission re: Floodway Operating Rules Review**

The Floodway protecting the City of Winnipeg is inadequate in physical size to protect the city from the 1 in 700 year flood. This flood protection level can be achieved only by artificially flooding communities and residents upstream of the floodway control structure.

There is only one practical solution to this: the floodway channel must be built large enough to convey the amount of water in a 1 in 700 year flood. The recently completed floodway expansion did not provide such a channel capacity. Therefore, to protect the City of Winnipeg to the 700 year flood level, artificial flooding of Canadian citizens upstream of the floodway control structure is required.

Summer operations of the floodway should not be allowed under Rule 4. The floodway channel is not designed for this type of operation and river levels upstream of the control structure have to be lifted significantly before water enters the floodway channel. There are other solutions to Winnipeg's summer river level problems, such as reconfiguring the floodway entrance, redesigning the Forks walkway and upgrading Winnipeg's antiquated sewage pumping stations.

As Rule 4 was implemented, the Red River Floodway Act was introduced. Compensation for artificial flooding from summer operations has been woefully inadequate, and not in compliance with the Act. Legally speaking, this Act is really expropriation without compensation.

The political problems with floodway operations and rules have not been resolved. Spring and summer operations cause artificial flooding upstream of the Floodway Control Structure. Ritchot continues to become the reservoir needed to augment a floodway that does not have the physical capacity to protect the City of Winnipeg to the 700 year flood level.

Rules for the operation of the floodway are important because having rules is better than having no rules. However in looking at the existing rules, we in Ritchot would suggest these rules could be simplified down to one rule only. That rule would state, the floodway is not to be operated in such a manner that will cause artificial flooding. This is the only fair way to operate the Floodway.

Robert Stefaniuk, Mayor of Ritchot

CITY OF SELKIRK

## MEETING NOTES

MEETING DATE: MAY 3, 2010

VENUE: 200 EATON AVENUE, SELKIRK

IN ATTENDANCE:

Randy Borsa – Acting Chief Administrative Officer  
Dale Scott – Manager of Water & Wastewater Facilities  
Steve Fedak – Manager of Public Works

Duane Kelln -WSD

Dave Farlinger - FCGI  
Harold Westdal - FCGI

### Meeting Purpose

To introduce the requirement for a public review of the operating rules, to provide an overview of the proposed public review process, and to provide the City of Selkirk an opportunity to make initial comments on issues related to the operating rules.

Initial comments by the City are set out in broad areas of interest.

### Ice Jamming

- The City noted that ice jamming is the principal cause of flooding in the Selkirk area.
- The City noted Ice jams are frequently related to the opening of the Floodway. The flow from the floodway lifts upstream ice carrying it downstream too fast causing a jam.

- The City is appreciative of the efforts made by the new ice cutting and breaking equipment but is of the opinion that these techniques are only moderately effective.
- Flooding occurs on the upstream side of the jam. The location of the jam is the key determinant as to where flooding will take place.
- Studies carried out for the City of Selkirk indicate that with an ice jam at the worst location, the intersection of Evelyn and Queen would be under one metre of water.
- The City questioned operating rules (below) which provide direction about the floodway operations and ice conditions.

### Communication

- The City noted that the communication system is inadequate.
- The City needs as much advance warning as possible that the Floodway is about to open. Their experience has been that they do not receive information on a timely basis. Duane Kelln agreed to provide information on the communication strategy.
- When an ice jam occurs the water rises quickly in a few hours (five feet in four hours in 2009). The City has done a lot of work, identified weak areas and established positive shut-offs to the sewer system but the City can't risk closing outfalls too soon as a heavy local rain could cause flood damage from internal flooding.
- The City noted that the main lift station is built at the lowest point along the river. This has been upgraded to minimize the effect of flooding but this key City infrastructure is placed at unnecessary risk by inadequate communication.
- The City would like to see the Floodway extended beyond Selkirk while land is still available.

### The Rules in Practice

- Duane noted that it is nearly impossible to operate the floodway inlet structure gates with enough precision to maintain natural levels at the inlet structure due to the uncertainties involved in real-time flows and levels in the system. Therefore, in practice, while operating within Rule 1, the target inlet water level is maintained usually about 4 to 5 inches below the calculated "natural level" at the inlet to ensure that operations are fully

compliant with the rules and that artificial flooding does not occur upstream of the inlet.

- The City asked what elevation the City of Selkirk would use to determine when the Floodway channel would be put into operation. Is it 24.5 feet at James Avenue? In follow-up communication WSD noted that:

Actual elevation by itself is not a trigger. The trigger is not at James but upstream of the inlet structure at St. Norbert. The two conditions (triggers) needing to be met are the following:

1. ice on the river is freely moving; and
2. actual elevation is below the natural elevation at the gauging station located immediately upstream of the inlet.

If both these conditions are not met, the gates are not operated. (Exceptions are 2009 and 1997 when the ice was not moving completely freely yet operation occurred.) The natural elevation is calculated based on actual flows in the river adjusted to account for the effects of Portage Diversion and Shellmouth Dam and reservoir. This "trigger" elevation varies from year to year because flow and ice conditions vary from year to year.

### Rule Interpretations

The City asked about the interpretations of a number of the operating rules:

- Initial gate operation with ice - this states that the Floodway gates should not be operated until ice on the river is flowing freely. The City asked if this includes the river in the vicinity of Selkirk?
- Operation of the Horn – this requires a “1-800 number be established” to provide current information of gate operations, potential impacts on water levels, and forecasts. This information should also be included on the WSD internet site. The WSD noted that the telephone number has been activated. The operators phone in updates on gate settings whenever a gate change has been made. This information is available to the public toll-free at 1-866-883-5663 (outside of Winnipeg) and at 284-4550 (in Winnipeg).
- Mr. Scott commentated that the 1-800 line is not an option for communication as Selkirk would have to constantly call for information.
- Rule (4) includes language that suggests there is artificial flooding both upstream and downstream of the inlet control structure. Given this, Selkirk

should be eligible for funding directed to costs associated with artificial flooding as set out in the rules and the licence.

### Other Licencing Conditions

The City noted a number of conditions in the licence:

- Licence Condition #14 – The City asked if the conditions described in this licencing condition have ever occurred and whether the required reports and other actions have ever been undertaken. WSD noted that the answer is no on both counts.
- Licence Condition #16 – the City asked if Selkirk is eligible for provisions under this condition as the City believes it is subject to artificial flooding resulting from ice jams.
- Licence Condition #17 – has the province prepared reports as required? WSD has since noted that that the conditions in this condition have not occurred since the licence was issued and therefore reports were not required.
- The City noted that reports under licencing condition #14 and #17 have not been prepared as required.

MEETING WITH RURAL MUNICIPALITY OF ST. ANDREWS

**MEETING NOTES**

MEETING DATE: MAY 21, 2010

VENUE: RM OF ST. ANDREWS MUNICIPAL OFFICE

IN ATTENDANCE:

Reeve: Don Forfar

Councillors:

Elmer Keryluk

Kurtiss Krasnesky

Ralph Boch

Chief Administrative Officer: Sue Sutherland

Bob Harrison - WSD

Dave Farlinger - FCGI

Harold Westdal - FCGI

**Meeting Purpose**

To introduce the requirement for a public review of the operating rules, to provide an overview of the proposed public review process, and to provide the Rural Municipality of St. Andrews an opportunity to make initial comments on issues related to the operating rules.

Comments by the Municipality are set as follows:

- There is a local perception that downstream flooding caused by ice jams is related to the opening of the Floodway.
- The hour at which the Floodway opens is a concern for St. Andrews. Opening the floodway during the day means that the Municipality has to

deal with Floodway issues at night due to the timing involved in water reaching the Floodway outlet. The RM of St. Clements and St. Andrews have previously complained about this with little or no response. WSD acknowledged there is a conflict in timing as between upstream and downstream residents.

- The Municipality noted that design of the Floodway did not take into account downstream issues. Previous issues raised by the Municipality have been ignored.
- On a related issue – the Municipality has raised their concerns about termination of dredging with both federal and provincial governments with no significant response.
- There is a common perception that riverbank failure in the vicinity of the Floodway outlet results from the operation of the Floodway. The Municipality has been following up with the Floodway Authority to get this addressed.
- The RM asked how flows in the Floodway since expansion compared to flows prior to expansion. It was noted that this would be addressed by information provided in the storyboards.



MEETING WITH ST. CLEMENTS

## MEETING NOTES

MEETING DATE: MAY 3, 2010

VENUE: ST. CLEMENTS MUNICIPAL OFFICE

IN ATTENDANCE:

Steve Strang – Municipal Mayor – Rural Municipality of St. Clements  
D. J Sigmundson – Chief Administrative Officer

Steve Topping, Executive Director -WSD

Dave Farlinger - FCGI  
Harold Westdal - FCGI

### Meeting Purpose

To introduce the requirement for a public review of the operating rules, to provide an overview of the proposed public review process, and to provide the Rural Municipality of St. Clements an opportunity to make initial comments on issues related to the operating rules.

Initial comments by the Municipality are set out in broad areas of interest.

### Dunning Road

- The Municipality noted that Dunning Road is an important link within the Municipality.
- As the population grows in accordance with the estimates in “Our Winnipeg Plan” the Dunning crossing will become increasingly important. Mayor Strang noted that we need to look forward and that it is possible that 3,000

to 4,000 housing units could be built in the area between the floodway and the river.

- Loss of the Dunning Road crossing means reduced emergency services east of the floodway (special concern is the trailer park), increased travel time for residents, and a financial burden to the Municipality.
- The cost to rebuild Dunning Road is \$8,000 to \$10,000 per occurrence. In a meeting with the Minister an offer had been made to cover these costs but there has been no follow-up discussion.
- Summer operating rules are a particular concern for the Dunning crossing.
- Potential solutions that have been considered include:
  - Enter into an agreement with West St. Paul to provide emergency services east of the floodway;
  - Build a fire sub-hall in the vicinity of the trailer park;
  - Enter into an agreement with the province to mitigate the costs of maintenance on the crossing; and
  - Re-engineer the crossing to reduce maintenance.
- The preferred solution is a permanent bridge. The Municipality asked for this during the Floodway hearings and still considers this to be an essential piece of infrastructure.

### Communication

- The Municipality noted that communication is inadequate.
- The Municipality needs as much advance warning as possible that the Floodway is about to go into operation. Their experience has been that they do not receive information on a timely basis.

