

*This report details the implementation and administration of the method of compensation utilized for damages arising from artificial flooding due to the operation of the Floodway under Rule 4.*

Report:

[Implementation and Administration of Compensation Program for Damages Caused by Rule 4 Operation of the Red River Floodway.](#)

Appendix 1:

[News Release for 2005 June Floodway Operation](#)

Appendix 2:

[Sample Aerial Photograph Taken Before Floodway Operation](#)

Appendix 3:

- a) [Sample Intent to Claim Form](#)
- b) [Information Sheet](#)

Appendix 4:

[Sample Newspaper Ad Advertising Program](#)

Appendix 5:

[Sample Aerial Photograph Taken After Floodway Operation](#)

Appendix 6:

- a) [Instructions to Private Adjusters](#)
- b) [Schedule A – Fee for Service Contract Services](#)

Appendix 7:

[Sample Acknowledgement Letter](#)

Appendix 8:

[Sample Report from Private Adjuster](#)

Appendix 9:

[Sample Summary Report](#)

Appendix 10:

[Sample Release Form](#)

**Implementation and Administration of**

**Compensation Program**

**For Damages Caused by Rule 4**

**Operation of the**

**Red River Floodway**

- Manitoba Water Stewardship, July 2006

## **Introduction**

Rule 4 of the Red River Floodway Operation rules permits the Manitoba Government to operate the Red River Floodway on an emergency basis, following the spring crest from snowmelt runoff. The rule also stipulates that the Manitoba Department of Water Stewardship (WSD) must maintain a program of compensation for damages suffered by landowners, when damages arise from flooding caused by Floodway operation under Rule 4.

Under *The Manitoba Environment Act*, the WSD and the Manitoba Floodway Authority were issued a licence for the expansion of the Red River Floodway. This licence was issued on July 8, 2005. Clause 41 of the licence states the following:

*The Department shall, within one year of the date of this Licence, provide a report to the Director respecting compensation for individuals, businesses and organizations affected by artificial flooding due to operation of the Development [i.e., the Red River Floodway] pursuant to Rule 4 of the rules of operation of the Development. The report shall describe in detail the implementation and administration of the chosen method of compensation. This report shall be placed and maintained on the Department's website.*

The balance of this report details the implementation and administration of the method of compensation utilized for damages arising out of operation of the Floodway under Rule 4.

## **Prior to Initial Floodway Operation Under Rule 4**

Prior to the initial operation of the Red River Floodway gates, under Rule 4, a number of actions will be taken. Several actions are aimed at providing potentially affected landowners south of the Floodway with information so that they might take reasonable actions to reduce their damages due to flooding.

- At least 24 hours before commencing the initial operation of the Floodway, a news release will be issued to announce the decision to operate the Floodway. The news release will indicate when the initial operation of the Floodway is anticipated, when the peak water levels due to this operation are anticipated, how long flooding due to this operation is expected, and how the anticipated flooding compares to recent summer-time or spring-time flood events. As well, the news release will indicate that a compensation program will be introduced, and the main elements of the program will be outlined. (The news release for 2005 June Floodway operation is in Appendix 1.)
- The WSD will make every reasonable effort to personally notify prior to the initial operation, landowners who may be directly flooded by operation of the Floodway. Specifically, staff from WSD and from the Manitoba Emergency Management Organization (MEMO) will telephone each landowner who received compensation under this program in previous years. The landowners will be provided with the key pieces of information contained in the news release, namely, initial operation, anticipated peak, duration of flooding, comparison to recent floods, and the commitment to introduce a compensation program. Regarding the program, landowners will be specifically informed that "Intent to Claim" forms will be mailed out so that they may apply for compensation, and that those forms will also be available on the WSD's website and at the municipal offices in their area. As well, landowners will be encouraged to document via photographs any flood-related damages that occur.
- The horn at the Floodway Inlet Control Structure will be sounded one-half hour prior to the initial operation of the Floodway gates.

Approximately one or two days before the initial operation of the Floodway gates, the WSD will document the extent of flooding and the current level of crop production, etc. This will serve as the "base case", against which flood damages due to Floodway operation will be ascertained. This documentation will be in the form of aerial photography, taken by helicopter, using both video imagery and electronic still images. The spatial markers of these imagery and images will be sufficiently robust and detailed to enable those working on the compensation program to clearly and definitively identify to where these images pertain. In 2005, the software that was used to achieve this was MapMedia; however, other similar software may be used. The imagery and images will be obtained along both banks of the Red River and its significant tributaries, from the Floodway to approximately Morris. If possible, a hydraulic analysis will be undertaken prior to collection of this imagery to determine the upstream extent of this imagery. If it is not possible to undertake such an analysis, the southern extent should be at least to the Town of Morris. One set of imagery should be obtained at a relatively low height, so that sufficient

detail is captured of flooding, crop production, etc. (A sample of this photography is shown in Appendix 2.) As well, some high-level imagery should be obtained to ensure that the spatial extent of the flood is clearly documented.

