

Mitchell Shnier

From: Mitchell Shnier [Mitchell@Shnier.com]
Sent: Wednesday, May 5, 2010 8:46 AM
To: 'Ann.Gillen@tc.gc.ca'; 'Al.Robertson@tc.gc.ca'
Subject: Proposed Bala Falls Hydro-electric Generating Station
Attachments: Ministry of the Environment 20100418.pdf; SaveTheBalaFalls ESR Technical Response 20091127 As Sent.pdf; Mitchell Shnier - save the bala falls - ER response 2010-04-01.pdf

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Dear Sirs,

As you may be aware, a hydro-electric power generating station proposed to be constructed at the north falls in Bala, Ontario, is currently going through the process of an environmental assessment.

We have provided detailed comments to the proponent's environmental screening report, highlighting 69 areas which require additional study and clarification before any approval to begin, as it is possible these serious safety and economic concerns could not be satisfactorily addressed.

Unfortunately, the proponent's 12-page response to us only addressed one of the 69 areas, and as a result we have detailed our outstanding concerns in a letter to Ontario's Ministry of the Environment.

We are writing you directly as some of our areas of concern involve safety and the proponent claims that Transport Canada has confirmed that these safety issues have been addressed, or that they would be satisfactorily addressed -- but they do not provide any credible evidence of this, despite detailed and repeated requests through many channels, by many in the community.

We have attached three documents, as follows:

- 1) SaveTheBalaFalls ESR Technical Response 20091127 As Sent. This is the comments we provided November 27, 2009, in response to the proponent's environmental screening report.
- 2) Mitchell Shnier - save the bala falls - ER response 2010-04-01. This is the 12-page reply received from the proponent, April 1, 2010.
- 3) Ministry of the Environment 20100418. This is the letter we subsequently sent to the Ministry of the Environment, April 18, 2010.

As you will see in the above attachments, the following areas are safety concerns:

- a) The railway bridge.
- b) The water speeds near the existing recreational activities.
- c) The safety boom location and design.
- d) The location of, and flow into, the intake.
- e) The safety of the lookout and adjacent to the north channel.
- f) The portage access and adjacent water speeds.

Our concerns are detailed in attachment 1) and summarized in attachment 3). In those documents, please see To Report 1 through 7, 11 through 17, and 24 through 26.

We would appreciate an opportunity to better understand Transport Canada's view of these issues through a direct discussion with you.

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