Manitoba
Infrastructure
Water Management, Planning and Standards
2nd Floor 280 Broadway
Winnipeg, Manitoba R3C 0R8
T 204-945-2121 **F** 204-948-4764
MITWaterReview@gov.mb.ca

October 19, 2018

Our File: Red River Floodway – 10

City of Winnipeg
Water Services Division
552 Plinguet St
Winnipeg MB R2J 0G1

Attention: David Minor

Discharge from Shoal Lake Aqueduct into Red River Floodway

Dear David Minor:

Attached is the required Provincial Waterway Authorization for discharging five (5) Million litres from Shoal Lake Aqueduct into the Red River Floodway) in order to facilitate inspection activities, in accordance with the Provincial Waterway Application submitted by the City of Winnipeg and dated October 15, 2018.

Manitoba Infrastructure requires the signature of the Applicant on all Provincial Waterway Authorizations. Attached you will find 2 digital copies of the Authorization. Please print and sign two copies and return both signed hardcopies to Water Management, Planning and Standards, address above. Once your original signed Authorization is received by Water Management, Planning and Standards the designate for the Minister of Infrastructure will also sign. The Authorization will take effect once both parties have signed the document. A scanned copy of the signed Provincial Waterway Authorization will be sent to you by email and an original hardcopy of the Authorization will be returned by mail.

As indicated in Condition 1 of the Authorization, please contact Roger Lemoine, senior water control technician at either 204-792-2490 or roger.lemoine@gov.mb.ca as soon as possible prior to the authorized discharge and at completion of the discharge for a final inspection of the work area, or to address any questions which you might have regarding this Authorization.

Sincerely,

Original signed by

Evan Graham
A\Development Review Specialist

Cc: Roger Lemoine, senior water control technician

PROVINCIAL WATERWAY AUTHORIZATION

under

The Water Resources Administration Act, C.C.S.M. c. W70
Subsection 14(4)

Red River Floodway - 10

Applicant: City of Winnipeg
Water Services Division
c/o David Minor
552 Plinguet St
Winnipeg MB R2J 0G1

Description of Work: Discharge five (5) Million litres from Shoal Lake Aqueduct into the Red River Floodway (the "Provincial Waterway") in order to facilitate inspection activities (discharge will take place over a one (1) hour period) (collectively, the "Works").

Whereas,

A. The Red River Floodway has been designated a Provincial Waterway in accordance with The Water Resources Administration Act, C.C.S.M. c. W70 (the "act");

B. As a Provincial Waterway, Her Majesty the Queen in Right of the Province of Manitoba ("Manitoba") has jurisdiction over, and control and possession of, the Red River Floodway;

C. The City of Winnipeg (the "Applicant") has applied to Manitoba for Authorization to discharge five (5) Million litres from Shoal Lake Aqueduct in order to facilitate inspection activities (discharge will take place over a one (1) hour period) in the October 15, 2018 Provincial Waterway Authorization Application by the City of Winnipeg:

In accordance with subsection 14(4) of the act, the Minister of Manitoba Infrastructure (the "Minister"), on behalf of Manitoba, hereby grants the Applicant Authorization to discharge five (5) Million litres from Shoal Lake Aqueduct in order to facilitate inspection activities as stated in the description of works (October 15 2018 Provincial Waterway Authorization Application by the City of Winnipeg attached as Schedule "A") subject to the following terms and conditions:

1. Roger Lemoine, Senior Water Control Technician must be contacted at either 204-792-2490 or roger.lemoine@gov.mb.ca as soon as possible prior to the discharge taking place.

2. This Authorization is valid from 12:00 Midnight on October 22, 2018 to 12:00 Midnight on October 23, 2018, unless terminated earlier by the Minister in writing.

General Liability Conditions

3. Manitoba assumes no liability of any nature for any consequence of granting of this Authorization.

4. This Authorization does not create, transfer or convey to the Applicant any right or interest in land, or a license or easement or right-of-way in respect of land.

5. The Applicant shall and does hereby agree to indemnify and save harmless and defend Manitoba from and against all claims, actions, damages, liability and expenses, including any and all legal costs arising out of bodily injury (including death) or property damage suffered by third parties in any way attributable to or resulting from the Works or the activities to be undertaken by the Applicant in relation to the Works, including any act or omission of the Applicant, its employees or agents.

6. Manitoba cannot forecast or guarantee the level of the water within the Red River Floodway. The Applicant acknowledges that operation of the Red River Floodway (should it be required) takes precedence over any other work or activity.

