



P.O. Box 129, 1 Bailey Street, Port Carling, Ontario, P0B 1J0
Website: www.muskokalakes.ca
Phone: 705-765-3156
Fax: 705-765-6755

March 24th, 2011

Swift River Energy Limited (SREL)
North Bala Falls Small Hydro Project

Attn: Karen McGhee

As you know, we have been soliciting questions from the public. We are forwarding their questions to you.

Yours truly,

A handwritten signature in black ink, appearing to read "R. Jeffries". The signature is fluid and cursive, with a large initial "R" and a long, sweeping underline.

Rochelle Jeffries
Clerk's Assistant

Enclosures

**List of Questions Submitted to the Township of Muskoka Lakes – February
28, 2011 Regarding North Bala Falls Proposed Small Hydro Generating
Facility**

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1. EXISTING BALA HYDRO STATIONS

1. We already have 2 generating stations on the Moon River, both probably capable of improvement. What does it require to modify these 2 operations to make up the capacity of the proposed new station?
2. What percentage of the operating time (presumably 24 hours per day ,365 days per year) are the existing stations and the proposed station, operating at full capacity? If that percentage is quite low (which I would guess is the case) for the existing plants, what is the justification to build a third plant?

2. WATER LEVELS and SCENIC FLOW

a. Scenic Flow

3. Can you tell me exactly what the flows will be over the South Falls during each month of the year? What they will be over the North Falls for each month of the year? I'm not looking for a combined flow as mentioned on their web site.
4. Where are the results of the Scenic Flow Committee?
5. There appears to be a lot of water coming over the falls in their new renderings, certainly a lot more than 1 cubic meter. Is SREL deliberately deceiving the public?

b. MRWMP and BMZ

6. More detail is needed on the proposed changes to the Muskoka River Water Management Plan and the proposed Best Management Zone. We were under the impression from the beginning that the management plan would be strictly followed, not altered to suit the demands of a proposed generating station. I am extremely concerned about increased fluctuation in water levels as a result of the "ponding" scheme, and in Section 6.2.2.2, Section 9.9 and Figure 9.3 of the report.
7. An attempt to maintain the target level is not acceptable. SREL has to do better than that. A clear answer with documentation must be given as to whether or not the operation of this facility will have an impact on water levels in Lake Muskoka and Bala Reach? What will that impact be?
8. More detail is needed on the proposed changes to the Muskoka River Water Management Plan and the proposed Best Management Zone. Does this mean

the water flow through the station would be stopped and started more frequently during the summer months?

9. If approved and built, Swift River Energy will be required to operate the facility and the Ministry's Bala dams in accordance with strict water level and flow requirements identified in the existing Muskoka River Water Management Plan (MRWMP), including those that address public safety and protection of property. What happens if you do not, and what happens if your company no longer exists?

c. Water Levels Post Construction

10. What guarantee is there that during operation of the plant, Lake Muskoka levels and Moon River levels will be managed in a way that protects abutting properties, given a largely undefined division of responsibility between the power company and the old system of logs on the north and south dams in Bala, and another dam and power plant a few miles down river?
11. In fact, there are obvious conflicts between the need for the power company to make a return on its investment, and the affected public. For example, over a period of months in the coldest part of the year water levels in Lake Muskoka are drawn down to prepare for spring runoff. In Bala Bay, the draw-down amounts to an astonishing 4 or 5 feet, and is no doubt substantial as well throughout the main body of the lake, reaching as far as Bracebridge, Gravenhurst, and Port Carling. In the spring of 2008, a large runoff was inadequately prepared for, with the result that many docks, boathouses, and shorelines sustained unusual damage from high water and floating ice. Keeping the level of Lake Muskoka high in advance of spring runoff would be in the economic interest of the power company. The more flooding of Lake Muskoka properties, the more electricity is produced and sold. Where is the regulatory authority to protect shoreline owners' interests?
12. Ponding - Hatch Energy has addressed this issue in the Environmental Screening Report, Section 9.9 and Figure 9.3 using very technical jargon, which we find extremely difficult to understand. Their proposal (Operation Plan for North Bala Falls Generation Station) appears to state their intention to maintain the levels prescribed within the Lake Muskoka Water Level Operation Plan; BUT what if, at some future date, and for some (probably financially advantageous) reason, they choose NOT to do so? All of us, who have cottages, boathouses and or docks on or near the lake shore, are painfully aware of the devastation caused by extreme fluctuations in lake level - especially when compounded by freeze and thaw factors. Reconstruction of these structures is horrendously expensive - to the individual cottage owners, - not to SREL or Hatch Energy. We suggest that

Swift River Energy Limited post a substantially large bond that could be used to offset any costs incurred to individuals if their (SREL's) plans result in damage to individual property. The reserved amount could be returned, with interest, at the termination of their contract - if all goes well.