### **Initiating the Compensation Program**

As indicated above, the commitment to introduce a compensation program will be announced in the news release issued prior to the initial operation of the Floodway. As well, the planned introduction of the program will be outlined to the landowners who are contacted by telephone prior to the initial operation. Also at that time, the landowners will be informed that "Intent to Claim" forms will be mailed to them, and that those forms will also be available on the WSD's website and at the municipal offices in their area.

"Intent to Claim" forms and a brief explanation of the compensation program will be mailed to all landowners who claimed for compensation in previous years when the Floodway was operated under emergency conditions under Rule 4 (samples are shown in Appendix 3). Additionally, it will be indicated to the landowners that documenting by photographs any damages that occurred would be very useful, and could greatly expedite processing of any claims for compensation. The "Intent to Claim" form and explanation will be posted on the WSD's website, for downloading by landowners. Additionally, copies of the form and explanatory text will be offered to the local governments in the area upstream of the Floodway. Depending on the anticipated geographic extent of the flooding arising from the operation of the Floodway, these local governments could include the rural municipalities of Ritchot, Macdonald, Morris, Hanover and De Salaberry. Lastly, program details will be advertised in English and in French for several weeks in all pertinent local newspapers servicing the rural municipalities to which copies of the "Intent to Claim" form are distributed (a sample newspaper ad is contained in Appendix 4).

### **Documenting the Flood Damages**

At or near the peak of the flooding arising from the Floodway operation carried out under Rule 4, aerial photography documentation will be collected. As described earlier for the documentation prior to the initial gate operation, this peak-time documentation will be in the form of aerial photography, taken by helicopter, using both video imagery and electronic still images. The imagery and images will be obtained along both banks of the Red River and its significant tributaries, for the appropriate reach south of the Floodway. The imagery should be obtained at a relatively low height, so that sufficient detail is captured of flooding, crop production, etc. The area covered by the imagery should be sufficiently broad, so as to document the actual flooded area, but also nearby areas which may be, or which may be perceived to be indirectly affected by the surface flooding (samples are shown in Appendix 5).

### **Administration of the Compensation Program**

The WSD will be responsible for the compensation program. If practicable, staff from MEMO will be utilized to administer the program, as MEMO has extensive experience in administering flood-related assistance programs. A Program Manager will oversee the execution of the program, with clerical and technical support provided by staff, as required. If MEMO staff are not able to fill these roles (because of, for example, other pressing programs which must be delivered), WSD staff will do so. The Program Manager will be a civil servant from either MEMO or WSD, but other roles may be filled under contract by qualified private companies and/or individuals, as required. Qualified private companies and/or individuals will most likely be hired to undertake site inspections, as the number of site inspections and the resulting volume of work involved in all of the inspections will likely be too large to be carried out within the resource capabilities of WSD and/or MEMO. The Program Manager will ensure that these private companies or individuals are well briefed on the confidentiality rules that apply, on what information and documentation is required when undertaking site inspections, on the nature of the reports to be produced regarding each claim for compensation, and on the deadlines for those reports. (A sample of a document provided to private companies in 2005 is included in Appendix 6.) It is advantageous to make deadlines reasonable but firm, and to indicate to the private companies and individuals under contract that missing deadlines may result in termination of their contracts.

The value of the claims to be awarded to landowners will be decided upon by a Review Committee, consisting of one member from these three Provincial Government Departments: Water Stewardship; Intergovernmental Affairs and Trade (specifically, Emergency Measures Organization); and Manitoba Agriculture, Food and Rural Initiatives. The Committee will consider the summary report as presented by the Program Manager and will review the information to ensure that the proposed compensation value is fair and based on the policies developed for the program.

### **Processing Claims**

After receiving "Intent to Claim" forms from landowners, the program staff will send acknowledgment letters, indicating that the forms were received and that the landowners will be contacted by an adjuster to discuss their claims and to obtain additional documentation and detail (sample in Appendix 7). Each claim will be assigned to an adjuster. Depending on the nature of the claim, an adjuster with the pertinent specialized knowledge and experience will be assigned, to ensure that information and documentation for the claims are collected appropriately, and the assessment is done most accurately. The adjuster will conduct a site visit, document what is reported by the claimant, document his/her observations in writing and by photographs, prepare a sketch of the site, estimate the damages due to flooding, and produce a report (sample in Appendix 8). Following receipt of the adjusters' reports, the Program Manager and/or the technical staff will check the reports for completeness, thoroughness and accuracy. Depending on the completeness of the report, the adjusters may be asked to return to the sites for additional information, or the Program Manager and/or technical staff may do site inspections and/or request additional information from the claimants. Once all the claim information is collected, the Program Manager or technical staff will prepare a summary report (sample in Appendix 9). If not already provided by the adjusters, the summary report will likely include aerial photography obtained during the above-described documentation flights and other relevant photography.