### Timing of Operation

- The Municipality would like to see the Floodway go into operation around midnight. Floodwaters would then reach St. Clements about six in the morning which would allow the Municipality to (go on flood-watch) visit homes and critical sites in daylight. Apparently all three municipalities agree on this.

### Public Confidence

- The inability to keep the public informed on a timely basis and the frequent closure of the Dunning Road crossing has caused the public to lose confidence in the management of flood issues.
- Some homeowners are still concerned about their water wells being polluted from Floodway waters.

### General Issues

The Floodway has been a cost to St. Clements with no off-setting benefits:

- Floodway does not pay taxes. The Municipality noted it would like to discuss with the province the option of receiving grants in lieu of taxes for Floodway lands.
- The Municipality has responsibility to enforce by-laws within the Floodway. Enforcement issues include unlawful dumping, littering and ATV use;
- Costs associated with handling run-off water from the outside slopes of the Floodway;
- The Floodway cuts through the centre of the Municipality making service delivery difficult and reducing the opportunity for rural residential development.
- Costs of regular re-building the Dunning Road crossing.
- In general it was noted that the Municipality has given a lot to help the City of Winnipeg and needs some better consideration.

### Immediate Requirements

- Mitigation of flood prone properties. This includes diking flood prone homes and volunteer buy-outs.

### Timing of the Open Houses

- It was recommended that open house should be held in late June.

### Other

- Steve Topping offered to make a presentation to a joint meeting of affected municipalities to share the results of current studies.

RURAL MUNICIPALITY OF RITCHOT

MEETING DATE: MAY 19, 2010

VENUE: RM OF RITCHOT MUNICIPAL OFFICE

IN ATTENDANCE:

Mayor Robert Stefaniuk

Councillors: Maurice Leclaire, Ray Phillippe, Valerie Rutherford, and Maurice Tallaire

Steve Topping, Executive Director - WSD

Bob Harrison - WSD

Dave Farlinger - FCGI

Harold Westdal - FCGI

**Meeting Purpose**

To introduce the requirement for a public review of the operating rules, to provide an overview of the proposed public review process, and to provide the Rural Municipality of Ritchot an opportunity to make initial comments on issues related to the operating rules.

Initial comments by the Municipality are set out in broad areas of interest.

**Issues in Common with Winnipeg**

- The Mayor noted that the Floodway's design discharge capacity is inadequate for both the RM of Ritchot and the City of Winnipeg. There should be common ground between the parties. It serves neither party well.

- The Floodway expansion was based on budget considerations not what was need to provided equitable protection for Manitobans.

### Artificial Flooding

- It was noted that the City of Winnipeg cannot be protected without causing flooding upstream. If the province wants to protect Winnipeg in this manner it should buy out the forebay.
- The Red River Floodway Act allows artificial flooding. It may be unique. It effectively allows expropriation without compensation.
- The design level flood of the one in 700 year flood should apply equally upstream and downstream.

### Compensation

- Compensation was seen as inadequate. It doesn't matter if flooding is 6 inches or 6 feet – all moveable property has to be taken to high ground and secured. It is a lot of work with no compensation. After the flood – lawns are mess. Community members will no longer maintain the St. Adolph Park and ball diamond because of the frequency of flooding resulting in the effective loss of a community asset.
- The biggest issue for residents is stress. There is no compensation for this and no effective way of dealing with it.
- The RM noted that residents have been treated shabbily under the Red River Floodway Act. If people had been properly compensated without having to beg there would be a much greater acceptance of Floodway effects.

### Floodway Operating Rules

- It was noted that a 1999 review of the floodway operating rules only considered three rules, but by the time the Floodway expansion project was licenced by the Clean Environment Commission there were four rules.

### Berm

- The RM asked if the berm at the Inlet to the Floodway can be modified. The province is of the opinion that modifying the berm would be ineffective but to the RM it is obvious that lowering the berm would be beneficial.

### Timing of Operation

- It was noted that summer operations raise water levels very quickly. It may be preferable to open the gates in the morning to allow the RM to deal with flooding in daylight hours.

### Rule 4

- The RM noted that since 2002, Rule 4 has been used 3 times.
- Rule 4 addresses City of Winnipeg problems only. Residents upstream have on-going mould and public health issues that have not been addressed.
- It was noted that private sewer systems are unusable for up to 3 months after summer Floodway operations. Septic fields get flooded and won't operate to standard until ground water levels drop.

### 760

- It was noted that when river water levels are raised to 760 ft under Rule 4 there is some loss of access roads.

### General Issues

- The RM has a requirement for higher permanent dikes.
- Initial gate operations have not been consistent which makes it hard for the RM to plan effectively.
- The Courchaine road crossing is closed every time the floodway goes into operation causing local traffic problems
- The boat launch built to keep people away from the Floodway inlet is unusable.

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**VOLUME II  
WRITTEN COMMENTS AND RECORD OF MEETINGS**

**SECTION TWO:  
PRESENTATIONS BY ORGANIZATIONS AND ASSOCIATIONS**

8/23/2010

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# Public Review of Floodway Rules of Operation

*Comments on Floodway Operations and Related Rules*

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**Coalition for Flood  
Protection North of the  
Floodway (“Coalition”)**



# Public Review of Floodway Rules of Operation

## *Comments on Floodway Operations and Related Rules*

### **Preface**

This document has been compiled by the **Coalition for Flood Protection North of the Floodway** members, families and friends.

The **Coalition for Flood Protection North of the Floodway** (“Coalition”) has been an active non-profit, voluntary, Red River Floodway centric organization since the flood of **1996** dealing with flood related issues impacting property and homes. The Coalition members reside in the City of Selkirk, the RM of St Andrews and St Clements, and over the years the common bond between all of these people and the floods have been and continue to be *floods caused by ICE JAMS*.

Although there is a vast difference of opinion on the major role of Mother Nature (thick Ice, too much snow or moisture, lack of coordination of hot and cold weather south and north of the border) versus all of the post-event logistics employed to rationalize the importance and correctness of the floodway operating rules; new and more devastating events are developing almost monthly.

We respectfully submit while some of these concerns were raised and somewhat discussed during the CEC hearings and the subsequent report; we deferentially submit the following items as issues that must be addressed before any license approvals for the operation Red River Floodway can be considered.

Our areas of concern are as follows;

1. While the Red River Ice-Jam concerns were raised and discussed in some depth, the April 12<sup>th</sup> 2009, ice jam and pursuant flood clearly addressed which consultants opinions ought to have been followed to proactively mitigate the severe property damages.
2. While the establishment of an “ad-hoc” organization between Water Stewardship and Selkirk, St Andrews & St Clements is a novel and noble concept, - why are the costs not covered by the Floodway Authority completely as all of the equipment is seconded to address ice jams in the flood way and Winnipeg, leaving zero equipment to deal with ice management north of Lockport?
3. During the five (5) year period; (the life of the present license) the nearly \$1 Billion expansion program has addressed a lot of *flood management* improvements including several focused on addressing aesthetics and tourism opportunities (which we support) however no attention or funding has been provided for the water problem north of Lockport such as;
  - a. a *first class Ice Management Strategy* including addressing hovercraft (ice-breaking),
  - b. a related strategic dredging program to deal with thick ice issues
  - c. a strategic dike program to protect homes that have repeat ice jam flooding of their property
  - d. a measurement, continuous monitoring and coordination system that all of the residents north of Lockport could have access to, to manage and coordinate emergency evacuations when required
  - e. property buyout should not be the first and only option to address the lack of an Ice Management program

4. In general, our overview suggests that the Environment Act License # 2691 of July 8<sup>th</sup> 2005 focused significantly on addressing “floodway expansion issue” which although appropriate at the time; provided little or limited focus (admittedly with the advantage of hind-sight) on operational needs post March 2009, (as our list identified above).
5. We respectfully request a hearing to deal with the identified issues as soon as possible so a set of revised operating rules can be adopted and implemented accordingly.

If these opening remarks came across as a bit testy, grumpy and impatient; it is only because our good-natured, affable communications, presentations and meetings (our website and archives are available for review) have not garnered any note-worthy or positive results on the Ice-Jam flooding concerns to-date.

Regards,

The Coalition For Flood Protection  
North of the Floodway  
c/o Bruce Allen, Secretary

## **Comments on Rules 1 to 3**

### **1. Comments on Rule 1**

Notwithstanding our comments above, and other information attached for your review, we would strongly suggest that Rule 1 be revised to recognize that the first spring operation be changed to as follows;

- a. That the floodway be brought into operations as soon as the Red River level anywhere in the city rises three (3) feet (1 m), or four (4) feet below the Flood Protection Level of 25.83 feet (7.87m), whichever is reached first.

### **2. Comments on Rule 2**

Notwithstanding our comments above, and other information attached for your review, we would strongly suggest that Rule 2 be revised to recognize that the building of emergency dikes along the west side is a high-risk very reactive option and would also require similar dikes on the east side. A better plan would be to pre-dike to provide the appropriate dikes in the first instance.

### **3. Comments on Rule 3**

Notwithstanding our comments above, and other information attached for your review, we would strongly suggest that Rule 3 be revised to recognize the changes suggested to Rule 1 above; as well as removing the wording "The Floodway gates should not be operated until ice in the river is flowing freely, unless flooding in Winnipeg is imminent". We suggest that this wording (requirement) is redundant as we understand that in 2009 this Rule was ignored.

#### 4. Comments on Rule 4

Notwithstanding our comments above, and other information attached for your review, we would strongly suggest that “Rule 4 – Emergency Operations to reduce Sewer Backup in Winnipeg” is not a logical or rational requirement, nor based on the flooded basement and sewer backups that occurred during several **severe** rainstorms, the use of the floodway in this manner is a rather ineffective solution to the problem.

Perhaps a more practical and cost effective approach is for the city to make their pumping system more robust, and areas such as the forks which are continuously subjected to flooding might require setting their grades for walks higher or placing floating walkways to mitigate or minimize the flooding situations.

#### 5. General Comments

The Coalition for the Flood Protection North of the Floodway thank you and the “Committee” for the opportunity to share with you the concerns of the community we represent and hope our suggestions might be incorporated into the new requirements and operating rules of the new license.

We as well respectfully request a hearing to deal with the identified issues and concerns as soon as possible so a set of revised operating rules can be adopted and implemented accordingly.

We as well believe that there is an **opportunity** to solve the flooding and Ice Jam from Fargo, Grand Forks to Lake Winnipeg by developing a comprehensive by-lateral cost effective program if we provide the required leadership to make it happen.

