

To: The Chair and Members of District Municipality of Muskoka Council
70 Pine St. Bracebridge On. P1L 1N3

Re: Opposition to Bala Falls Hydro Project by Swift River Energy Limited (SREL)

I stand opposed to the current planned proposal by SREL and ask this council to table this current proposal, until further environmental studies or plans are reviewed or presented for consideration.

Here again, we have a major project that appears to already be "a done deal" and the public just recently being brought into the picture and asked for comment with regard to the project. As I understand it, construction is already being scheduled to start in the spring of 2009!

Myself and our family are long time seasonal residents on the river (5 generations). We watch the rising and falling of the river, like the change of the season. Water high in the spring and fall.

Thus a major concern of our family. This past spring saw the highest water levels in many years (20+) and the water levels remained high for a longer period of time. The water level came within 1/4 of a metre to the front of the cottage and was at least 1 metre over the driveway (access) to the cottage. We could not access the cottage with our vehicles. One needed at least a very large SUV 4wd to get in. The water remained high for two weeks.

The planned hydro project, as I understand it, is a run of the river generator and it will produce the majority of its power during these peak periods (spring and fall). So more flow = more revenue. Letting more water flow and for longer periods of time, during peak seasons will increase profits for SREL. These peak periods are also the time frame when most of the seasonal residents are not present and would not see the high water levels. A very tempting situation for SREL. Just a little more water, who would know??

SREL claims that the Muskoka River Water Management Plan (MRWMP) calls for "significant financial penalties for violations". Question, what is an significant financial penalty? \$1,000?, \$5,000?, \$10,000?, \$25,000?. For a corporation like SREL, who are apparently spending \$13 million on this project, a \$25,000 penalty is pocket change and a minor cost of doing business. Just a little more water over the turbine covers that!

Now a \$1 million penalty and a shutdown of the power plant for a year would be a significant financial penalty.

Further, what would my legal recourse be, in the event of damage to my buildings or property, do inpart to SREL's improper use of water control at the power plant? Would a significant penalty by the MRWMP negate the legal process by property owners for financial compensation from SREL?

SREL indicates, that the water flows and levels may be better after their project is up and running. Maybe, they may also be worse? Who knows. I do know that when the flood gates are opened at the Bala Falls and the hydro dams below the chutes are not informed or opened in time, the properties on the river are subjected to very high water! Believe me, myself and others on the river have seen this happen many times.

There are many concerns and questions that still need to be addressed. We need further studies to be done. We need assurances of recourse for legal issues that may arise do to SREL's management of the water levels. There needs to be Very Significant Financial Penalties for Violations in place that would be a real deterrent to SREL in the event of mis-managed water flows.

Indeed many other concerns come to mind. The traffic and business chaos is one of very real concern during the construction time frame. Often projects of this nature may run into unforeseen delays and the one year to 18 month window expands, say 3 to 4 years. What recourse do the business people have in this event? Some may not survive.

Bala has no traffic signal at present and the traffic moves. One is to be installed for the construction project. Presto traffic chaos! Will this traffic signal be removed after the project? One hopes so. Traffic signals do not improve traffic, they inhibit traffic.

Emergency responses have been also raised as a concern. As a retired fire fighter I can attest to the concerns of property owners when emergency vehicles are delayed do to traffic and construction projects. This happens all to often and when seconds count in an emergency, the delay of one minute can spell disaster. This would be a major problem and should be fully addressed prior to this project be given the go ahead to proceed.

I plan to spend more time, retired and living on the river, in the very near future. We plan on living here for most of the year. It would be very disconcerting not to be able to access my home for maybe weeks at a time in the spring or fall, have no legal recourse for damage to buildings or property do to high water levels being maintained for profit, delayed emergency response due to unknown traffic patterns.

Further study is required, more environmental assessments, more public input is required before proceeding with the SREL plan. A project of this magnitude, thrust onto the citizens of Bala for comment at the last minute, just is not right.

Respectfully,

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