

# Lake Manitoba

## 2011 Flood Class Action Settlement

### FLOOD CLEANUP AND MITIGATION FAQs:

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Frequently asked questions and answers are for general information only with any final assessment of Claimant Eligibility or Claim amounts based only on the court-approved Claims Administration Procedure.

Question	Answer
1. Who can make a claim under Flood Cleanup and Mitigation?	<p>Any Claimant Individual, Business, Not-For-Profit or Farm off-reserve that incurred costs:</p> <ul style="list-style-type: none"><li>• The flood mitigated or protected property, land, infrastructure, and inventory damages due to 2011 Flood waters.</li><li>• After the flood, clean up and remove flood mitigation materials and debris.</li></ul>
2. Can I claim for <u>Flood Protection</u> costs I incurred to prevent damage to my property from future potential floods?	<p>No. While the Original Government Financial Assistance Programs included compensation provided for Flood Protection (Part D in the Original Government Financial Assistance Program), the Class Action Settlement does NOT provide any compensation relating to Flood Protection costs.</p> <p>Examples of costs incurred that are NOT to be compensated include:</p> <ul style="list-style-type: none"><li>▪ Dams</li><li>▪ Berms</li><li>▪ Landscaping slopes</li><li>▪ Drainage Channels</li></ul>

Question	Answer
3. What types of costs can be claimed for Flood Cleanup and Mitigation?	<p>The Claims Administration Procedure includes the following <u>reasonable losses and costs</u> that may be claimed with the amount(s) of compensation based on the Claims Administrator’s sole discretion and assessment:</p> <ol style="list-style-type: none"><li>1. <b>Eligible Claimant’s and any Non-Arms Length Labour reasonable time at:</b><ol style="list-style-type: none"><li>a. <u>Minimum wage</u> <b>OR</b></li><li>b. <u>Forgone actual gross wages</u> for lost time</li><li>c. <u>But not both.</u></li></ol></li><li>2. <b>Employees’:</b> reasonable time at actual wages.</li><li>3. <b>External Contractors’:</b> reasonable costs.</li><li>4. <b>Claimant Owned Equipment Used:</b> will be reimbursed based on 2011 rates outlined in the <u>Manitoba Farm Machinery Rental and Custom Rate Guide and the Heavy Equipment Association Guide Book.</u></li><li>5. <b>Out-of-Pocket Costs:</b> Any other out-of-pocket costs incurred by the Eligible Claimant for Flood Cleanup and Mitigation.</li><li>6. <b>Claims Administrator Sole Discretion:</b> The Claims Administrator may specify a maximum eligible payment amount and rate for labour, equipment use, removal of flood mitigation materials, and other expenses.</li></ol>

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	<p>7. <b>Less Other Compensation:</b> Any compensation received from the Original Government Financial Assistance Program or any other source.</p> <p>8. <u>Claims must be accompanied by sufficient evidence and documentation to verify the amount of losses incurred.</u></p>
4. Can I claim the total amount of my costs for Flood Cleanup and Mitigation?	<p>There are <u>no limitations</u> to the amount of <u>reasonable costs</u> for Flood Cleanup and Mitigation.</p> <p>In the Original Government Financial Assistance Program, Flood Cleanup and Mitigation was limited to \$10,000 compensation. This has been removed in the Class Action Settlement.</p>