Non Natural  
Impact  
Of  
2009 Floodway Operations

Coalition for Flood Protection  
North of the Floodway

August 20, 2010

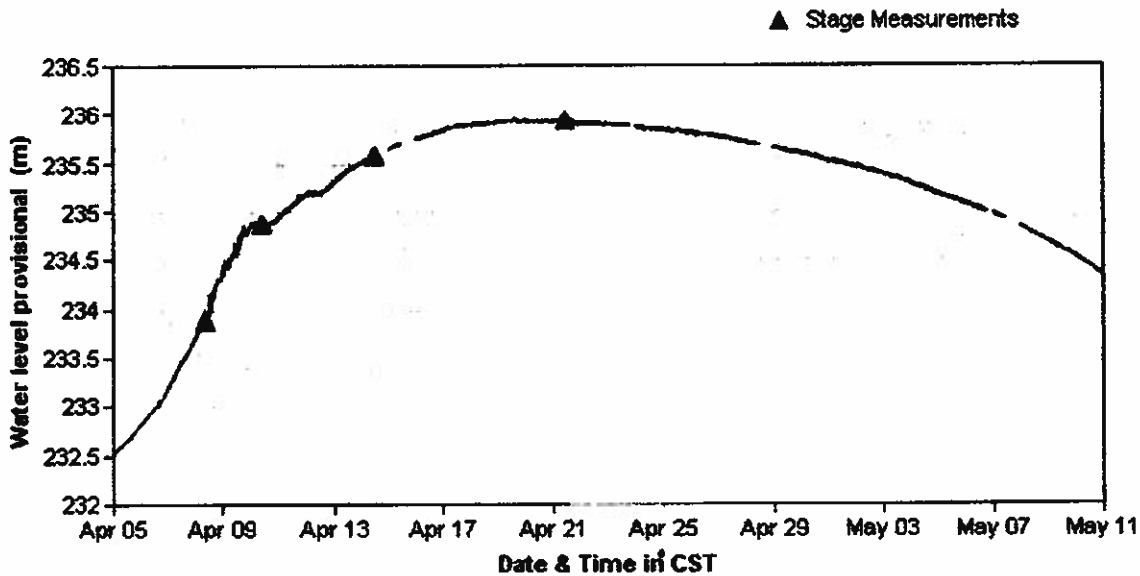


# Non-Natural Impact of 2009 Floodway Operations

## RED RIVER NEAR STE. AGATHE (05OC012)

Data Category: Real Time

Parameter Type: Water level provisional (Second Parameter)

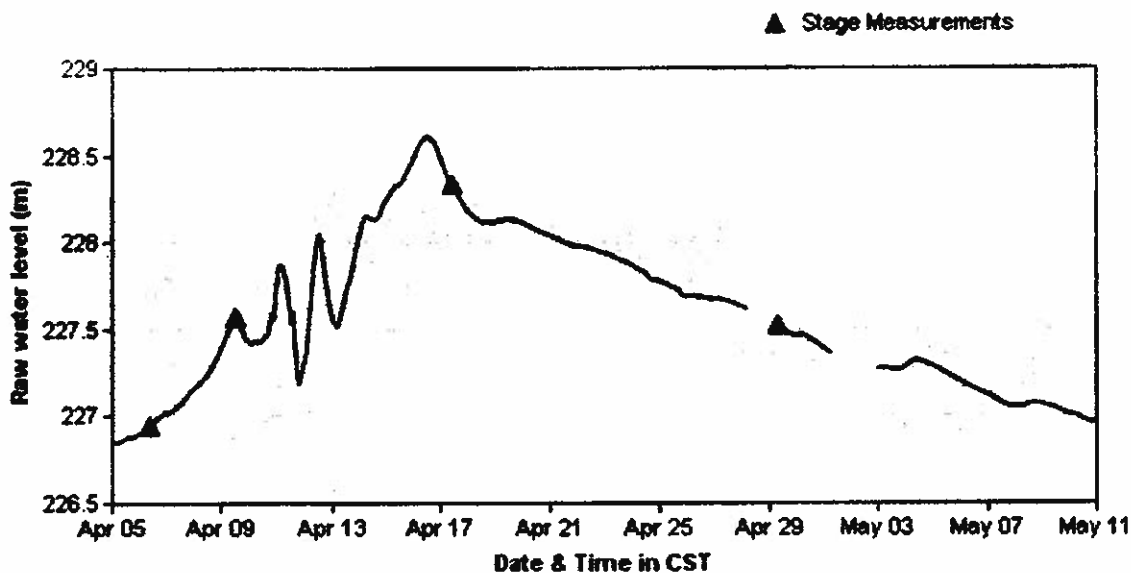


Note: Naturally occurring flood crest free of sudden fluctuations. Crested @ St. Agathe April 20<sup>th</sup>, 2009. All hydrometric graph records are from 2009.

## RED RIVER AT JAMES AVENUE PUMPING STATION (05OJ015)

Data Category: Real Time

Parameter Type: Raw water level (Second Parameter)



Note: Wide and sudden fluctuations in river water levels due to operation of floodway that would not have occurred in the natural state

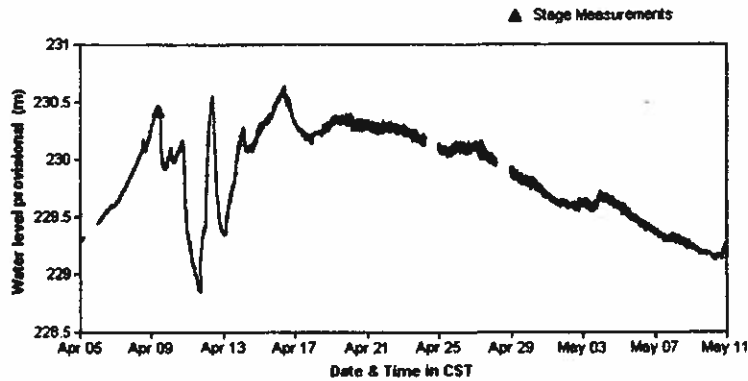


# Non-Natural Impact of 2009 Floodway Operations

## RED RIVER BELOW FLOODWAY CONTROL STRUCTURE (05OC020)

Data Category: Real Time

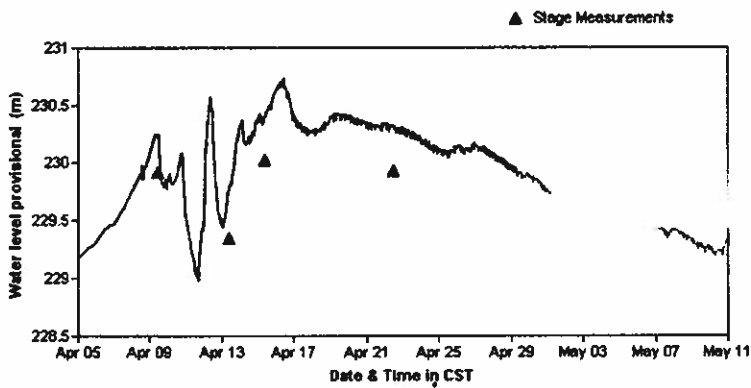
Parameter Type: Water level provisional (Second Parameter)



## RED RIVER NEAR ST. NORBERT (05OC008)

Data Category: Real Time

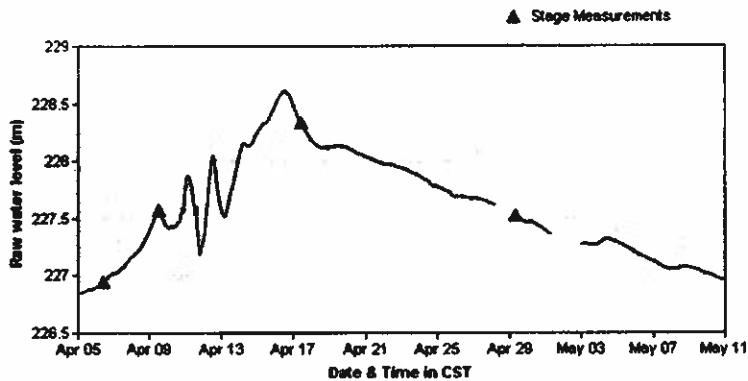
Parameter Type: Water level provisional (Second Parameter)



## RED RIVER AT JAMES AVENUE PUMPING STATION (05OJ015)

Data Category: Real Time

Parameter Type: Raw water level (Second Parameter)



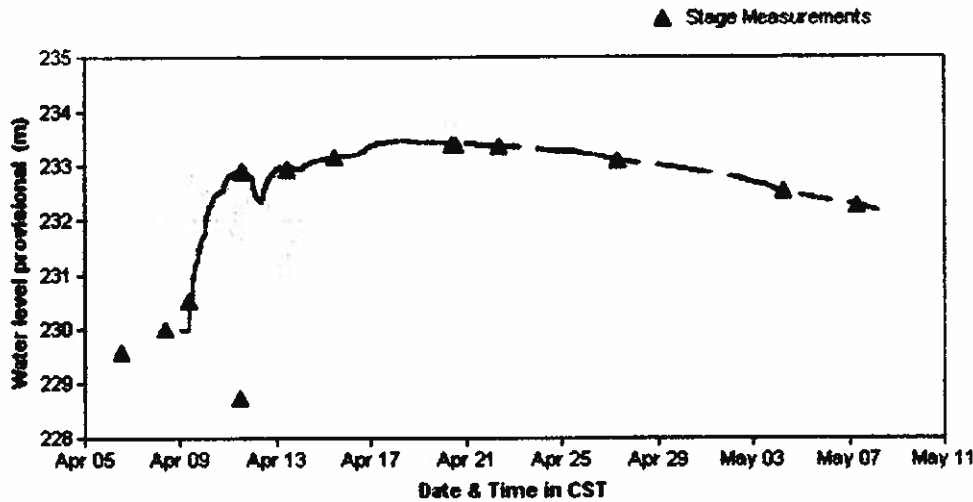
Note : Graphs taken over the same time period from three different points along the river. The ability to monitor the rate of flow between fluctuating events is evident. Three points were tracked between the floodway inlet and St. James Ave. pumping station and the average time for the water events to move between these points was 3.61 hrs.