Works Specific Liability Conditions

7. The Applicant agrees to assume all costs associated with or resulting from the Works. Manitoba must not be put to any expense as a consequence of granting of this Authorization. If Manitoba incurs any costs or expenses caused by, or in any way related to, the undertaking of the Works within the Provincial Waterway, including (without limitation) costs or expenses to repair any damage to the Provincial Waterway or to any underground services or utilities on or within the Provincial Waterway, the actual amount of such costs and expenses shall be charged by Manitoba to the Applicant, who shall immediately pay such amount(s) upon receiving a written invoice from Manitoba specifying the costs and expenses incurred.

8. The Applicant must use this Authorization in such a way so as to cause as little disturbance as possible to the Provincial Waterway (not including what is intended by the Works), and must restore any portion of the Provincial Waterway negatively impacted to its original condition, to the extent practical and reasonable to do so, to the satisfaction of Manitoba.

9. The Applicant must promptly notify Manitoba, in writing, with details of any incident occurring on the Provincial Waterway (whether involving personal injury or not).

Site Specific Conditions

10. The Applicant shall exercise the rights and privileges provided in this Authorization in a careful and workmanlike manner and will not permit anything to be done that may interfere with or obstruct the access of Manitoba or its agents, representatives, servants and invitees to the Provincial Waterway.

11. The discharge conduit is situated within the east berm of the Red River Floodway and outfalls into the Red River Floodway. The installation must be armoured with filter cloth and rip-rap at the point of discharge to reduce or eliminate erosion of the Red River Floodway embankment and/or channel, and the through grade conduit must be gated at the channel end.

12. If discharge occurs during sub-zero temperature conditions such that ice forms along the channel downstream, the Applicant must place all appropriate signage warning of danger and thin ice conditions.

13. The Applicant is responsible to maintain the working area on the Provincial Waterway in a well graded, vegetated state and address all maintenance, erosion and environmental concerns presented to the Applicant, to a condition approved by Manitoba.

14. The Applicant is responsible to address all maintenance, erosion and environmental concerns presented to the Applicant, to a condition approved by Manitoba.

Cancellation Conditions

15. This Authorization may be immediately cancelled if the Applicant fails to follow any of the conditions in this Authorization and fails to correct the breach within twelve (12) hours of being made aware of the breach.

16. Manitoba may, but is not obligated to, fix any breach of this Authorization. The Applicant will be liable to Manitoba for the cost of fixing any breach and this cost will be a debt due and owing to Manitoba.

17. If this Authorization is cancelled, the Applicant will continue to be liable as set out in this Authorization until the Provincial Waterway is restored to a condition approved by Manitoba.

Other Conditions

18. This Authorization is not assignable by the Applicant without the prior written Authorization of Manitoba.

19. The Applicant must comply with all applicable laws, regulations and by-laws.

This Authorization applies only to Section 14(4) of *The Manitoba Water Resources Administration Act W70*. It does not include any other government approvals as may be required by the Applicant to undertake the Works.

_____

Director, Hydrologic Forecasting & Water Management
for the Minister of Manitoba Infrastructure
being the minister under *The Water Resources Administration Act*

Date of Issue: _____

City of Winnipeg hereby acknowledges receiving and reviewing the above Authorization, and agree to be bound by the terms and conditions set out therein, this _____ day of _____, 2018.

_____
Witness

_____
Signature of Authorized Signing Officer
I have authority to bind City of Winnipeg
to the terms of this Authorization.

Name: _____

Office Held: _____

Manitoba
Infrastructure

File No.

APPLICATION FOR AUTHORIZATION UNDER SECTION 14(4) OF THE MANITOBA WATER RESOURCES ADMINISTRATION ACT W70

14(4) No person shall place any material on, remove any material from or construct, carry out, reconstruct, establish, or place, any works or structures on, over, or across, a provincial waterway, except as may be authorized in writing by the minister and subject to such terms and conditions as the minister may prescribe.

Applicant Name: CITY OF WINNIPEG, WATER SERVICES DIVISION, WATER TREATMENT BRANCH.

Mailing Address: CITY OF WINNIPEG, DRINKING WATER TREATMENT PLANT C/O 552 PLINGUET ST, WINNIPEG R2J 0G1

E-Mail Address: DMINOR@WINNIPEG.CA (DAVID MINOR)

Telephone: 204-986-2090

Signature: [signature] **Date:** 15-OCT-2018

Name of provincial waterway: RED RIVER FLOODWAY

Legal description of land: MANITOBA LAND TITLES PLAN LTO # 13000 NORTH HALF OF 23104E

Description of works to be constructed:

Description of activities to be undertaken: DISCHARGE OF 5,000,000L FROM SHOAL LAKE AQUEDUCT ON MONDAY OCTOBER 22, 2018 IN ORDER TO FACILITATE INSPECTION ACTIVITIES. DISCHARGE WILL BE 60 MINUTES IN DURATION.

Attachments (if any):

Date of construction: From: N/A To: N/A

Duration of activity: From: OCTOBER 22, 2018 To: OCTOBER 22, 2018