

Mitchell Shnier

From: Ausma, Sandra (MNRF)
Sent: Tuesday, October 20, 2015 4:24 PM
To: Mitchell Shnier
Subject: RE: Unacceptable Risks to Public Safety Due to Proposed Hydro-electric Generating Station at the Bala Falls

Dear Mr. Shnier,

I am writing in response to your letter dated September 22, 2015 regarding the Aquatic Safety Audit Report commissioned by Save the Bala Falls and to your September 24, 2015 letter regarding the proposed hydro-electric generating station at the Bala North dam.

Thank you for sharing the Aquatic Safety Audit Report commissioned by Save the Bala Falls. You may also wish to share a copy of the report with Swift River Energy Limited (SREL). Once constructed, the owner of the waterpower facility will be responsible for the operation of the facility and the two associated Ministry of Natural Resources & Forestry (MNRF) Bala dams. SREL will have the responsibility to ensure appropriate public safety measures are in place as they relate to the structures and resulting flows and levels. Any necessary changes to the Public Safety Measures Plan will be assessed and considered as part of the Lakes and Rivers Improvement Act (LRIA) plans and specifications approval for the facility, this will include any required public warning system prior to dam operations. I have also forwarded a copy of this document to Resource Management Supervisor Anne Collins as additional information to be considered in the development of Public Safety Measures Plans for MNRF dams.

As you are aware, the Minister of Environment and Climate Change (MOECC) considered the potential impacts of the facility on public safety, including boating and the downstream municipal docks in his review of the elevation requests made for the North Bala Small Hydro Project. I understand that the Minister considered the input provided by Transport Canada and the Ministry of Natural Resources and Forestry. This included information relative to boom location, anticipated flows and navigation. I understand that the Minister's decision to deny the elevation requests is final and that SREL has completed its environmental assessment requirements and may proceed with the project subject to conditions of the Environmental Assessment approval and any other applicable approvals.

MNRF continues to advise that swimming, wading or other water-based activities below any water control structures, including those such as the Bala North dam, are not advisable practices. I note that the area immediately below the Bala North dam is at a significantly higher elevation than the Moon River (where the proposed plant's

tailrace will be located) and will continue to be accessible to the public from the north shore as has traditionally been the case.

As you were advised in the March 21, 2014 correspondence from our Ministry of Natural Resources and Forestry Minister, Bracebridge Generation Ltd. has been identified by the proponent as part of the project team responsible for operations and maintenance. This waterpower company has a wealth of knowledge and experience in the operation of water control structures and water power facilities, including the Bracebridge Falls plant, located in downtown Bracebridge just above the municipal docks and public parks.

Regarding your comments relative to navigation, I understand that MOECC has previously suggested you direct these concerns to Transport Canada.

I hope this information is helpful.

Sincerely,

Sandra Ausma

Sandra Ausma

Resource Operations Supervisor | Parry Sound District | Ministry of Natural Resources and Forestry | 7A Bay St., Parry Sound, ON P2A 1S4 | (705)773-4260

From: Mitchell Shnier [mailto:Mitchell@shnier.com]

Sent: October-20-15 9:33 AM

To: Ausma, Sandra (MNRF)

Subject: RE: Unacceptable Risks to Public Safety Due to Proposed Hydro-electric Generating Station at the Bala Falls

Hello Ms. Ausma,

Can you tell me when it is expected I will receive a response to my e-mail below.

Thank you.

Mitchell Shnier

From: Mitchell Shnier [mailto:Mitchell@shnier.com]

Sent: Thursday, September 24, 2015 4:03 PM

To: 'Sandra.Ausma@ontario.ca'

Cc: 'BMauro.mpp.co@liberal.ola.org'; 'GMurray.mpp.co@liberal.ola.org'; 'Dolly.Goyette@ontario.ca'; 'Phil.Harding@muskokalakelakes.ca'; 'SMcDonald@muskokalakelakes.ca'; 'PurksPlace@bellnet.ca'

Subject: Unacceptable Risks to Public Safety Due to Proposed Hydro-electric Generating Station at the Bala Falls

Hello Ms. Ausma,

I have attached a letter "Unsafe Safety Boom, Aquatic Safety Audit" which details the MNR's and proponent's inadequate planning for the risks to public safety which the proposed project would create.

This letter references the other attachments to this e-mail.

I look forward to your reply.

Mitchell Shnier, on behalf of SaveTheBalaFalls.com
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