As noted earlier, the summary report will be reviewed by the Review Committee. The Committee will ensure that the compensation value proposed in the report is fair, consistent with the policies of the program, and consistent with other claims in that year and other years. As well, the Committee will determine if the documentation provided is thorough. If the Committee determines that the claim value as presented in the summary report is appropriate, a summary of the report (including pertinent documentation and aerial photography) will be sent to the landowner, explaining the details and rationale of the proposed compensation value. As well, a "Release Form" will be sent which indicates that the landowner accepts the proposed compensation value, and that that value is comprehensive for the damage experienced (sample in Appendix 10). If the landowner is satisfied with the proposed compensation value, he or she will sign the "Release Form" and return it to the Program Manager. A cheque will then be issued to the landowner. If the landowner is not satisfied with the proposed compensation value, he or she can discuss their concerns with the Program Manager or technical staff. If new information is provided, the analysis will be re-done and presented again to the Review Committee. If no new information is provided but the landowner contends that the proposed compensation value is unsatisfactory, the Review Committee will re-examine the report and claim. If, at some point in this process, the proposed compensation value is not accepted by the landowner, and the Review Committee, after re-examination, believes there are no reasons to modify that value, the landowner will be informed that he or she may then appeal the decision in writing to the Executive Director, Infrastructure and Operations Division, (WSD). The Executive Director will undertake a review of the claim and make a ruling after that review.

In the process described above, if the Review Committee is not satisfied with some aspect of the report or proposed compensation value, the Committee will request that some appropriate additional work be undertaken to address its concerns.

## **Compensation Principles**

Landowners who experience damages arising from Floodway operation carried out under Rule 4 will be compensated for those damages only. Damages that result from flooding that occurred prior to the Floodway operation, or damages from excessive wetness due to rainfalls will not be compensated for. More specifically, a "recovery model" is used to calculate the value of the damages. That is, the damages are calculated as being the monetary value of restoring the landowner to the situation that he or she would have been in if the artificial flooding had not occurred. Eligible damages span a very broad range, and include damages to agricultural crops, gardens, lawns, roads, immovable equipment, docks, and newly-planted shrubs or trees. They also include the cost of removing debris and of eradicating weeds that otherwise would not have been on the landowner's property. For agricultural crops, the compensable value is calculated as being the gross revenue of that crop, minus the farm costs that were not incurred because of the stage at which the crop was damaged, and also minus the federal and provincial governments' shares of any crop insurance payments received (if any). Information on crop insurance payments is provided by the Manitoba Agricultural Services Corporation on a confidential basis. The Intent to Claim form notifies the claimant that the department may access this information. The compensation program also gives consideration to the fact that loss of access to some un-flooded land could result in damages, that land directly adjacent to surface-flooded land could experience some damages, and that the flooding may have prevented landowners from planting crops if the flooding occurred early in the growing season. For several categories of damage, such as road repairs or repairing immovable equipment, two or more estimates of the repair costs are usually required. For debris cleanup, personal labour is valued at about 25% above the minimum wage. For repairs and cleanups, compensation is provided regardless of whether the landowner undertakes the repair or cleanup work. If the landowner hires a third party to effect the repair or cleanup, he or she is reimbursed for the cost of the work based on the contractor's invoice.

Compensation is not available for the hypothetical cost of storing water on private property; for structures which were constructed without the necessary permits; for established, native trees, as a few weeks of summer-time flooding is not deemed capable of permanently damaging established trees; easily moveable items like tractors; and riverbank erosion, as such erosion is deemed to be a natural phenomena.

**Appendix 1**  
**News Release for 2005 June Floodway Operation**

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**News**Release



News Media Services  
Room 29, Legislative Building  
Winnipeg, Manitoba  
R3C 0V8

Telephone: (204) 945-3746  
Facsimile: (204) 945-3988  
nmsservices@leg.gov.mb.ca  
www.gov.mb.ca

June 13, 2005

**EMERGENCY OPERATION OF RED RIVER FLOODWAY ON TUESDAY**

Manitoba Water Stewardship will operate the Red River Floodway in 24 hours to lower river levels in the City of Winnipeg. The river level is currently at 15.2 feet at James Avenue.

The floodway will be operated to reduce the probability of widespread basement flooding and the resulting risk to health and damage to property within the city.

The Portage Diversion is also operating to reduce the flow of Assiniboine River water into the Red River. Diversion operations will also manage water levels from Portage la Prairie to Headingley.

The Red River is expected to crest in Winnipeg at about 17.5 feet at James Avenue next week if the floodway is not operated. Above 14 feet, the capacity of the city's sewer system will be exceeded if heavy rain develops over the city.

