

Mitchell Shnier

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**From:** Furniss, Don  
**Sent:** Saturday, September 26, 2015 10:22 PM  
**To:** Mitchell Shnier  
**Subject:** RE: Proposed excavation under District's bridge

Mitchell

My response to your email is below and you have my permission to use my comments in their entirety. **Please do not selectively cut and paste.**

I voted against a resolution to prohibit blasting or excavation under or near the North Bala Falls Bridge as introduced by Councillor Harding for the following reasons:

The resolution is in very bad faith, considering the District has already passed a resolution to allow SREL to widen the shoulder of Hwy 169 near the bridge, which involves excavation and potentially blasting on District owned property near the bridge. SREL has also agreed to post a \$ 2 million letter of credit, \$5 million liability insurance, plus a performance bond to the benefit of the District, should any damage be inflicted on District Assets.

SREL will be blasting and excavating on their own property in close proximity to the bridge. These aforementioned indemnifications also cover the District should damage occur to District property

I believe this inconsistency between what has been agreed to and the resolution exposes the District and perhaps the Township to litigation and potentially significant damages.

In addition the District has stated they will be rehabilitating this 50 year old bridge in the next 3 or 4 years. This will probably require blasting and excavating, in the same areas this resolution is prohibiting SREL to perform the same activities. Districts contractor can do it, but SREL's can't because of concern for public safety and public inconvenience – seems hypocritical to me.

Also, if safety is the real issue, it might be better to have SREL do some excavation under the bridge to reduce the risk of damage to the bridge support structures, due to obstacles or insufficient clearances for construction equipment movements.

We will see how District Councillors view the resolution.

Cheers  
Don

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**From:** Mitchell Shnier [<mailto:Mitchell@shnier.com>]  
**Sent:** September-26-15 6:42 PM  
**To:** zzFurniss, Don <[don.furniss@muskokalakes.ca](mailto:don.furniss@muskokalakes.ca)>  
**Subject:** Proposed excavation under District's bridge

Hello Mayor Furniss,

At the last Township of Muskoka Lakes Committee of the Whole meeting, I understand that you did not support Councillor Harding's resolution requesting the District not permit the proponent's proposed excavation under the District's bridge.

I also found a quote from you in the October 2, 2014 Bracebridge Examiner (full article on the second page of the attached), which is:

*"There are candidates in this audience who would have you believe I am a supporter of the development of the falls, and it is important that I clarify today my position once and for all. Given a choice, not I, not anyone on my team, not anyone in Bala would choose to [build] a hydro plant at the Bala Falls. It is a beautiful jewel in the crown of our township, and we would choose to have nothing about it changed."*

- 1) Can you explain your thoughts on Councillor Harding's resolution compared to this quote from you.
- 2) Would you give me permission to include your response in an article on the SaveTheBalaFalls.com web site.

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Mitchell Shnier