13. According to D15, Public Information Centre 2008, SREL has entered into an understanding with Bracebridge Generation Ltd. to operate the North Bala power project including the power station and dam structures. Clarification of "understanding" is required and requested. Who is ultimately responsible for operating the dams and power station? Who will be held responsible in the event of a malfunction, oil spill or a fatality at or around the site?

d. Construction Flooding Concerns

14. What measures are proposed to mitigate upstream flooding during construction should the introduction of the working platform create increased water levels on the Lake?
15. Will the temporary coffer dam/ working platform result in temporary higher water levels in Lake Muskoka? If so to what extent?
16. In the event of an emergency, how long would it take to completely remove the coffer dam?
17. Does the south dam have the capability to convey all the upstream flow? If not, to what extent does the south dam have the ability to relieve higher water levels on Lake Muskoka?
18. Are there other constrictions upstream of the North Dam that have a greater effect on any backwater effects in Lake Muskoka than those created by the working platform?
19. What are the guaranteed Bala Bay Lake levels on a month by month basis?
20. What will happen if the lake levels approach the minimum? Will the Generator be turned off?

4. SAFETY AND EMERGENCY MEASURES

21. How will SREL mitigate the danger posed by the project, to swimmers and boaters both up and down stream?
22. What additional steps will be taken to protect swimmers, boaters and sightseers from the intake channel for this generator?

23. The Bala Falls is host to a number of recreational activities. The proposed power station's water intake would create currents that would put human life in danger. I do not feel that this has been adequately addressed in the report (Sections 6.2.3.1 and 6.2.5.6 and Figure 6.2c).
24. The proponent suggests that the viewing deck on the Moon River side would be designed to discourage jumping. I do not see any specific details of this design.
25. The power station's water intake would create currents near the town docks that would be dangerous to boating, swimming and other existing recreational activities. The developer has stated in writing, "No mitigation measures possible to protect public safety". As residents, we are aware that youth already ignore signs to not jump off the railway bridge into the north channel. Again, the experts pointed out that the proposed power station's water intake would make this jumping extremely dangerous at high-flow times as the area below the railway bridge would be downstream of a safety boom. The proposed upstream safety boom does not facilitate rescue due to the concave shape facing upstream and the awkward positioning of boats drawn into the current. What is the mitigation plan?
26. Warning signs to not jump off the railway bridge are already ignored and youth jump into the north channel. The proposed power station's water intake would make this extremely dangerous as the area below the railway bridge would be downstream of a safety boom and during the low water flow of the summer months, the flow into the water intake could vary widely, so that sometimes it would be found to be "safe" to jump and this would result in youth jumping at unsafe higher-flow times as well. In Table 6.1, the proponent notes, "No mitigation measures possible to protect public safety". The same youth would be tempted to jump off the lookout of the proposed power station into the turbulent tailrace water exiting the power station (I can imagine that being quite fun - but stupidly dangerous). The proponent's only suggestion is that posted signs would discourage this (Section 6.3.1, Figure 6.5). SREL needs to review their level of responsibility in these activities and produce an action plan to address these dangers.
27. In Table 6.1 SREL notes "No mitigation measures possible to protect public safety". The same youths who swim in the basin beside Purk's Place would be tempted to jump off the lookout of the proposed power station into the turbulent tailrace water exiting the power station. The sole mitigation proposed is that posted signs would discourage this behavior, see Section 6.3.1, Figure 6.5. Also moving the fast water which is currently from the south channel 160' closer (which is where the proposed tailrace would be) to the recreation area at the base of the north falls will create danger for this important public area, see Section 6.2.2.3 and Figure 6.2b. They proposed safety booms and warning signs will not provide public safety, see Section

6.3.2, Section 6.3.6.1 Appendix B Table B1 Effect 6.8. No true measures to protect and provide public safety are being proposed by SREL. The provision of warning signs as explained in Section 6.3.2, Section 6.3.6.1 Appendix B Table B1 Effect 6.8 will not provide any adequate means of public safety. It is much more likely that high chain link fences will have to be installed to keep people out of and way from most of the two sites. SREL needs to be required to produce a true mitigation plan.