With prevailing weather conditions and the expectation the river level will be above 14 feet for the next three weeks, there is a significant likelihood of a rainfall event that would cause widespread basement flooding in the city.

Similar to previous summer operations, the province will implement a compensation program for damages suffered by landowners arising from flooding caused by this floodway operation.

The floodway was last used for a non-spring emergency flooding event in June of 2004 when the Red River crested at 15.3 feet.

The floodway will remain in operation as required.

**Appendix 2**  
**Aerial Photograph Taken Before Floodway Operation**

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CLAIM #05-XXXX PHOTO TAKEN JUNE 13, 2005



**Appendix 3a  
Sample Intent to Claim Form**

***Intent to Claim***  
***Province of Manitoba***  
***2005 Emergency Floodway Operation Compensation Program***

Surname or Business Name		First Name	Initial
Contact name (if different than above)			
Mailing Address (Civic Address, PO Box, Rural Route)		City, Town, Village	
Province	Postal Code	Local Authority	
Phone Numbers	Home	Work	Cell

<b>Date of Loss</b>	(dd)	(mm)	(yy)	Damage Location (Civic / legal description)
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**Please indicate the type of property damage that you are claiming**

<b>Residential Claim</b>	<input type="checkbox"/> Homeowner	<input type="checkbox"/> Tenant
	<input type="checkbox"/> Damage to my principal residence	
<b>Commercial Claim</b>	<input type="checkbox"/> Farm	<input type="checkbox"/> Small Business
	<input type="checkbox"/> Non Profit Organization	

**Briefly describe the damages and losses you have incurred**


**Please mail completed form to:**

Province of Manitoba  
Emergency Floodway Operation Compensation Program  
Program Manager  
Box 19, 200 Saulteaux Crescent,  
Winnipeg MB  
R3J 3W3  
Fax: (204) 945-7419

**If you have any questions, please contact:**

John Doe: Tel (204) 945-1234; E-mail: [jdoe@gov.mb.ca](mailto:jdoe@gov.mb.ca)  
Jane Smith: Tel (204) 945-5678; E-mail: [jsmith@gov.mb.ca](mailto:jsmith@gov.mb.ca)

This information is being collected under the authority of the 2005 Emergency Floodway Operation Compensation Program and will be used for the administering of the program, determining compensation eligibility and providing financial compensation. Personal information may be shared with other government agencies such as the Manitoba Emergency Measures Organization and the Manitoba Crop Insurance Corporation.

It is protected by the Protection of Privacy Provisions of the *Freedom of Information and Protection of Privacy Act*. If you have any questions about the collection, contact: Access and Privacy Officer, 1383 Whyte Avenue - Bldg #1, Winnipeg, MB R3E 1V7, (204) 945-4170.

## ***Information Sheet***

### ***Province of Manitoba 2005 Emergency Floodway Operation Compensation Program***

Compensation is available to local governments, individuals, farm and market garden operations, small business and non-profit organizations which have incurred losses or damages as a result of summer 2005 gate operations.

This information sheet is intended to provide you with basic information about the available compensation and to assist you in determining if you are eligible.

#### **Eligible compensation generally includes:**

##### Pre-emptive and Clean up Costs

- To prevent or reduce damages or losses
- To remove debris and clean up developed property

##### Financial Losses

- Loss of planted crops
- Unseeded acreage
- Loss of inventory or input costs

##### Property Damage

- Restoration of damaged buildings
- Restoration of damaged residential yard sites
- Restoration of cultivated agriculture lands
- Damage to equipment
- Landscaping such as fences, lawns and other improvements
- Docks and recreational items and equipment

#### **Compensation is not available for:**

- Losses or costs that are not a result of artificial flooding
- Losses or costs for upgrades or improvements
- Costs to reduce or prevent future loss or damage

#### **Once your Intent to Claim form is received:**

You will be contacted by our staff to arrange a visit of your property to assess your damages and further discuss your claim.

## 2005 Emergency Floodway Operation Compensation Program

If you are a landowner who suffered damages and/or losses as a result of the emergency operation of the Red River Floodway this summer, you may file an *Intent to Claim* form with Manitoba Water Stewardship. Only damages and losses caused by artificial flooding resulting from Red River Floodway operation are eligible for financial compensation.

