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May 6, 2013

The Honourable David Orazietti
Minister of Natural Resources
Whitney Block, 6th Floor, Room 6630
99 Wellesley Street West
Toronto, ON M7A 1W3

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Dear Minister Orazietti:

Re: Proposed Hydro-electric Generating Station at the Bala Falls

Summary

As this spring's unprecedented flooding of Lake Muskoka and the Moon River has shown, it is not possible to predict when high flow events will occur – with the result of; costly damages to private property and public infrastructure, and disruption to the local economy.

In a letter sent to you on March 4, 2013, we used actual historical flow data for the Moon River to show that to ensure Lake Muskoka is not flooded there would be less than a 15-week period – and this only during the low-flow period of the summer – when construction of the proposed hydro-electric generating station at the Bala falls would need to complete all works requiring the temporary construction cofferdam.

As required by the Lakes and Rivers Improvement Act, the Ministry of Natural Resources has responsibility for assessing such risks. As the construction of the proponent's current design would risk flooding Lake Muskoka and damaging the highway bridge over the north channel we request that the Ministry of Natural Resources not grant location approval for this proposed project until a peer review shows this could be done safely.

Detail

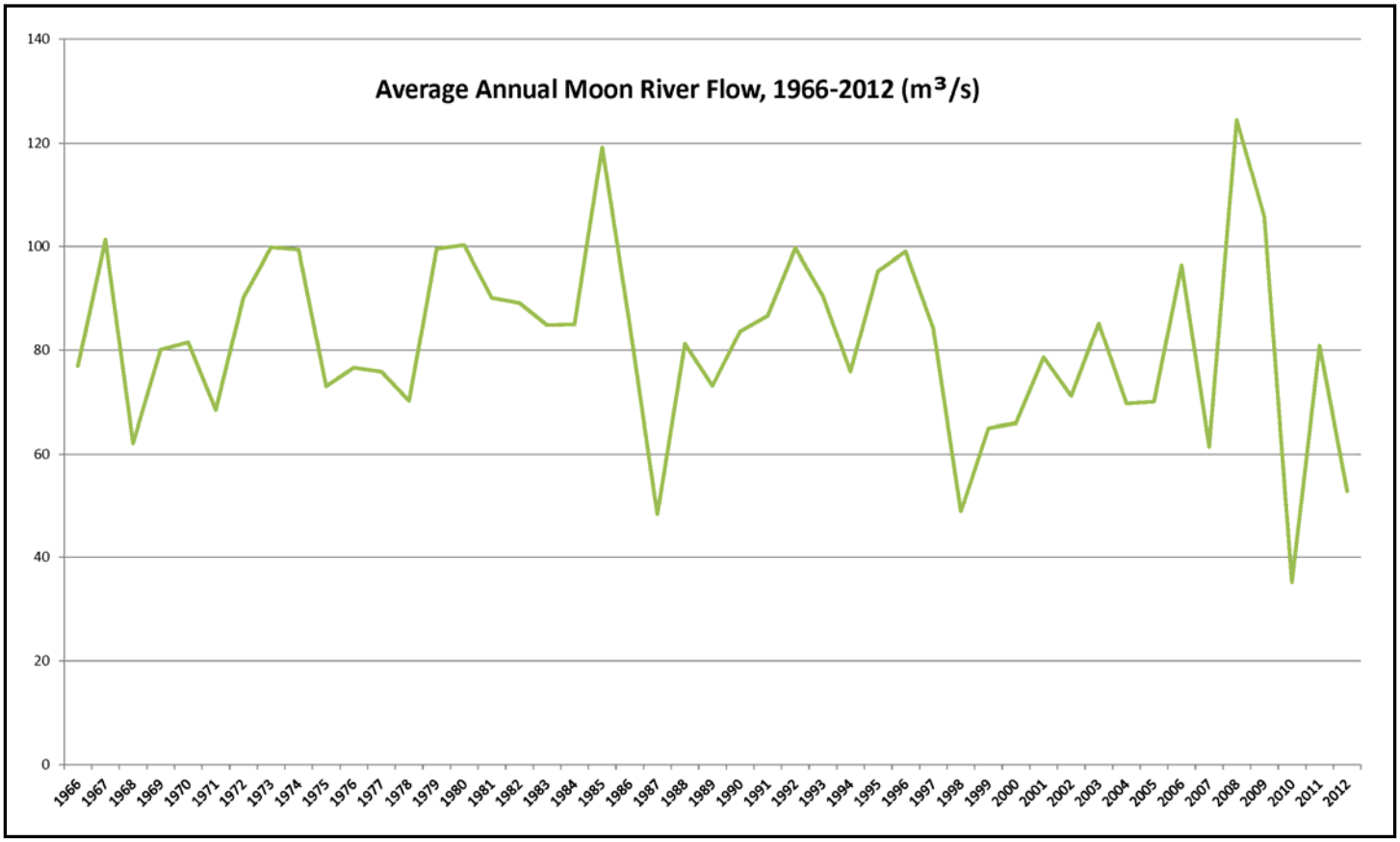
As the unprecedented flooding in Muskoka resides, we would like to bring the following points to your attention:

