

December 3, 2010

Mr. Adam Sanzo  
Project Evaluator, Environmental Assessment and Approvals Branch  
Ministry of the Environment  
2 St. Clair Avenue West, Floor 12A  
Toronto, ON M4V 1L5  
Telephone: 416 314-8229  
E-mail: Adam.Sanzo@ontario.ca

Dear Mr Sanzo:

## **Re: Proposed Bala Falls Hydro-electric Generating Station**

### **Summary**

Despite having a year, and specific direction from the Ministry of the Environment, the proponent has still not responded to the serious concerns raised.

### **Background**

I would first like to state than I am an independent consultant and Professional Engineer, and have been licensed for 29 years to practice in the Province of Ontario. I am also a Senior Member (as nominated by my peers) of the Institute of Electrical and Electronics Engineers. I am an author of technical books published internationally by large US publishers and am a patent-holder. My clients are in environments that require the highest level of thoroughness and professionalism and I have applied the same level of fairness and care toward understanding and responding to the proponent's information as I do in my professional life.

Personally, our family cottage is not on the Moon River nor on Lake Muskoka, so we are not even directly affected by this proposed project. That is, I am not doing this for any personal reason, but rather, because the proposed project is simply the wrong project for the wrong location, and should not proceed for the many reasons cited.

While we could perhaps have hired "experts" to analyse and respond to the information from the proponent, we well know that such people's responses can be affected by those who pay them, and therefore that the Ministry of the Environment may discount such work. We have therefore ensured that our work has been unbiased, of the highest standard, backed-up with knowledge and research, and we look forward to the opportunity to expand on and providing further detail for any statements we make.

### **Detail**

As you know, the proponent for the above project submitted their environmental screening report a year ago and the comment period on this ended November 27, 2009.

Representing the community, SaveTheBalaFalls submitted to the Ministry of the Environment a 60-page document (*Comments on the Environmental Screening Report for the North Bala Small Hydro Project, Technical Report*, dated November 27, 2009) detailing

69 areas of concern about the proposed project. Since then, the proponent has provided the following information:

- A 12-page document dated April 1, 2010, responding to our Comments.
- Held an individual meeting with the writer on February 25, 2010.
- Provided a 3-page meeting summary document along with a 2-page response to our noise concerns, both received April 5, 2010.

In addition, while we have attended other individuals' meetings with the proponent, requested clarifications, and carefully read all other information provided by the proponent, the proponent has only actually responded to one of our 69 concerns.

In fact, we now have greater cause for concern about the issues we raised in our Comments, for example:

- 1) While we have always been concerned about public safety, the proponent has now clearly stated that during the summer months the plant's operation will need to be cycled every four to eight hours.

This means that people recreating in the water both upstream and downstream of the proposed power station would not know whether the water is already flowing through the station or is about to start or change its flow.

- a) This would create an added danger, for example, that the foolish (but very long-time and common) practice of youth jumping from the railway bridge could be as safe as currently at one time, and extremely dangerous later the same day.
- b) Boaters having trouble docking at the town docks, and portagers using the water access adjacent to the proposed power station would similarly not know what to expect.
- c) Industry practice is to use warning sirens and strobe lights to warn of such changes in flow (and all three power stations at and above the Bracebridge Falls have barbed-wire fencing), we have no assurance this wouldn't happen here.

- 2) While we applaud the MoE's May 14, 2010 request that the proponent study the economic impact of the proposed power station, as we detailed in a letter to the MoE dated November 21, 2010, the proponent's economic impact study was shamefully inadequate.

They did not consider the project's negative impacts on the area's businesses, tourism, or economy. Their survey questions did not ask for this information, and they did not interview businesses to understand this. They did not interview tourists about why they visit Bala, and they did not even visit the area during the tourist season. The study did not provide the assumptions used for their economic model, and they did not provide any justification for jobs they claim would be created.

- 3) While the failed private development in the most central part of nearby Port Carling continues to be an embarrassment for all, the proponent offers no financially-backed assurance (the only kind that could have helped Port Carling's situation) that this would not happen for this proposed project – even though the proponent's company has no assets, no operations, and no staff.