# Non-Natural Impact of 2009 Floodway Operations

## RED RIVER FLOODWAY NEAR ST. NORBERT (05OC017)

Data Category: Real Time

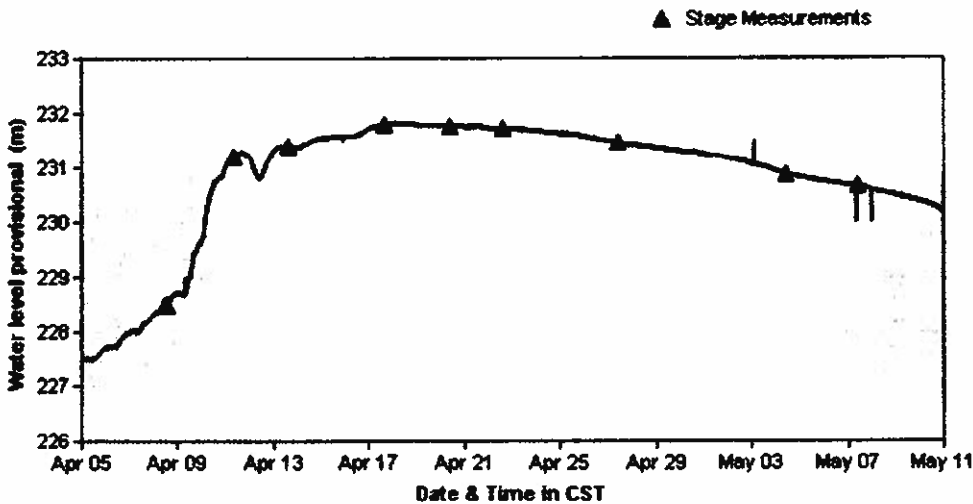
Parameter Type: Water level provisional (Second Parameter)



## RED RIVER FLOODWAY AT TRANS CANADA HIGHWAY (05OC029)

Data Category: Real Time

Parameter Type: Water level provisional (Second Parameter)



Note : Graphs taken from two points along the floodway. In a like sense the ability to identify and track the movement of fluctuations is possible. Five points were tracked between the floodway inlet and #1 hwy. The average time for water events to move between these points was .53 hr.

# Non-Natural Impact of 2009 Floodway Operations



Google Map showing river distances



Google Map showing Floodway distances

# Non-Natural Impact of 2009 Floodway Operations

## River Distances

Floodway Inlet to James Avenue Pumping Station – 32.83 km

Floodway Inlet to Floodway Outlet (via river) – 64.82 km

To travel 32.83 km from Inlet to James Avenue – 3.61 hr → 9.09 km/hr

By extrapolation to travel from inlet to outlet (via river) – 7.13 hr

## Floodway Distances

Inlet to #1 Hwy – 15.6 km

Floodway Inlet to Floodway Outlet (via floodway) – 47.2 km

To travel 15.6 km from inlet to #1 Hwy - .53 hr → 29.4 km/hr

By extrapolation to travel from inlet to outlet (via floodway) – 1.6 hr

Phase shift – additional time it takes for water volumes to travel from floodway inlet to floodway outlet by river versus by floodway – 5.5 hr

Notes:

Point A – near Rivercrest – approximate point at which floodway artificially and prematurely adds volume to an already crested river after initial floodway activation

Reentry at floodway outlet occurring at  $\approx 30$  km/hr vs. normal river flow of less than 10 km/hr. Every meter of river flow combines with 3 meters of floodway flow.

The following excerpts were taken from CEC Manitoba report “Red River Floodway Expansion”, June 2005, Section 8.1.2... “...under most conditions, water takes more time to travel down the Floodway Channel than it does to travel down the Red River...” and “The MFA presented studies that indicated that the travel time during early stages of a flood is considerably longer in the Floodway than in the Red River...”. The observed fact clearly indicates that in April 2009, for the points in time when the ice pack north of the floodway was very vulnerable to an ice jamming event, the travel time through the floodway was much faster than in the Red River.

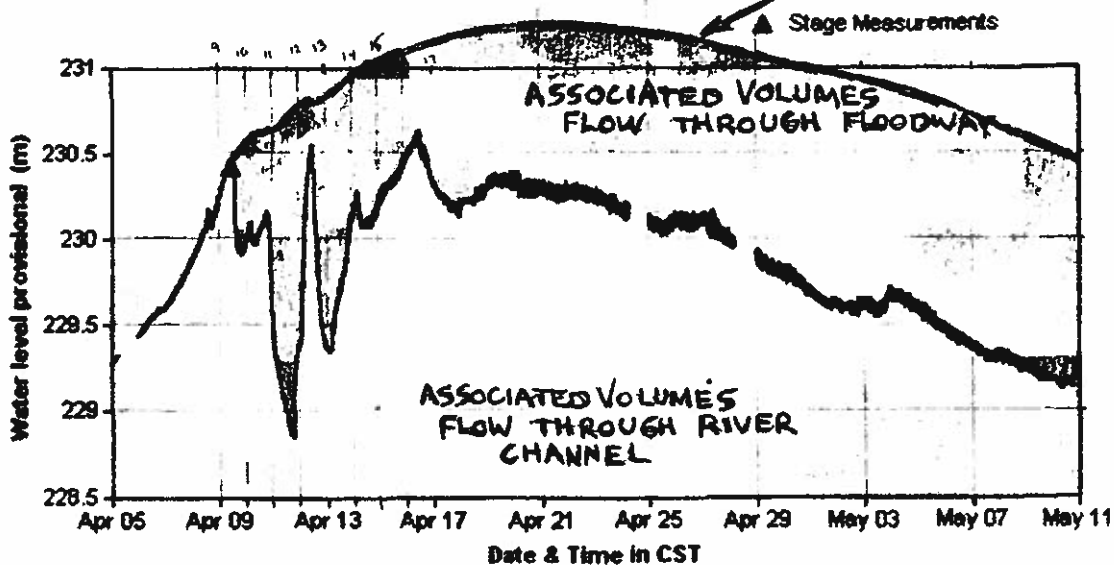
This real world, real time, actual observation directly contradicts testimony that was used by CEC officials when granting the existing floodway operational license.

# Non-Natural Impact of 2009 Floodway Operations

RED RIVER BELOW FLOODWAY CONTROL STRUCTURE (05OC020)

Data Category: Real Time

Parameter Type: Water level provisional (Second Parameter) NATURAL STATE



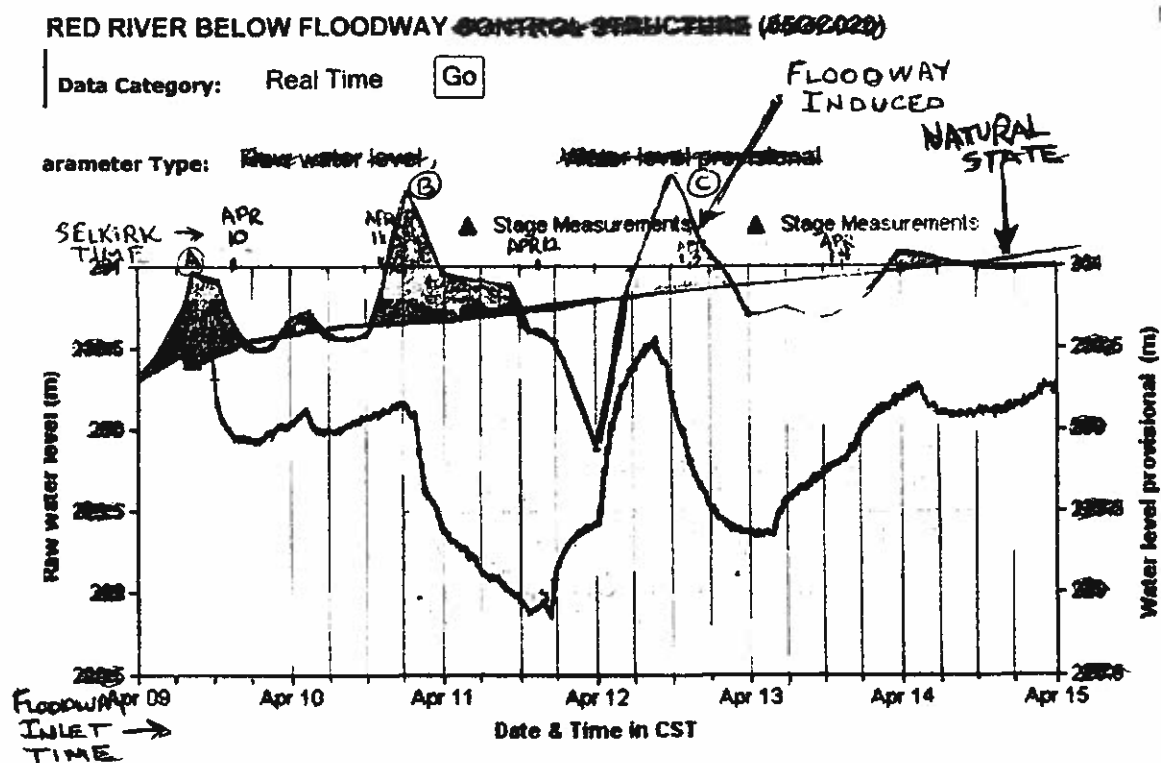
Notes :

At the floodway inlet the available water volume (as shown by the "Natural State") is split into two sub-volumes...the volumes that continue to travel along the river channel, and the volumes that get diverted into the floodway (shaded).

The "Natural State" is an approximation represented here by the natural state at St. Agathe, which has been time shifted to account for the time it takes the water to travel between St. Agathe and the floodway inlet. The degree of accuracy of the natural state is dependent on the comparability of the river channel between the two chosen points...St. Agathe and the point below the floodway control structure.

For the purposes of this review, it is assumed that the river channels at the two locations are comparable. The fact that there is excellent comparability leading up to April 9, supports this assumption.

# Non-Natural Impact of 2009 Floodway Operations



Notes:

The above shows an abbreviated section of the prior graph for the period between April 9 and April 15. The natural state and the split between river flows and floodway flows remain unchanged. The vertical bars represent 6 hour blocks of time.

