

January 11, 2018

Anne Collins
Project Coordinator (Acting), Parry Sound District
Ministry of Natural Resources and Forestry
7 Bay Street
Parry Sound, ON P2A 1S4

Phone: 705 646-5553
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Dear Ms. Collins:

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

Summary

The proponent's current contravention of the Conditions for their approval under the Lakes and Rivers Improvement Act has the result that they would cause the flooding of Lake Muskoka if there was a rainstorm, even though they committed to not taking this risk.

I request that you immediately issue to the proponent a stop-work order for their current excavation work, and require that they immediately raise the shoreline of the Bala north channel as they committed would be maintained throughout this work to avoid flooding.

Detail

Your last letter to me on October 25, 2017 requested that instead of addressing my concerns to you, that I address them directly to the proponent, copying you. I have done this for letters sent December 10, 2017 and January 3, 2018. And as for my previous 12 letters to them, the proponent has not replied. I will therefore resume writing directly to you.

As shown in the photograph below, which was taken today, the proponent has now significantly lowered the shoreline of the Bala north channel, much more than as shown in my January 3, 2018 letter.



Lake Muskoka water level

Bala north channel shoreline lowered

It has always been a concern that the proponent's upstream cofferdam would obstruct the Bala north channel, and if there was a rain storm, the reduction of flow capacity through Bala could cause flooding of Lake Muskoka. As a result, the MNRF's Conditions for the proponent's approval under the Lakes and Rivers Improvement Act requires that their upstream cofferdam can be removed on 24 hours notice. However, as they have now significantly lowered the Bala north channel shoreline, if the MNRF now required the upstream cofferdam to be removed, the water would flood through this lowered shoreline, washing deleterious materials into the Moon River, which is not allowed due to the environmental damage this would cause.

When I have asked about this exact issue previously, the proponent has stated they would have an intermediate cofferdam, or a sandbag cofferdam, or they would leave the "rock plug" in place.

Clearly, they have done none of this, so could not remove their cofferdam. That is, instead of complying with the MNRF's Conditions of approval under the Lakes and Rivers Improvement Act, the proponent has decided to risk flood damage to the thousands of private properties on Lake Muskoka.

Please respond with how you will take immediate action to enforce the Lakes and Rivers Improvement Act, and ensure your Ministry is not complicit in the flood damage which could now result.

Sincerely,



Mitchell Shnier, on behalf of SaveTheBalaFalls.com

Cc: The Honourable Kathryn McGarry, Minister, MNRF, KMcGarry.mpp.co@liberal.ola.org
The Honourable Chris Ballard, Minister, MOECC, CBallard.mpp.co@liberal.ola.org
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