SaveTheBalaFalls.com

SaveTheBalaFalls.com % 25 Lower Links Road Toronto, ON M2P 1H5 Mitchell@Shnier.com

December 10, 2017

Frank Belerique, Vice-President Swift River Energy Limited 300 – 60 St. Clair Ave East Toronto, ON M4T 1N5

Telephone: 416 864-9977

E-mail: FBelerique@horizonlegacy.com

Hello Mr. Belerique:

1) I understand that the Ministry of Natural Resources and Forestry requires that your construction work not reduce the flow capacity of the Bala north channel. However, as shown in the two photographs below, new rock debris and the poured concrete wall, both in the Bala north channel, would obstruct flow if the cofferdam had to be lowered on 24 hours notice.



Rock debris in Bala north channel, photograph taken 20171207



New poured concrete wall in Bala north channel, photograph taken 20171122 Added to the above obstructions are the two vertical steel channels on either side of each removable panel of the cofferdam. These steel channels (those facing upstream are the concern) would remain as obstructions to flow even if the panels were removed to avoid flooding Lake Muskoka.



There are two nonremovable steel channels for each removable panel, photograph taken 20171104

- 2) As shown in the photograph below, the poured concrete wall would:
 - a) Reduce flow down the Bala north falls during high-flow spring freshets.
 - b) Redirect the flow down the Bala north falls. This change in the natural flow direction would create new dangers for downstream property owners attempting to access the Moon River, and could cause shoreline erosion.



Poured concrete wall would reduce and redirect flow, photograph taken 20171206

Flow down Bala north falls

- 3) The MNRF's Anne Collins has requested that I ask questions directly of you, copying her. My questions to you are therefore:
 - a) Please provide evidence that these new obstructions to flow in the Bala north channel will not contribute to flooding Lake Muskoka if the cofferdam had to be removed either on short notice or during spring freshet. If you cannot provide this evidence, then I request that these obstructions be removed immediately.
 - b) What evidence can you provide that the change in natural flow direction from the Bala north falls would not:
 - Infringe on the downstream property owners' riparian right of access.
 - Cause shoreline erosion.

I look forward to your reply.

Mitchell Skine

Sincerely,

Mitchell Shnier, on behalf of SaveTheBalaFalls.com

Cc: Anne Collins, Ministry of Natural Resources and Forestry, Anne.Collins@ontario.ca
Lisa Trevisan, Director, Central Region, MOECC, Lisa.Trevisan@ontario.ca
Phil Harding, Chair, Engineering and Public Works Committee, District Municipality of Muskoka,
Phil.Harding@districtcouncil.ca

Nhung Nguyen, Swift River Energy Limited, NNguyen@horizonlegacy.com