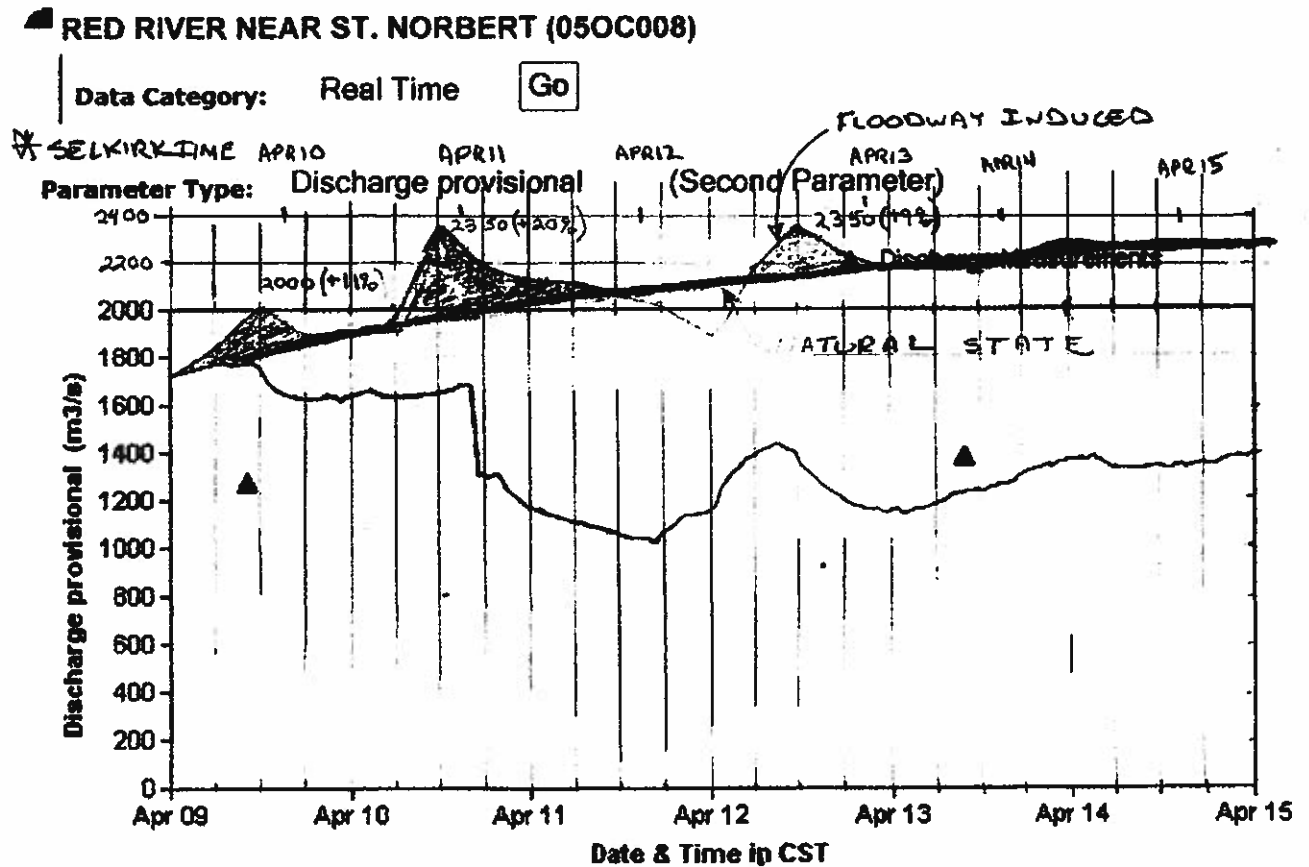
The new graph represents floodway impacted water flows due to the concept of phase shift introduced earlier. The floodway channel water volumes have been phased back 6 hours to coincide with the river channel volumes that would be encountered upon reentry at the floodway outlet. (6 hours was used instead of 5.5 hours for convenience.)

The shaded areas are periods when floodway impacted river volumes exceeded natural state river volumes. Point A represents the floodway induced surge associated with the initial raising of the floodway gates.

Due to fluctuations in the river channel there is little that can be drawn as to actual water levels and water flows in the Selkirk area. The information was also not available from other sources. However the general trends are sound and since the same forces are at play on the natural state river flows, as they are on the floodway induced river flows, the relatively between the two should be reasonably accurate. Points B and C represent volumes that potentially exceed those that would have been experienced at any time during a natural state flood event, including the natural state peak event that would normally not have reached Selkirk until approximately April 21, over one week later.

This is an approximation of the actual events subject to the accuracy of the raw data, and the methods employed in the extrapolation of the data. However it serves to identify that a more in depth study is warranted.

# Non-Natural Impact of 2009 Floodway Operations



Notes :

The above is similar to the previous chart only it shows discharge flows so the transfer of volumes per unit time to the Selkirk area is sound. Again the vertical bars are 6 hours time blocks and the phase shift used was 6 hours instead of 5.5 for convenience.

Again the shaded areas show where floodway impacted water volumes exceed natural state water volumes in the Selkirk region, only now they can be quantified, but only to the degree of accuracy that the methods employed allow.

The first shaded area represents the surge effect with the first opening on the floodway where volumes are approximately 11% over natural state. The second shaded area represents a peak of approximately 2350 m<sup>3</sup>/s, or about 20% greater than the natural state.

It is noteworthy that this volume represents 94% of the maximum water volumes associated with the flood of 2009 which were about 2500 m<sup>3</sup>/s and did not reach the Selkirk area until about April 21, over 1 week later.

Again this is an approximation of actual events. A more in depth study is warranted.

# Non-Natural Impact of 2009 Floodway Operations

## General Conclusions

- The operation of the floodway has the ability to create non-naturally occurring impacts to water volumes north of the floodway outlet.
- These impacts can be significant and can produce water volumes in excess of what would be otherwise experienced during a naturally occurring, non-floodway impacted, state.
- Given that the floodway is traditionally operated during periods when the ice pack north of the floodway is at a vulnerable state, and therefore sensitive to changes in water levels and water flows, the probability of an ice jamming event occurring during these floodway induced periods of higher water volumes is greater than it would have otherwise been during the natural state for the same period
- The impact of the floodway on water volumes north of the floodway has the potential to be increased, or decreased, depending on methods of operation.

## Observations Relevant to 2009 Events

- The operation of the floodway likely resulted in a number of occurrences where contributing water volumes exceeded what would have otherwise been during a naturally occurring spring run-off event.
- There were at least two occurrences where the contributing water volumes due to floodway operation potentially exceeded what would have naturally occurred at any point in the spring run-off event, including the flood crest, which would not have naturally occurred in the Selkirk region until on or around April 21<sup>st</sup>.
- One of these events occurred on or around April 11 and 12.

## Recommendations

- That real time hydrometric monitoring capability be installed in close proximity to the floodway outlet to permit accurate monitoring of floodway affected impacts
- That those responsible for the operation of the floodway (both political and operational) recognize and take responsibility for the fact that the operation of the floodway has the potential to impact downstream river flows and water levels.
- That there is a realization that statements of fact presented at the CEC hearings, and upon which the current floodway licensing was based, are not supported by observations of actual events. These mistakes should not be repeated during the current licensing review.
- That actual impacts of floodway operations be studied and understood, and procedures developed to minimize these impacts. This requirement should form part of future licensing stipulations.
- That conditions of floodway licensing not be expanded until the current potential for impacts have been studied, are understood, and procedures have been put into place to minimize the impacts.



September 1, 2010

Manitoba Water Stewardship  
Box 14, 200 Saulteaux Cres.  
Winnipeg, MB, R3J 3W3  
[ReviewFloodwayRules@gov.mb.ca](mailto:ReviewFloodwayRules@gov.mb.ca)

The following is provided by the North Ritchot Action Committee (NRAC) in response to Manitoba Water Stewardship's request for comments on the Rules of Operation for the Red River Floodway – August 2010. NRAC is a group of residents elected and mandated by residents of north Ritchot after the spring 1997 Red River flood. Ritchot was the area that suffered the greatest losses and social disruption in the 1997 flood. Part of NRAC's mandate is to represent the concerns of north Ritchot residents with respect to not only the 1997 flood but also, future flood issues. To this end we have been active participants at all stages of floodway expansion whenever possible. We were actively excluded, however, from meaningful input to the new rules of operations and the calculation of natural levels. These two issues, of course, are two of the three vital concerns in our neighbourhood and our future security from floodway-induced suffering and loss. The third is artificial flooding.

To provide some historical perspective, upstream residents were assured when the floodway was contemplated in the late 1950s and constructed in the 1960s, that there would be no artificial flooding associated with the operation of the floodway. Notwithstanding these assurances the Government of Manitoba, without consulting upstream residents, included provisions for "emergency" flooding in the operating rules formulated in 1970. This was not an issue until the 1997 flood when those emergency provisions were invoked. Nonetheless, the Province of Manitoba steadfastly denied any artificial flooding associated with the 1997 flood until confronted with evidence to the contrary (Chuck Howard and Associates 1997) submitted to both The Manitoba Water Commission and the International Joint Commission. Both of these commissions confirmed that artificial flooding had occurred. Subsequently, at the Clean Environment Commission (CEC) hearings on Floodway expansion, it was revealed that Floodway operations had caused higher water levels above natural at least 10 times since construction of the floodway. Use of the floodway, which was originally funded and built on the condition that it would not flood upstream residents, has morphed into something very different from its original intent. Recognition of the rights of upstream residents, which was a basic tenet of the original floodway proposal, no longer receives any consideration. Given this history, it should not be surprising that affected residents are distrustful and cynical of anything proposed by the Province of Manitoba or the Manitoba Floodway Authority (MFA).

Notwithstanding past grievances, NRAC believes it is still in everyone's interest to work together towards developing mutually beneficial and equitable flood protection for all Manitobans. To this end, NRAC provides the following for consideration:

**1. The Province should negotiate with land owners to obtain legal permission to expropriate their private property for temporary water storage.**

Operation of the floodway is based on the presumed right of the province to store water on private property. It has not secured this right and the use of our properties for water storage is expropriation without meaningful and mutually agreed upon compensation. In 1999, members of the Floodway Operation Rules Committee including the municipalities of Ritchot, Morris and Macdonald, strongly asserted that the Province must recognize as a principle governing future operation of the Floodway that: those that suffer from loss due to the existence and operation of the floodway are entitled to full and fair compensation as the principle applies to other similar water control structures; there was simply no reason that benefits should not extend equally to all Manitobans (Floodway Operating Review Committee 1999).

