

Plan for the Construction of a Joint Ring Levee Project to Provide Flood Protection to the Town of Emerson, Manitoba and the Unincorporated Village of Noyes, Minnesota

Article I

Obligations of the Province of Manitoba

The Province of Manitoba shall acquire the lands for and construct and maintain a levee at Emerson, Manitoba, at an elevation which shall accommodate the flows of the Red River of the North at a discharge rate of 122,000 cubic feet per second (3,455 cubic meters per second) plus three feet of freeboard with adequate interior flood control facilities. The levee and interior flood control facilities shall be designed and constructed in accordance with professional engineering standards of Manitoba. Construction of this levee shall be completed by December 31, 1989.

The Province of Manitoba shall reimburse the Department of the Army of the United States for all project costs of the International Levee segment of the joint ring levee which will be constructed under private competitive contract awarded and administered by the Department of the Army's Corps of Engineers. Reimbursable costs shall include expenses of engineering and design, necessary utility relocations, fill for the levee, physical construction (except for costs of real estate interests necessary for the International Levee segment, which shall be paid by St. Vincent Township, Minnesota), and supervision and administration costs, including overhead costs associated with construction.

The Province of Manitoba agrees to pay St. Vincent Township, Minnesota, the costs of routine maintenance of the International Levee segment. In liquidation of this obligation, the Province of Manitoba shall pay St. Vincent Township the sum of \$17,000 (United States dollars) on or before March 31, 1990, which sum shall be invested by St. Vincent Township, Minnesota, and allocated for the purpose of the routine maintenance of the International Levee segment. Costs of repair due to erosion, reconstruction, rehabilitation or other costs in excess of routine maintenance costs are not considered to be part of the routine maintenance of the International Levee segment.