*Intent to Claim* forms are currently being mailed to all landowners who filed a claim with the 2004 compensation program. If you did not file a claim in 2004 but you plan to file a claim this year, you may obtain a form by calling Manitoba Water Stewardship at 204-945-2121 or visiting one of these municipal offices:

**Rural Municipality of Ritchot**  
352 Main Street  
St. Adolphe, MB R5A 1B9  
Phone: 1-204-883-2293

**Rural Municipality of Morris**  
207 Main Street  
Morris, MB ROG 1K0  
Phone: 1-204-746-2642

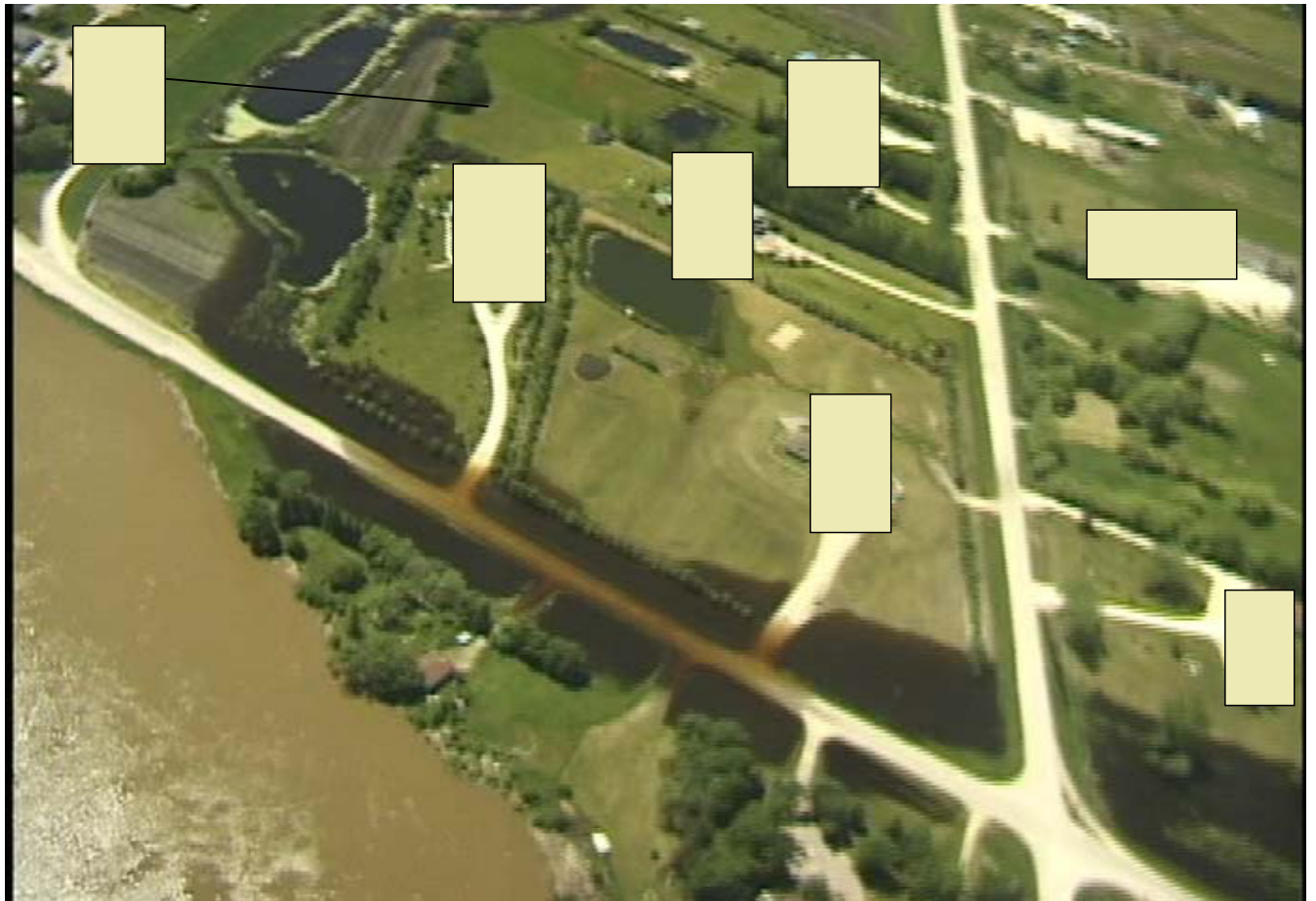
**Rural Municipality of De Salaberry**  
466 Sabourin Street, Box 40  
St. Pierre Jolys, MB ROA 1V0  
Phone: 1-204-433-7406



2005 Emergency Floodway Comp Ad  
MCNA (1 Member)  
Size: 3 5/16" wide x 90 lines deep

**Appendix 5**  
**Aerial Photograph Taken After Floodway Operation**

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CLAIM #05-YYYY PHOTO TAKEN JUNE 20, 2005

## **Appendix 6a Instructions to Private Adjusters**

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### **Information to Private Contractors (for 2005 Program)**

#### **1. Introduction**

This is a compensation program for people that were flooded due to summer floodway operations. This summer's floodway operation caused river levels to go above natural. This program is unique because it is not an assistance program; it is a compensation program. The people flooded are mainly market gardeners and cereal grain farmers. All the above agricultural claims are being analyzed internally by government staff. The purpose of the private adjusters and consultants is to analyze all other claims. These will include debris, docks, roads, fences, etc. Basically, the adjusters and consultants will analyze anything that has a financial implication to the landowner.