First and foremost must be an offer to pay for the right to flood upstream areas on the basis of value of the property and the frequency of flooding. Recompenses for obtaining this right may take the form of a property tax credit as a percentage of the total property tax, paid by the province to the RM, to maintain the RM tax base. A caveat could then be attached to the land title when the current owners have agreed to the terms of the tax credit, identifying the credit and the right to be flooded. Irrespective of any remedies or compensation for damages that may occur after the fact, the right to exercise the option of flooding upstream properties must be secured in advance. This would acknowledge that there are other costs, both psychological as well as physical, that are triggered by knowing that one's property may be sacrificed and life turned upside down. It is one thing to offer to sacrifice ones property for the greater good on a one time basis, but quite another thing to have it included on a recurring basis as part of an operational program. In its report "Living with the Red" the International Joint Commission (IJC) recognized this in addition to the trauma and anxiety that flood residents had to, and still have to, live with.

*"There is no satisfactory way to sum up the collective trauma of over 100,000 people who were affected by the flood and struggle to recovery, even now, more than three years after the event. The Commission knows from its many visits with local residents, public hearings and study of the flood that the human toll is high and real. There is no easy way to assign an economic benefit to the value of knowing one is relatively safe from future floods or the economic cost of the trauma of knowing that you may once again be flooded." (IJC 2000, p. 36)*

Throughout its report the IJC emphasized the importance of respecting the interests of those who would ultimately be affected by flooding and any associated protection plan. This was clearly stated in their recommendations:

*"Recommendation 3: The city, province and Canadian federal government should cooperatively develop and finance a long-term flood protection plan for the city that fully considers the social, environmental and human effects of any proposed flood protection*

*measures and respects both the needs of Winnipeg and the interests of those outside the city who might be affected by such a plan.”*

Much attention was given to the pain and suffering that was experienced during the 1997 flood but there was no compensation for it or recognition that it should be considered in the planning process. The matter in fact has become worse since the IJC study as we now have the very real and frequent issue of summer flooding to deal with.

Alternatively, the Province might wish to consider fairly de-populating the most frequently flooded areas of Ritchot. One approach might be to determine fair market value now, agreed upon by both parties, and securing that amount in a guaranteed investment. (Establishing fair market value now protects the home owner from devaluation as the neighbourhood is depopulated.) When the property in question is severely damaged in a flood or the owners wish to leave the area, the owner keeps the trust fund and leaves, and Province takes ownership of the property and prohibits future occupancy. This need not undermine the RM tax base, as the Province would compensate the RM in exchange for the complete, discretionary use of the unpopulated reservoir. There are likely other options worth considering but the residents should have a significant say in the development of any such package. Whatever options might be examined it must include meaningful discussion and participation by affected parties – something that has not occurred to date.

**2. The City of Winnipeg should, in the words of the International Joint Commission “adopt a flood culture” and cease developing land that depends on artificially low water levels to be functional.**

The city constructed The Forks walk-way and allowed at least one water taxi company to be established on the basis of low water levels. These levels were either calculated during a dry period or relied on extensive use of the floodway. Several years ago the water taxi operator observed that the summer river level had been “average only 2 years in 11 years of operation.” The city has allowed a new condominium to be built in St. Norbert in a gully several meters below grade and on the outside bend of a river. This gully is often filled with water and the loading of the bank will increase erosion in a naturally eroding area.

These Winnipeg residents and business will soon be clamouring for action to lower water levels and stabilize the banks rather than mitigating potential flood issues at the source. The City of Winnipeg needs to participate meaningfully in its own flood protection rather than relying on backing water onto properties and businesses upstream of Winnipeg.

These two first steps acknowledge the ongoing price upstream residents pay while encouraging Winnipeg to take some responsibility for its own protection.

### **3. Imprecision associated with estimates must be interpreted to benefit the aggrieved.**

The engineering underpinning the Rules of Operation is not without error. Imprecision in the estimates, referred to as “error” (estimate +/-) means that all the parameters used in assessing the impact of floodway operation could be greater or less than the central estimator. Artificial flooding could start earlier or later, be higher or lower, persist longer or shorter, and have a greater or lesser impact than predicted by the central estimator. None of these estimates specifically includes the following:

- Changes in topography subsequent to the date of “natural levels” that increase water levels without being ascribed to floodway operation. For example the creation of dikes around villages displaces water that was not included in the calculation of “natural” and is not included in the calculation of backwater impacts.
- Water levels during a flood are based on flows and a model of the river channel and do not take into account wave action or seiches. If artificial flooding has brought water levels near flood protection levels (FPL), the FPL can be overtopped by minor wave/seiche action.
- There are measurement errors associated with measuring topographical features and elevations, flow rates etc. and the error compounds as the variance of each estimate is ignored as the estimates are combined.
- Measured hill and dike elevations will decrease over time as the construction dirt settles. An error in estimate of a few millimetres appears trivial in engineering calculations but is all that is required to overtop a dyke or basement wall. If 1 mm comes in, it all comes in. A difference of a few millimetres, therefore, can be catastrophic, especially for dike elevations.

In their review of mitigation (October 2008), the MMM Group appears to have used an error of 30% to determine whether mitigation or compensation would be applied. In other words, the error between a natural and an artificial water level was 30%. Given that most upstream residents rely on an individual flood protection dike or hill, built to the post-97 FPL, an error of 30% means the difference between salvation and ruin.

The errors in the estimates have a greater consequence for upstream residents than for Winnipeg in most floods and the floodway should be operated to give these residents the benefit of the doubt (error). This inequity in “who suffers if we’re wrong” should be a guiding principle of operation.

### **4. Whatever the Rules, they must be enforceable and enforced.**

Provincial representatives at the CEC hearings stated under oath, both that the rules were hard and fast and that they were only guidelines. Which case applied appeared to depend on where you lived. The floodway seems to be operated with considerable hand waving at best. The basic *modus operandi* is to do whatever benefits Winnipeg at

the time and modify the rule after. Rule 2 used to contain a prohibition against using the flood gates while there was appreciable ice upstream. That condition was waived at least in 2009. Also in 2009, Rule 2 was invoked, revoked on Easter Sunday then enacted again, causing a rise, sudden drop, and rapid rise upstream. Slide 20 presented at the open house notes:

- “• Floodway inlet control structure was used for summer flooding for the first time in 2002.*
- Rule 4 was established in 2005.*
- Gates used in the summers of 2002, 2004, 2005, and 2010.”*

*And*

- “• In 2005, floodway control structure operations changed from Rule 4 to Rule 1 on June 30 (see History of Operation board).*
- In 2010, floodway control structure operations changed from Rule 1 to Rule 4 on June 3.”*

Rule 4 was created while the CEC process was going on and announced after the 2005 summer operations. So the gates had been used in 3 summers without a rule, presumably without formal approval, then a rule was created to cover the future repetition. Rule 1 was used in 2005 summer and 2010 summer but has no provision to be used except in snow-melt protective situations.

Regardless of what the rules say, upstream residents do not trust their honest application and cannot predict how, when or why the gates will be used. Obviously this interferes with their ability to plan and prepare and contributes significantly to their mental anguish and anxiety. The Rules, once agreed upon and established need to be followed otherwise they become meaningless – as they are mostly now.

**5. Share the protection offered by all the floodworks in southern Manitoba by reducing water elevations upstream of Winnipeg below natural whenever possible, obvious under Rule 1 but a principle that is applicable throughout.**

There is no inherent merit in maintaining upstream levels at the computed “natural” in all cases. It is possible to operate the floodway in a manner that causes no harm in Winnipeg but allows for water levels to be lower than the hypothetical natural levels in upstream areas. Mr. Bowering speaking at the CEC hearings:

- “ 2 ... And so what*
- 3 this shows is that if you just use the recorded*
- 4 flow on the Assiniboine instead of the computed*
- 5 natural flow on the Assiniboine, you would be able*
- 6 to -- the natural would be a little bit -- I don't*
- 7 know if it would be called natural anymore but the*

8 level we would target south of the city would be a  
9 little bit lower than what we are currently  
10 targeting south of the city.  
11 **Obviously, we could target almost any**  
12 **kind of a relationship of sharing of the benefit**  
13 **of the flood control works between the residents**  
14 **south. That's really what Councillor Rutherford**  
15 **was talking about in her questions yesterday.**  
16 **Can't we let the levels go a little bit higher in**  
17 **the city if it's not really high in the city and**  
18 **provide a little bit advantage south of the city.**  
19 **Any of those things are possible; however, the**  
20 **flood control works were built for the City of**  
21 **Winnipeg.** [emphasis added] (CEC 2005b).

Operation of the Shellmouth Reservoir and Portage Diversion for both the benefit of both Winnipeg and upstream residents is the most obvious example. Upstream residents do not currently benefit from these works but are wilfully denied any benefits that would naturally occur from the diversion of downstream flows. The situation only reinforces the "us versus them" mentality of the floodway managers.

**6. The need for Rule 4 to persist has not been established and summer operation should be prohibited.**

Rule 4 is an abomination. It was brought in without review or consultation to retroactively justify previous summer operations. It was not included within the environment assessment of the floodway expansion and as such could not have been considered in any approvals (federal or provincial) granted for the operation of the floodway. Rule 4 is based on the premise that emergency conditions necessitate the use of the floodway to maintain levels below 14 feet James Avenue yet water levels are allowed to rise to 24.5 (or within 2 feet of bank topping) during the spring apparently without invoking the same emergency conditions. It is not clear how there can be a double standard relating to an emergency situation. Furthermore, Rule 4 is not triggered by the actual occurrence of the "emergency" but rather by the perception that those conditions might occur. The "emergency" does not relate to water levels but rather to anticipated precipitation – "Chicken Little" comes to mind here. The bottom line is that this is not an emergency operation but rather an operation of convenience. Upstream residents already are faced with anxiety with every winter snowfall wondering how it will affect them – they don't need the added anxiety of wondering if every summer shower will put them under whether there is a real threat or not. The very real threat for upstream residents is the potential for incremental erosion of the few standards contained in the rules limiting upstream flooding. If 14 James is accepted as an emergency in the summer what is to stop the same or a similar threshold being used for future spring flooding – if that has not already happened.

Unlike the other rules which deal with water that has reached a certain level, it is based on compounding probabilities of forecast rain, the chance of basement flooding, the chance attendant health risk, and the chance of property damage. While there is mathematical error in the engineering calculations governing floodway operation rules 1-3 Rule 4 is based on guesses about what might be.

Contrary to the presentation, there is not a cost/benefit analysis done every time. Rather, the same old figures of basement claims from 1993 are trotted out. Since that time insurance has become available if a check valve is installed and most home owners have installed back up valves. In 2010 the number of claims was in the order of 1000. To compare 2005 rural damages to 1993 urban claims (slide 19) is fallacious and misleading.