28. On the Moon River side of the facility, there may be situations where swimmers and boaters, including canoeists, are inside the log boom despite the warning signs. How might they be rescued? By whom? With what equipment? How long will rescues take? No mitigation of any of these concerns has been suggested by SREL. Instead, they have advised simply to "call the OPP". There are no full-time OPP officers station in Bala, there are no permanent rescue craft stationed in Bala by any emergency organization so how would an emergency situation be handled? In summer months, on occasion, boaters are available to help, however outside of the summer, few boats are around and thus immediate responses by rescue organizations will take time and thus, lives will needlessly be placed in jeopardy.
29. Will the upstream and downstream floating booms be lit at night?
30. Who will be responsible for rescue if an accident occurred? Who will be responsible for rescue if an accident occurred? Will special training be required? Who will design a rescue procedure? Will appropriate rescue equipment be available above and below the dam? Who will be responsible for the financial costs of a rescue, special training and rescue equipment? Who will be responsible for maintaining this equipment and making sure it remains available at all times? Where will this equipment be stored?
31. As the facility will be unmanned, what will the process be and how quickly could the facility be shut down in an emergency?
32. Hazardous Waste /Accidental Spill - In (Fig 6.1), this is identified as a 'Source of Effect' for groundwater contamination. There could be a spill inside the facility during cleaning and maintenance and points are made in the report as to how this would be dealt with, but what if there is an equipment malfunction during normal running when the facility is unmanned. What is the spill plan and who would be paying for the clean-up and remediation?
33. When the facility is unmanned how will a crisis or malfunction be identified?
34. If there is a spill and groundwater and surrounding areas are contaminated, who will be responsible for the damage and clean up?

35. The report states (6.2.4.3.) that a “contaminant handling procedure will be developed’. This is incomplete and needs to be established before SREL is considered for approval. What if the proposed mitigation doesn’t work or isn’t put into place quickly enough?
36. What is SREL’s detailed Public Risk Management Plan? There is no reason why they should not prepare such a plan prior to approval of the proposal. This Public Risk Management Plan should include details of the fence designs and heights, signs, booms, warning lights and sirens as well as rescue plans.
37. While pollution is on high alert in the world now, this could be quite a disastrous undertaking. Inexperienced company blasting just a few feet from an old existing railway that transports hazardous materials. Ready to just have a derailing and spill out into the waterways!!! That’s not a comfort for all of us residence.
38. We use these bodies of water for our drinking, bathing etc. We are not on town water only a very small percentage of Lake owners are; they border the town. This might not seriously concern them but we all depend on clean safe water here in our town. Silt, air, noise, oil, diesel fuel, and dead fish will all create pollution in our water. Will the town clean this up the moment we have a crisis or before there is another toxic disaster and we all get sick or have cancer from contaminated water? Is SREL responsible? They should be.
39. Will the province promise to guarantee us fresh clean water? We have a right to good clean water and we need to protect our waterways. No added pollutants caused by man-made creations.
40. If the infrastructure of the rail tracks is damaged during the construction phase and we have a train derailment who is paying for the damage? 19 trains travel over this exact location and carry toxic-hazardous materials. Any derailment will be an emergency crisis and pollute all the way to Georgian Bay. We would not have the ability to stop this disaster. The cost of all properties damaged need to have insurance to subsidize such a disaster. Our emergency team of professionals are not equipped to handle such disasters, are they? What precautions are being put in place? What bonds are taken for insurance that this will never happen? SREL feels that the blasting company carry that burden? Not likely, an irresponsible act such as that needs to hold SREL fully accountable. Are they responsible and are to be fully accountable?
41. How are SREL proposing to keep the waterways and navigation safe and clear? How are they proposing the make sure no little boats or boats that lose power are not swept up and held in the current with no one able to rescue them?