1) As always, all the flood water that flows through Huntsville, Bracebridge, and indeed the entire 5,000 km² Muskoka watershed that extends to Algonquin Park must flow through Bala to reach Georgian Bay and Lake Huron.

2) As we detailed in our March 4, 2013 letter to you, the proponent's plan for their proposed hydro-electric generating station at the Bala Falls requires the installation of a cofferdam which would obstruct most of the Bala north channel during construction.

   As we showed in that letter, based on the Moon River flow data since 1966, there would be at most a "construction window" of 15 consecutive weeks when such an obstruction would not risk flooding Lake Muskoka (and this construction work would need to begin in the last week of May and must end by the first week of September).

3) Further, due to climate change, weather patterns are now more volatile. For example, the graph below of data from the Water Survey of Canada shows that indeed the average annual flow through Bala is becoming more volatile.



This spring's flooding of the Muskoka watershed is certainly an example of the increasingly volatile weather patterns.

Therefore, responsible planning requires that the proposed cofferdam be in place for less than the 15-week low-flow period of the summer.

4) The Muskoka River Water Management Plan (MRWMP) defines several benchmark levels, one of which is the *Normal Operating Zone*, which for Lake Muskoka ranges from 224.6 metres above sea level (MASL) up to 225.75 MASL. These limits are shown by the cyan horizontal lines in the graph below.