#### **2. Uniqueness of 2005**

This was a unique year for the operation of the floodgates. The floodgates were raised on June 14, which caused river levels to go up. We then experienced heavy rains in late June, which caused the river levels to increase further. The peak water from these rains caused natural flooding which was higher by 2.5 feet (just south of the Floodway gates) than the earlier artificial water levels.

**2.1** Manitoba Water Stewardship will provide graphs, small charts, and other information to the private adjusters and consultants in an effort to aid them in determining which damages and financial implications were caused by natural flooding and which were caused by artificial flooding.

**2.2** It is unlikely, however possible, that there was significant natural flood damage in areas south of the floodway prior to June 14 (when the floodway gates were raised).

**2.3** This program will be different than the previous because EMO is also running an assistance program and information and data needs to be cross-referenced between EMO and Water Stewardship. There is a statement at the bottom of the Intent to Claim form advising claimants that their information may be shared with other government agencies.

#### **3. Instructions**

The job of the private adjusters and consultants is to collect all relevant information, in recognition of all the complexities. The private adjusters and consultants will be completely separated from the final compensation decisions, and must make no commitment to claimants.

**3.1** Initial contact must be made to the claimant by the consultant before arriving at their property. This is to give the claimant some assurance that the program is in motion and also to arrange the meeting.

- 3.2 It was suggested that private adjusters give claimants a letter indicating who the adjusters are and what organization they are from while avoiding giving their phone numbers to claimants. If claimants have any questions, comments, or problems with their claim, they should be contacting Water Stewardship.
- 3.3 A property elevation is not required by the province. Private adjusters and consultants are to produce a site diagram.
- 3.4 The property being inspected should be analyzed in its entirety. Water Stewardship will instruct adjusters for each case individually.
- 3.5 Many claimants may be unhappy about previous settlements and may try to make demands to the private consultants. If this occurs, the private consultants must make it clear that they are there strictly for the purpose of collecting information and have no involvement with the final compensation decision. If a claimant refuses to talk to an adjuster or allow them on their land, the private consultant will then follow the claimant's wishes and leave.
- 3.6 Documents (invoices, pictures, etc.) provided by the claimant are not to be given to the consultants but mailed to the Water Stewardship office at 200 Saulteaux. This will help to accommodate organizational efficiency and prevent loss of important documentation.
- 3.7 There will be an Inspection Report that adjusters are to complete and have signed by the claimant before they leave their property. This report will indicate all financial implications that the claimant wishes to claim. The purpose of the Inspection Report is to more concretely verify that all financial implications have been noted by the private adjusters. If the claimant wishes to have a copy of this report, Water Stewardship will send them a copy. If the private adjuster would instead rather make a duplicate for the claimant, that is acceptable as well.

#### **4. Contract Between Water Stewardship and Adjusters/Consultants: Schedule A (Scope of Work)**

The first line of Schedule A states that a contractor must agree to provide a maximum of two agents to the 2005 Floodway Operation Compensation Program. This is intended to ensure that agents who work on this program develop an expertise in this particular field of loss adjustment.

- 4.1 Monetary values that can be easily calculated by the private adjusters should be supplied by the private adjusters. Monetary values that are more ambiguous and not as easily determined should be supplied by the claimant, getting a number of quotes, if that is reasonable and practical.
- 4.2 Past experience has shown that a pre-decided labour rate and hours dictated by the adjuster is more efficient for claimants who wish to clean up their debris themselves. Information on an estimate for the cost of hiring someone else to clean up a claimant's debris should be collected from the claimant.
- 4.3 A completed report deadline of four working days after the completed inspection would be ideal however, may not be enough time. Private adjusters would be able to send an e-

mail to Water Stewardship informing of completion of inspection. However, depending on the case load at the time, adjusters probably won't have the report completed by the four working days deadline.

**5. Schedule B (Payments)**

Due to the time and costs necessary to open and close files, it would be more cost efficient for adjusters to bill one invoice to Water Stewardship for the entire project as opposed to each individual file. However, for detailing and informational purposes, the decision was made by Water Stewardship for separate time-accounting for each individual claim.

**6. Other Comments and Concerns**

The adjusters requested that claims be assigned geographically. This is to prevent private adjusters from crossing back and forth over the Red River repeatedly.

**Appendix 6b**  
**Schedule A – Fee for Service Contract Services**

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**SCHEDULE ‘A’**

**FEE FOR SERVICE CONTRACT SERVICES**

The Contractor agrees to provide a maximum of two agents with loss adjustment expertise to the 2005 Emergency Floodway Operations Program. Each agent shall attend an initial program briefing with the Program Manager or his representative, and perform the following functions on specific projects as assigned by the Program Manager or his representative.

- Attends the claimant’s residence/farm/business to evaluate damages caused by the 2005 emergency Floodway operation.
  