Supposed benefits (slide 18) are:

#### **Benefits**

- reduces basement flooding in Winnipeg
  - lower river levels increase the sewer capacity to handle rainfall.
  - increased sewer capacity reduces the risk of basement flooding during major rainstorms.
- reduces health risk
  - high river levels can contribute to sewer back-up and increase the risk of water borne disease.
- reduces risk of property damage in Winnipeg.

It has not been demonstrated that the numbers of basements flooded is reduced compared to the large benefit of inexpensive check valves. The threatened health risks have not been publicly documented on the basis of the 1993 event – with \$140m in damages if health risks were so great, why have the health consequences not been documented in public? “Reducing the risk” has not been demonstrated. Even if it is demonstrated that the chance of damage in the city declines, it is at the cost of guaranteed damage upstream. The invocation of Rule 4 is based on guesses for dubious benefit at real and immediate upstream costs. The fact that the Rule must be invoked long before the perceived threat arrives and once invoked it cannot be reversed in a timely fashion.

### **7. The City of Winnipeg should bring its sewer infrastructure to modern standards to reduce the frequency with which it is overwhelmed by rain.**

Basement flooding is a result of inadequate sewers. It is also preventable using backup valves and insurable if backup valves are installed. Better sewers, backup valves and insurance all obviate the need for summer artificial flooding upstream of Winnipeg. Winnipeg should accept responsibility for its past mistakes. If Winnipeg can sustain 24.5' in the spring (Rule 1) or 25.5' as in the original Rules it should be prepared to take similar levels in the summer.

The whole issue of summer flood protection is an affront to upstream residents. Although it may be understandable and even necessary to flood upstream residents on an emergency basis – to protect the City of Winnipeg during spring flood events - it is not acceptable to flood upstream areas out of convenience. There can only be one threshold for emergency operation - not two as suggested in the proposed rules for the floodway. Operation of the floodway at any time other than for the emergency protection of Winnipeg is not acceptable.

Summer operations distil to a matter of convenience for Winnipeggers. Most of us live and work where we do because we enjoy the rural habitat and wildlife it supports. In addition to their own losses, most residents are appalled at the devastation wrought upon riparian wildlife and habitat during summer operations. Simply balancing our enjoyment against Winnipeg's, summer operation is unjustified. But even before the maximum summer level is reached our roads are flooded and closed, crops destroyed, gardens washed away. And look at how long these disruptions last – 1-2 months (slide 21). Absence of summer flooding is a necessity upstream, not a luxury.

### **Conclusion:**

Residents in north Ritchot do not accept the premise that anyone has the right to expropriate our properties for water storage under any circumstances. We do not accept the premise that the artificial flooding must occur. We do not accept the premise that the floodway cannot be operated to provide an upstream benefit. And we do not accept the premise that the MFA has our best interests and well being at heart. The imposition of artificial flooding, most notably as proposed in Rule 4, amounts to the tyranny of the majority over a minority – a small minority with a small voice that happens to have the misfortune of living upstream of the majority of voters in Manitoba. This is hardly consistent with the generally accepted principles of democracy in a modern society. Democracy needs to be more than two wolves and a lamb voting on what to eat for lunch (attribution unknown).

If you have any questions or would an opportunity to discuss any of the views above, please do not hesitate to contact us directly.

Sincerely,

Dr. Robert Stewart  
NRAC Chair



**References**

Charles Howard and Associates. 1997. Report on the 1997 Red River Floodway Operations. December 18, 1997.

Clean Environment Commission (CEC). 2005 a. Transcript, 7 March 2005, page 02984 lines 19-25 (<http://www.reidreporting.com/RedRiver/MAR705.txt>)

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Floodway Operating Review Committee. 1999. A Review of the Red River Floodway Operating Rules. Manitoba Water Stewardship.

International Joint Commission, November 2000. Living with the Red – A Report to the Governments of Canada and the United States on Reducing Flood Impacts in the Red River Basin.

MMM Group panel # 7, upper left, 2008 Peak Red River Discharge at James Avenue Under Natural Conditions ( $\text{ft}^3/\text{s}$ ) [sic – abscissa is  $\text{m}^3/\text{s}$ ] (unattributed but from KGS/Acres/UMA 2004 a)

## **Review of Red River Floodway Operating Rules - August 2010**

### **Submission by the Elm Park Residents' Association**

#### **Elm Park Residents' Association**

The Elm Park Residents' Association was formed in the late winter/early spring of 1997 in response to a threat to the community by the "Flood of the Century". The Association speaks and acts on behalf of the approximately 200 households in the Kingston Row/Kingston Crescent/Dunkirk Place area west of the St. Vital Bridge.

#### **Previous Major Involvement of the Association**

- ❑ In the spring of 1997 the Association played a key and active role in coordinating the involvement of area residents in sandbagging the community area west of the St. Vital Bridge/Dunkirk Drive and north of the Winnipeg Canoe Club. Most of this area was evacuated for a period of two weeks, due to concerns that the Red River could overtop the temporary sandbag dykes which, in most of the area, sat on top of a permanent secondary dyke. Fortunately all temporary dykes held.
- ❑ Following the 1997 flood, the Association played a key role in liaising amongst area residents and the three levels of government to obtain funding for a major upgrade to the community's secondary dyke, and significant riverbank stabilization works to protect the dykes. In 2002 the Association played a major coordination role in seeing the completion of the construction works involved.
- ❑ Following the 2002 upgrade to the Kingston Row/Crescent secondary dyke, the Association played a key role in assisting the City of Winnipeg in developing the Secondary Dyke Bylaw, which established the legality of the secondary dyke corridor, and established basic responsibilities for home owners to ensure that the dyke would be available, when required, for its intended purpose. This bylaw applies not only to the Kingston Row/Crescent dyke, but all secondary dyke corridors within the City of Winnipeg.
- ❑ In the spring of 2009, the Association played a key role in coordinating and undertaking the installation of temporary sandbag dykes along a significant proportion of the Kingston Row/Crescent dyke, in response to a flooding threat from high ice conditions prior to the spring breakup.

## **Issues for consideration by Manitoba Water Stewardship regarding Red River Floodway Rules of Operation**

Since the members of the Elm Park Residents' Association have a very close relationship with the Red River (more than ½ the members have properties backing on the Red) we have strong feelings regarding the way in which the Provincial Government (and the Federal Government in the Fall) regulates the water level. As the Association sees them, the issues can generally be classified as being Spring, Summer, or Fall issues. Our issues and recommendations, classified by season, are as follows.

### **Spring**

- Put the floodway into operation, regardless of ice conditions, early enough to minimize/eliminate ice damage to the river banks caused by ice breaking up at levels above 12 feet James Avenue Pumping Station Datum . Spring 2009 was a classic example of the winter ice breaking up at extremely high levels, and causing considerable damage to the river banks when ice came into contact with the banks well above the limestone rip rap that had been placed during 2002. Much of this damage could have been avoided if the floodway had been placed into operation earlier.
- Put the floodway into operation regardless of ice conditions, early enough to minimize / eliminate the potential for flooding due to ice jams. In our opinion the flooding that can result from ice jams is the most dangerous and unpredictable threat to our community. It is clear to us, after the sandbagging effort of 2009, that we are at extreme risk when ice conditions and flows combined as they did in that year. We were very fortunate that the ice did not come in contact with our temporary sandbag dykes they would have been destroyed instantaneously causing extreme property damage and threaten the safety of the people in the neighbourhood. Clearly, sandbagging was not the total answer to this type of event.
- Put the floodway into operation early enough to eliminate, or at least minimize, the need for supplementary sandbagging to secondary dykes. By keeping the water levels lower, it would eliminate the cost of unnecessary temporary sandbagging, and also reduce hydraulic pressure on the river banks which would minimize the resulting river bank deterioration which has been occurring in recent years with increasing frequency.

**The Elm Park Residents' Association is in favour of changing the Winnipeg Floodway Rules of Operation to allow earlier operation, regardless of ice conditions, to reduce flood risk and limit damage to the riverbanks.**

**The Elm Park Residents' Association is in favour of changing the Winnipeg Floodway Rules of Operation to allow the water levels to exceed natural levels south of the City to maintain a maximum elevation of 22.5 at James Street for all but the most extreme floods.**

## Summer

- Put the floodway into operation to keep the water level below the limestone rip rap placed during 2002. This will prevent river bank deterioration caused the wash of boat traffic.
- Put the floodway into operation to minimize/eliminate the overtopping of the Forks/Assiniboine River Walkway. The Forks and the Assiniboine River Walkway have become Winnipeg's premier tourist attraction and will become even more so when the Museum for Human Rights and the Upper Fort Garry Interpretive Centre are completed in 2012.
- Put the floodway into operation when sustained heavy rainfalls are predicted in the south Red River Valley, in order to prevent river bank deterioration resulting from high water levels.

NOTE: The 2003 study by the KGS Group into the "Investigation of the Merits of Management of Red River Summer Water Levels in the City of Winnipeg – Final Report" appears to have looked at all these summer issues and concluded that the control of summer levels has merit. It would also appear the KGS study found that, if a decision is made to operate the Floodway in the future for summer water level control, it should be done as soon as water levels exceed a predetermined threshold, such as 9 ft or 10 ft. James Avenue Pumping Station Datum.

**The Elm Park Residents' Association is supportive of the concept of changing the Winnipeg Floodway Rules of Operation to control river levels during the summer for recreational and tourist purposes.**

## Fall

- The Federal Government should be encouraged to draw the Red River water level down at a much slower rate than has been their policy historically. This would give the water table in the adjacent river banks more time to adjust and reduce the outward water pressure on the banks. This would reduce the rate of river bank deterioration. The Association understands that this issue is a Federal Government responsibility, but we are also of the opinion the Provincial Government is the only authority that can raise this issue with the Federal Government in an effective manner.

The Elm Park Resident's Association appreciates this opportunity to provide input into the Review of Red River Floodway Operating Rules. If there are any questions regarding this submission please contact:

Mr. Dave Harrison  
 361 Kingston Crescent  
 ph 257-2601  
 e-mail [dave361@sohl.ca](mailto:dave361@sohl.ca)



The Forks Renewal Corporation  
201 One Forks Market Road  
Winnipeg, Manitoba  
R3C 4L9

To: Manitoba Water Stewardship

From: Paul Jordan  
The Forks Renewal Corporation

Date: August 15, 2010

Re: **Public Review of Floodway Rules of Operation**

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† 204.942.6302  
† 204.943.7915

This memo is in response to Manitoba Water Stewardship's call for public input to the review of the floodway rules of operation.