42. Danger to tourists and residents. Will you be posting dangerous water signs at the town dock? People use this dock extensively and would need and want to know of hazardous water danger.
43. Do you plan to educate the local residents, seasonal residents and tourists on the hazards of the power station?
44. The Ontario Provincial Police and Ontario Power Generation are running televised commercials on Ontario TV stations and in print media, warning the public to stay away from power stations, stating that the area/water is not safe anywhere near them. How can SREL pretend that they can still allow access to the Falls with these restrictions?
45. Like most people on the Moon River, we draw our water exclusively from the river for drinking, showering, cooking and household use. The river is our only year-round source of water and therefore, I am concerned about its quality. Since all moving turbines require lubricants, how will SREL test to ensure the lubricants are not making their way into our water source? What is SREL's spill response plan to quickly and effectively address any toxic fluid and its clean up? Is there a Performance Bond to address the loss of use of our water source? Is there Performance Bond for flooding of our property? How will property owners be compensated for their loss?
46. Concerned re dangerous intermittent unannounced increased flow of water and current dangerous to swimmers. If you answer with some paid engineers bafflespeak, then how is it that swimming below a HEP INSTALLATION IS ILLEGAL AND SUBJECT TO FINES because of safety issues?
47. If this project does go through, will there be sidewalks for pedestrians on the temporary bridge?
48. Effect of blasting – concern re safety with the numerous trains that pass through Bala daily, effects on foundations, structures etc. SREL response – “Please note that advances in blasting are such that these blasts can be done with great precision. Indeed many of the cottages in the Muskoka area have blasting done during their construction without effecting neighbours.” Does this comment really answer the question and can you compare this project with someone doing home construction?

3. PUBLIC ACCESS

49. Snowmobiling forms a significant component of the Bala's winter economy and the economy of the businesses that use the MSR trail both north and south of Bala. The proposed provision of a temporary Bailey bridge over the

intake channel may be problematic to the safe operation of the snowmobile route through Bala. How will concerns of the snowmobilers be mitigated by SREL?

50. In section 6.3.2 SREL acknowledges that swimming is not compatible with hydro generating facilities and they describe mitigation designed to protect the public during plant operations. However, I cannot find any mitigation measures that mitigate the loss of access to the area. According to the report, the area "*is heavily used by the public for both aquatic and terrestrial recreational activities including scuba diving.*" I have asked to know what measures, if any, are planned to mitigate this loss of public use. They have not responded.
51. The ESR admits that 500 feet of extremely scarce Muskoka waterfront will be Fenced off and lost to public access. They mitigate this by saying there is lots of waterfront in the area but they don't specify where. Over 98% of the waterfront in the area is private, inaccessible or unsafe. The loss is significant and unmitigated.
52. Access to Town Dock: Current runs past the town dock on Moon River, which can make landing difficult even in the summer. Boats need to take a sweeping arc around the Bay to safely approach or leave the dock. The presence of a boom would make this maneuver all but impossible to execute safely. How do the planners of this site propose that boaters access the dock once a power plant and boom are in place?
53. Will SREL and successive owners guarantee that Margaret Burgess Park will never be fenced off and thereby prohibiting access to the north side of the North Bala Falls?
54. How is it that we know most of the shoreline in this area would seem to be rendered useless by the go ahead of this project and yet the proponent fails to mention or address this with any reassurance for the local residents?
55. SREL has suggested that a downstream portage landing site may be possible. Where will the downstream portage landing location be? None is shown in any recent drawing or photograph.
56. The proposed portage route, during and after the construction, is dangerous and totally unacceptable. How does SREL intend to compensate those who are not able to use the portage route ie. childrens' summer camps and camps for the mentally/physically challenged?

6. ECOLOGICAL, PHYSICAL AND VISUAL IMPACTS

a. Fish Habitat

57. Recreational fishing forms part of Bala's economy. The ESR has proposed to remove 200 m² of walleye spawning habitat, and construct 200 m² of new spawning habitat. Will reduced flows over the North and South Falls have a negative effect on both existing and new spawning beds? Is 200 m² of "manmade" spawning habitat sufficient to maintain the fishery? Will SREL undertake studies to monitor the new spawning beds? How will local fishermen be compensated if the new beds fail to produce adequate numbers of new fish?
58. The report does not provide a plan how to mitigate the destruction of priceless spawning grounds at the bottom of the Falls, as the construction of the 'small' hydro station will require major blasting of the rock island and building of a temporary dam right on top of an existing white fish spawning bed.
59. How is the fish habitat guaranteed to survive these current changes? If the spawning beds are disturbed and the fish habitat goes away who will take care of this recreational loss?
60. How do you intend to prevent the turbines from becoming a bass-o-matic? This equipment could become a large destroyer of fish and other critters.

b. Biological Impact

61. The Moon River below the Bala Falls is the last part of a huge drainage basin, which includes everything west of Algonquin Park and all of the Muskoka Lakes. Presently, there is a generating plant in Bala on the "Mill Stream", the north waterway around Burgess Island. With the construction of this second "run of the river" generator on the Bala Falls, virtually all of the water entering the Moon River will now pass through power turbines. I believe this will result in most of the water from Lake Muskoka being sterilized of all living ichthyoplankton and zooplankton. This can only have a detrimental effect on the Moon River Eco-system. What is the SREL response to this issue?
62. What is the expected mortality of ichthyoplankton and zooplankton passing through the proposed turbine?
63. Will the mortality of the aquatic life passing through the turbine be measured? By what means? How will mitigation take place?