- Conducts site inspection and prepares written report to the standard set by the Program Manager. Each report to include:
  - i.* detailed description of damages and calculation of monetary value of damages, with an explanation and justification of the monetary value
  - ii.* sketch of damaged area with dimensions
  - iii.* photographs of damaged property
  - iv.* statement of loss by claimant
  - v.* description of outstanding, unresolved, controversial, disputed or difficult issues which are to be referred to the Program Manager
  - vi.* any other relevant information regarding the inspection and project.
  
- Submits each report in electronic (Microsoft Excel and/or Microsoft Word) and written format and all files related to that report/project to the Program Manager or his representative within four (4) working days of the completion of the inspection.

Attends meetings as requested by the Program Manager or his representative.



Appendix 7  
Sample Acknowledgement Letter

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**Manitoba**



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***Water Stewardship***

Infrastructure and Operations  
Box 19 – 200 Saulteaux Crescent  
Winnipeg MB R3J 3W3  
Tel: (204) 945-2121

Fax: (204)945-7419

*Fax: 945-7419*

Date:

**File: 10.5.1.3 (05-)**

Dear:

***2005 Emergency Floodway Compensation Program***

This letter confirms that we have received your Intent to Claim form for the 2005 Emergency Floodway Operation Compensation Program for damages resulting from the summer 2005 Floodway gate operation.

Your claim has been assigned to an inspector. He/she will be contacting you in the near future to begin processing your claim.

Your file number for this program is shown above. Please refer to this number when making enquiries. In the meantime, if you have any questions or would like further information, please contact me at (204) 945-2121 during regular office hours, Monday to Friday from 8:00 a.m. to 4:00 p.m.

Yours truly,

**John Doe**

John Doe  
Program Manager



**FURTHER ACTIONS:** As our involvement in this matter is concluded, our final fee is enclosed for your consideration.

**ENCLOSERS:**

1. Diagram of
2. Photographs
3. Written statement from claimant
4. Fee

Yours Very Truly,

ABC ADJUSTERS

Bob Jones

Robert Jones B.A.



Section of damaged grass covered in weeds, facing west



Section of damaged grass covered in weeds, facing west



Section of damaged grass covered in weeds, facing west



View of debris collected on property, facing north



View of debris collected on property, facing north



View of debris collected on property, facing west



Arrow indicates debris collected on property, facing north



View of debris collected on property, facing west



View of debris collected on property, facing north





View of garden damaged by flood waters, facing east

INSPECTION REPORT

Name: Jim Smith

Phone: 123-4567

Claim Number: \_\_\_\_\_

COMMENTS

- My name is Jim Smith I own a property at RL 999 in Anytown MB
- I experienced damage to my property from the flood gates opening
- I have no record of the water level at any specific date I do know that the water stayed at its peak for about 14 days
- ~~6~~ years ago I planted shrubs the flood water killed them
- I plant a garden 50'x120' it was ruined by the flood as well as bedding plants
- large section of grass was killed along the bank
- debris was left across my property
- I have an estimate to clean up the debris for \$2500.00
- to replant the grass is about \$500.00
- The loss to the garden and bedding etc is \$300.00
- about 40 shrubs \$25 a shrub

I, Jim Smith accept the information in this report to be true and accurate to the best of my knowledge, and understand that this inspection does not constitute eligibility for compensation.