The Forks has a huge interest in floodway operations as, by sitting at the confluence of the Red and Assiniboine Rivers, we are impacted daily by their ebb and flow. We understand the implications of the upstream effect of using the floodway for summer control measures and are appreciative of the need for balance in all floodway operations.

The Forks' main concern is summer control measures to the 7-foot James level, as the spring freshet is always contemplated in our planning. This memo will be limited to summer flooding impact.

#### **Maintenance**

The Forks maintains the Historic Port, the landscaped terraces and the Riverwalk between the CN Mainline and Parks Canada land. Summer flooding is particularly problematic as it requires that the docks, water bus kiosk, signage, and lighting fixtures along the Riverwalk and Port stairs need to be removed. This often happens with little warning. These summer floods are very damaging because our turf areas and landscaped beds are no longer dormant and die quickly – even after a brief inundation.

After the flood has passed, the walkway needs to be cleaned, the sod replaced and all docks, kiosks, lighting and appurtenances need to be restored.

This routine is expensive and – more recently – is happening several times a season.

#### **Tourism**

The Forks sees 4 million visitors a year. The majority of these visits are made in the summer by tourists. The Port being frequently inundated during this time means the site looks devastated. The Riverwalk is inaccessible and the very popular water buses are inoperable. Our tour boat operator is barely hanging on and relies on large subsidies from The Forks to stay solvent.

The other tour boat operators are having great difficulties accessing the downtown and are also struggling to get by. If things continue as they are going, it won't be long before commercial river tours will no longer be offered on our waters.

### **Missed Opportunities**

Despite the aforementioned concerns, the largest impact is missed opportunity. Admittedly this is harder to quantify but further investment in projects like the waterbus (which was on its way to 100,000 riders per season) are not taking place.

The investment in the marina functions and amenities of The Forks Port are no longer happening. The Forks used to see extensive use of the Port by private boaters. It was a popular meeting spot and a great way for private boaters to tour Winnipeg. These days, private boaters are becoming increasingly rare as they move their boats to other more reliable waterways.

Tens of thousands of visitors come to The Forks via the Riverwalk when it is operating. These numbers decrease significantly when the Riverwalk is inundated, as The Forks Market sees quantifiable and significant reductions in door counts and revenues during this time.

### **Environmental Impact**

The loss of the Riverwalk and water bus service means more people are attending The Forks by car, increasing congestion and the need for parking.

The riparian edge is being scoured by these summer floods ripping trees from the banks and collapsing shorelines. It is particularly damaging in the summer, once the ground has thawed and vegetation is in full bloom. The Forks site crews are continually removing large trees that are deposited on our site after a recent inundation.

The nutrient load carried to Lake Winnipeg as these floods scour the banks is surely contributing to the hypoxification of the lake.

### **Conclusion**

We would like Manitoba Water Stewardship to continue to review the recommendations outlined in section 14 of the "Investigation of the Merits of Management of Red River Water Levels in the City of Winnipeg" report by KGS group in 2003.

The Forks are encouraging the Province to continue to look at ways of using the floodway for summer control levels to 7-feet James. We understand the upstream implications of using the floodway; however a balance must be struck so Winnipeg's premier destination can continue to flourish.



ECONOMIC  
DEVELOPMENT  
**WINNIPEG INC.**

July 6, 2010

Manitoba Water Stewardship  
Box 14, 200 Saulteaux Crescent  
Winnipeg MB R3J 3W3

ATTN: Review Floodway Rules

To Whom it May Concern:

I am writing in response to recent correspondence from John Gunter at Frontiers North Adventures regarding a change to the Rules of Operation of the Red River Floodway. Mr. Gunter's advocacy for changing these rules to utilize the floodway outside of emergency situations on an ongoing basis is to enable more consistent, reliable use of the Forks walkways. We feel compelled to lend support to his recognition of the issue by way of this letter.

Tourism is an important economic driver for Winnipeg and The Forks is a key element in our tourism industry, with its' unique shops, venues, skate park and the highly anticipated Canadian Museum for Human Rights. While we appreciate the complicated technical elements and costs associated with this type of change, we also cite the importance of an open, accessible and enjoyable Forks walkway and amenities to the tourism industry in Winnipeg.

The Forks walkways also provide a path through a historic region of our great city. We are a river city that must continue to celebrate and showcase this important part of our heritage in the tradition of all great river cities.

If it is deemed that the Rules of Operation of the Red River Floodway be amended by Manitoba Water Stewardship to allow for utilizing the Floodway outside of emergency situations, Economic Development Winnipeg Inc. would support this decision as a positive step towards enhancing The Forks experience.

Regards,

A handwritten signature in black ink, appearing to read 'Marina R. James', written over a white background.

Marina R. James MBA  
President and CEO

c: **Mr. John Gunter, General Manager, Frontiers North Adventures**  
Ms Brigitte Sandron, Vice President, Planning & Market Development, Travel Manitoba  
Ms Chantal Sturk-Nadeau, Vice President, Tourism Development, Economic Development Winnipeg



7<sup>th</sup> Floor – 155 Carlton St.  
Winnipeg, Manitoba R3C 3H8  
PH 1.204.927.7810  
FX 1.204.927.7828

July 6, 2010

John Gunter, General Manager  
Frontiers North Adventures  
P.O. 40063, RPO Nairn  
Winnipeg, Manitoba,  
R2L 2G2

Re: Red River Floodway rules of operation; presentation to Manitoba Water Stewardship

Dear John:

This letter is in response to your recent correspondence advocating for a change to the Red River Floodway rules of operation, a change that would allow the Floodway to be used outside of emergency flooding situations, in order to maintain access to the river walk on a more consistent, reliable basis.

While Travel Manitoba does not purport to know the ramifications or costs of such a change, and is therefore not in a position to advocate either for or against such a change, we certainly do support any measures which would allow both residents and visitors greater enjoyment of the Red River and uninterrupted pedestrian access to The Forks.

As a “river city”, Winnipeg celebrates its rivers as part of our heritage, and the walkway provides tourists and residents with the opportunity to enjoy countless activities along its path. It also provides vital pedestrian access to current and future attractions and programming at The Forks

Should Manitoba Water Stewardship determine that operation of the Red River Floodway on an on-going basis is a viable alternative to the current protocol, Travel Manitoba would support this decision as an extremely positive means of enhancing enjoyment of key tourism attractions.

Sincerely,

Brigitte Sandron  
Senior Vice President, Planning and Market Development  
Travel Manitoba





40063 RPO Lagimodiere  
Winnipeg, MB R2C 4P3

1(204) 949-4793  
john.gunter@frontiersnorth.com

August 30, 2010  
Manitoba Water Stewardship  
Box 14, 200 Saulteaux Crescent  
Winnipeg MB R3J 3W3

**ATTN: Review Floodway Rules**

To Whom it May Concern,

We understand current Floodway operating protocol states something to the effect that *"the floodway can be used only in emergency flooding situations"*. We feel a change to this protocol is required and support the position that the floodway should be utilized on an ongoing basis to proactively manage River water levels within the city of Winnipeg.

A main element of any tourism product is reliability; in order to confidently promote a destination or attraction to our valued guests we need to deliver the experience we've promoted and that our guests have come to expect. Winnipeg is a River City and the hub of tourism activity here is at The Forks; the expectation our guests arrive with is that our Rivers and waterfronts are safe, accessible and to be enjoyed.

We feel strongly that utilization of the Floodway to maintain reliable water levels in Winnipeg throughout the summer is integral to Winnipeg and Manitoba delivering reliable tourism experiences. Attractions and activities such as our river walkways, Splash Dash Tours and river cruises rely on specific water levels. Frontiers North Adventures are strong supporters of Splash Dash Tours (with whom we've been working for 5+ years) and the Canadian Museum for Human Rights. In 2013, with the opening of the CMHR tourist volumes in Winnipeg, specifically at The Forks, are expected to increase dramatically. Will we be ready? Also consider by this time the Assiniboine Park Zoo (potentially accessible by water) will be well underway with their \$180 million redevelopment of the Park and Zoo. What sort of impression of Winnipeg will our guests receive if during mid-summer The Forks are submerged under water and our Rivers are neither safe nor accessible?

Currently tourism in Manitoba generates \$480 million in export revenue, \$238 million in provincial tax revenues and \$64.9 million in Municipal tax revenues. 61% of tourists in Manitoba are other Manitobans. Revising the Floodway operations policy will positively affect tourism operations at the Forks and along our waterways. Active water-level management will also improve the tourism experience we are able to deliver to the residents of our great City and Province. Please seriously consider this information in your protocol review.

<http://ti.travelmanitoba.com/researchmarketintelligence/stats.html?item=17476>

[http://ti.travelmanitoba.com/assets/pdf/sell\\_yourself\\_dw.pdf](http://ti.travelmanitoba.com/assets/pdf/sell_yourself_dw.pdf)

Kindly,

John Gunter  
General Manager  
Frontiers North Adventures



# THE CITY OF WINNIPEG

## COUNCILLORS' OFFICE

CIVIC CENTRE • 510 MAIN STREET • WINNIPEG • MANITOBA • R3B 1B9

[www.jennygerbasi.ca](http://www.jennygerbasi.ca)

**JENNY GERBASI**  
Councillor  
**FORT ROUGE-EAST FORT  
GARRY WARD**  
City-Centre Community  
Committee

Telephone: 986-5878  
Fax: 986-5636  
E-Mail: [jgerbasi@winnipeg.ca](mailto:jgerbasi@winnipeg.ca)

**July 22, 2010**

**Manitoba Water Stewardship  
Box 14, 200 Saulteaux Crescent  
Winnipeg MB R3J 3W3**

**ATTN: Review Floodway Rules**

**I write this letter in support of having the rules for the summer control operations for the Red River Floodway reviewed.**

**The current rules of operation are no longer adequate, as one of Winnipeg's biggest attractions; the River walk is inaccessible to Winnipeggers for the majority of the summer. The walkway is too far an important trail not only for residents but for visitors to our city to have it sitting underwater for the majority of the season.**

**I strongly encourage those reviewing the rules of operation to take this matter into consideration when making their decision.**

**Sincerely,**

**Jenny Gerbasi**

**Councillor Fort Rouge East Fort Garry Ward**