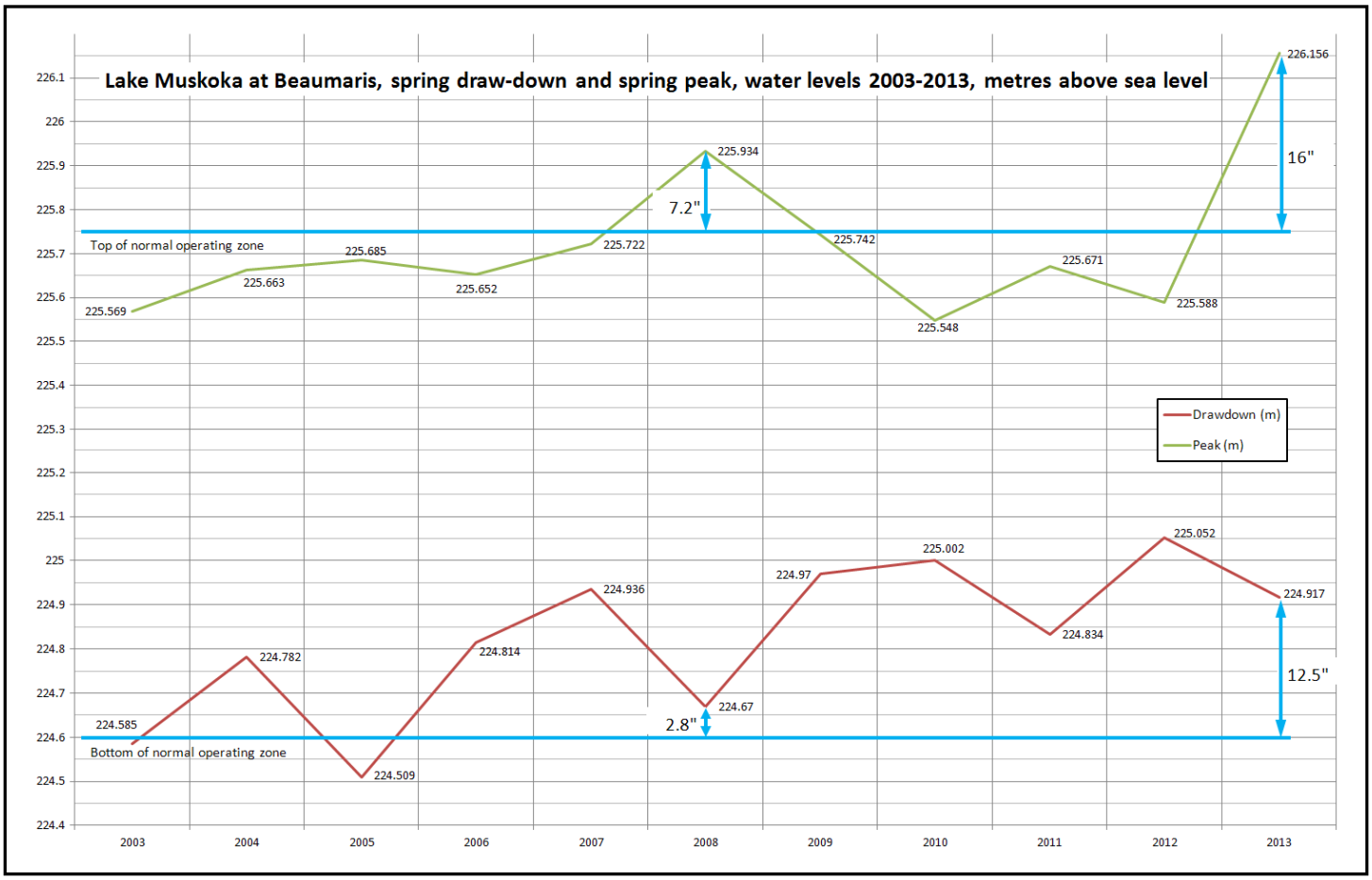
To attempt to keep the water level of Lake Muskoka within the Normal Operating Zone throughout the spring freshet when substantially more water must flow through Bala, Ministry of Natural Resources staff draw-down the water level of Lake Muskoka in advance, according to factors such as accumulated snow and the rate at which it is expected to melt.

The graph below shows that MNR staff do draw-down the water level of Lake Muskoka to different levels each year, however, we note the following:

a) In anticipation of a larger-than-usual spring freshet, in 2008 there was additional draw-down. Unfortunately, even this additional draw-down was not adequate, and the water level of Lake Muskoka peaked 7.2" above the Normal Operating Zone, causing flooding that year.

b) While the water level this 2013 spring was drawn-down more than it was in 2012, this draw-down was entirely inadequate, and not even as much as in 2008. In fact, in 2013 the draw-down could have and should have been 12.5" more. Ultimately, the flooding of Lake Muskoka was 16” over the normal operating zone and was the worst in memory.

This demonstrates that the magnitude of high-flow events cannot be predicted. Therefore to ensure public safety, as is required by the Lakes and Rivers Improvement Act, obstruction of the north channel must not be permitted when past history has shown that high-flow events occur.



Conclusion

Given that the:

- Construction of the proposed hydro-electric generating station at the Bala Falls would require obstructing most of the north channel for longer than past flow history through Bala has shown would be safe for such an obstruction.
- Weather patterns are becoming even more volatile.
- MNR has shown it is not possible to predict the magnitude of high-flow events.

We request that the Ministry of Natural Resources not provide location approval for the cofferdam required for the construction of the proposed hydro-electric generating station at

the Bala Falls until a peer-review has shown that this could be done without risk of flooding Lake Muskoka or risk of damage to public infrastructure or private property.

We look forward to your reply. In addition, we still await a response to our letters to you dated March 4, 2013 and March 25, 2013.

Thank you.

Sincerely,

Mitchell Shnier, on behalf of SaveTheBalaFalls.com

Cc: Anne Collins, Planning & Information Management Supervisor, Parry Sound District, Ministry of Natural Resources, Anne.Collins@ontario.ca

Her Worship Alice Murphy, Mayor, Township of Muskoka Lakes, AMurphy@muskokalakes.ca

The Honourable Jeff Leal, Minister of Rural Affairs, JLeal.mpp.co@liberal.ola.org