- 4) While the proponent did provide an additional document April 5, 2010 in response to our questions about the shortcomings of the noise analysis in their environmental screening

report (such as their only considering two of the six major noise sources), this additional document provided does not provide any useful information.

For example, the additional document bases the sound attenuation on the assumption that the structure would “be a windowless poured concrete ‘box’ constructed with thick reinforced concrete walls” which would be 8"-thick. But, the structure would need to have at least; one ventilation intake, a ventilation exhaust, three 13' x 13' equipment hatches, plus an entrance door. All of these openings would have less attenuation than the walls, yet no estimations are provided for the increased noise due to these openings, nor of the sound levels expected where tourists will actually be (that is, on and adjacent to the proposed structure).

The proponent continues to avoid responding to specific technical questions.

- 5) This lack of response just goes on and on, with no commitments to anything other than our worst-case fears, such as; the upstream safety booms could be the dangerous concave shape shown, safety fencing could be required just as was recently installed at the Mill Stream power station in Bala, there is no information on how long it would require to get the unattended power station shut down in an emergency, or the skills or equipment required of local emergency response personnel, there is conflicting information provided on the fish habitat compensation areas, use of the town docks would be dangerous as overshooting the docks would put one's boat into faster water, what shadows would be cast on the north falls, what parking lots would need to be used for construction equipment and would this displace the weekly Farmers' Market, what traffic delays would there be at the intersection of Highway 38 / Bala Falls Road / Muskoka Road 169 as detours would be at least 35 km, how possibly can they claim that a speed reduction would not be needed though their construction site and over the temporary Bailey Bridge which includes a ramp elevating vehicles 4½' above the usual roadway.

We have carefully read everything provided by the proponent (such as their April 13, 2010 7-page document *Answers to Questions Raised During the Notice of Completion Period*), but the proponent simply repeats what we have already questioned; they do not provide any new information, and they do not answer the questions the public is asking.

### **Bala Falls Road, the Kee to Bala, the Stone Church, and Purk's Place**

Any tourist's, cottager's, or local's walk through Bala always includes a walk along Bala Falls Road, which includes walking past the arcade and the Kee to Bala. One end of this walk is at the world-class unique area at the one-lane bridge under the railway tracks, the Stone Church and Purk's place – a charming building over 100 years old with a fishing and boat rental business.

Canadian Joni Mitchell's song *Big Yellow Taxi* includes the words “That you don't know what you got till it's gone, they paved paradise...”

Well, we do know what we've got. But the land adjacent to Purk's Place (listed by the Muskoka Heritage Committee as a site of historic significance) would be replaced with an 80'-wide concrete and steel water intake, topped with safety fencing. Purk's would no longer have water access, which would end the boat rental business which has been carried out there for over 100 years.

This would ruin it all, and the view of this; from Bala Falls Road, from the public path on the other side of the north channel, and from the bridge could not be disguised with landscaping. It would be paving over paradise. The construction of this water intake in Bala would be like turning the delightful and world-famous Niagara Parkway into an ugly subway tunnel – an unforgivable mistake given the special location.

This proposed project would take away the reasons people come to Bala.

## **In Conclusion**

The proponent has repeatedly demonstrated that they evade and avoid answering the questions asked.

So that the public can be involved in the development of the Terms of Reference (to ensure their questions are asked), and so that the proponent will be required to actually answer those questions, we repeat our request that the proposed project be elevated to require an individual environmental assessment.

Sincerely,

A handwritten signature in cursive script that reads "Mitchell Shnier".

Mitchell Shnier, on behalf of SaveTheBalaFalls

Cc: Norm Miller, MPP for Parry Sound – Muskoka  
norm.millerco@pc.ola.org

Kathleen Wynne, MPP for Don Valley West  
KWynne.mpp@liberal.ola.org

Michael Chan, Minister of Tourism and Culture  
MChan.mpp.co@liberal.ola.org

Walt Schmid, Chief Administrative Officer, Township of Muskoka Lakes  
WSchmid@muskokalakes.ca