Date: Sept 23/2005

Jim Smith

Applicant's signature

Diagram #1

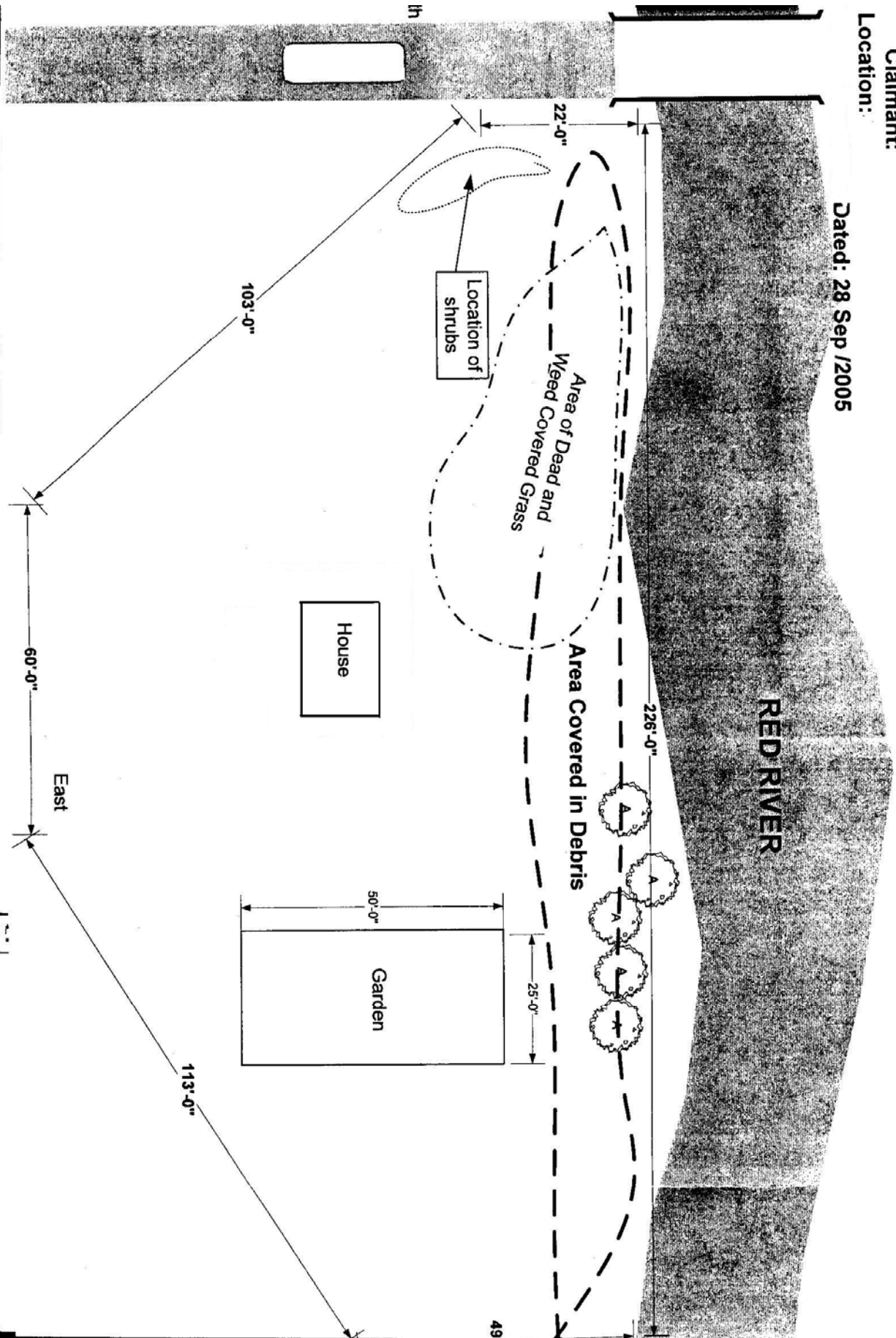
Claimant:

Location:

Dated: 28 Sep /2005

West

RED RIVER





**Winnipeg MB R3J 3W3**

***2005 EMERGENCY FLOODWAY OPERATION COMPENSATION PROGRAM***

***FILE SUMMARY REPORT***

**Date:** February 03, 2006  
**To:** Review Committee  
**From:** John Doe, Program Manager  
**Re:** Claim #05-XXXX

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**Background:**

Mr. Jim Smith has filed a claim for debris cleanup, loss of trees, erosion repair (surface runoff not river erosion), and lawn reseeding. An aerial photograph taken on June 20, 2005 indicates that the water surface elevation on that date did flood part of the lower river embankment. Cleanup of debris, and reseeding of the lower lawn area is warranted. The loss of trees is not eligible as part of this program, and neither is the gully erosion, which is perpendicular to the river, and appears to have been created by surface runoff from the upper embankment (see photo in file).

Debris cleanup for Mr. Smith and his two children totaled 30 hours. He also used a 30 HP tractor with a front end loader for 10 hours. Rate for the tractor is

Recommended compensation for debris cleanup is \$500.00

**Issues:**

John Doe

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John Doe  
Project Manager

**Appendix 10**  
**Sample Release Form**

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2005 Emergency Floodway Operation Compensation Program

RELEASE

Claim Number: 05-XXXX

I, Jim Smith of River Lot 999, Anywhere MB, in consideration of the sum of \$500.00 paid to me by the Province of Manitoba, the receipt and sufficiency of which is acknowledged, release absolutely the Province of Manitoba, its officers, employees and agents from any and all claims, liabilities and demands which I have had, now have, or may have in relation to any and all financial loss or expenses incurred by me in relation to the operation of the Red River Floodway Inlet Control Structure in the month of June, 2005.

I also agree that the above payment is made on a confidential basis and I agree that this payment and the terms and conditions of payment shall not be disclosed or otherwise communicated to any person, firm, corporation or entity, apart from my legal counsel and financial advisers (who would be bound by this confidentiality agreement), except under compulsion of law and except insofar as is necessary for me to state that the terms of the settlement are confidential and that I will direct such persons to whom such disclosures is made to keep such terms confidential.

Jim Smith

\_\_\_\_\_  
SIGNATURE

Theodora Smith

\_\_\_\_\_  
WITNESS SIGNATURE

March 31, 2006

\_\_\_\_\_  
DATE