64. How will the mortality of the aquatic life passing through the turbine be measured?
65. What is the expected effect on the Moon River Ecosystem?
66. How will the effects, of construction and operation of the proposed generator, on the Moon River Ecosystem, be measured?
67. What base line data has been taken?
68. Did the base line data include Moon River life further up the food chain like turtles, Weasels, Muskrats, Owls, Loons, Great Blue Herons and Kingfishers that would be a measure of the ecosystems health?
69. Who will be responsible if there is destruction of the Moon River ecosystem?
70. Do power companies have an interest in conservation? Have impartial biologists qualified to speak to this very specific issue had an opportunity to comment on this proposal? How can there not be an irretrievable loss of fish spawning area as the project is built and what assurance is there that the proposed new spawning habitat would be successful or even approved by Fisheries and Oceans and the MoE? As well, there is a very real threat to numerous fish being caught and destroyed in the intake or simply perishing when the water level goes down. One frightening example that should be considered is Miller Creek, BC, where a hydro electric project had a disastrous effect on aquatic ecosystems. It appears warnings there were not heeded.

c. Noise and Vibration

71. The noise from the operation of the proposed power generating station is also of great concern and the report does not adequately address this. The report does not include noise calculations for the turbine, generator, inverter electronics, and the transformer cooling fan, nor does it address any vibration which may be felt in the land above and surrounding the site (Appendix C1 and Section 6.3.4).
72. In Appendix C, suggests sound levels in the power plant to be 87.3 dBA (requiring hearing protection according to the OH&SA), yet SREL claims all sound will be masked by the flow of water from the waterfalls. The waterfalls will of course be reduced to a trickle by this proposal as most of the flow will be through the turbine. To further confuse the reader, SREL states "*The definitive sound power levels of the generator cooling equipment and the transformer will be obtained from the suppliers, once the supplier and generator/air cooling systems and transformer have been selected during the detailed design process*", and yet they go on to estimate the powerhouse

noise to a tenth of a dBA (87.3 dBA). In spite of saying they refuse to predict what the noise from the equipment will be until they buy it, they go on to present pages of "data" that has no purpose other than to confuse the reader, and give the impression of rigorous analysis. What will the mitigation plan be?

73. I read something written by the developer that noise from the project would be reduced by the "urban hum" of Bala. What??? Has the developer been to Bala??? What urban hum??? If the falls are reduced to a trickle, Bala will be almost silent.
74. Noise: The noise calculations in Appendix C1 only include two noise sources: the generator cooling fan and the step-up transformer magnetostrictive noise. There is no noise analysis or vibration analysis for the turbine, generator, inverter electronics, power transformer, back up diesel generator, or the transformer cooling fan. The proponent admits "*The definitive sound power levels of the generator cooling equipment and the transformer will be obtained from the suppliers, once the supplier and generator/air cooling systems and transformer have been selected during the detailed design process.*" These components and their characteristics are well established as this equipment is common to the power generating business. This is not a barrier for analysis for this critical issue given the proximity of homes, and the contention that the top of the power house will be a "park like" setting. There is also no mention of noise from the diesel generator for back up power that would be run regularly as part of a maintenance program. The proponent only mentions getting a C of A for emissions at a later date and fails to address any noise mitigation issues from this equipment. Where is the exhaust, how loud will it be, how often will it be run, and at what hours will it be run? Again, there is no data, and consequently, no proposed mitigation. There is absolutely no vibration analysis for the locations on and beside the power station where the public will be expecting a "park like setting" (Section 6.3.4). As a power plant engineer for over 30 years, it is clear to me that generating stations are a huge source of both very high frequency vibration, and very low frequency vibration that can be felt at great distances from the source. The issue of vibration has not been addressed at all. The noise analysis in Appendix C1 assumes the area is a Class 1 or Class 2 with a background urban hum. Anyone standing at the site would realize there is no urban hum. The greatest source of noise is the flow of water over the south and north falls. This project would eliminate that sound as the falls would be reduced to a trickle. The analysis is clearly flawed. It would appear to me that the analysis is not objective, and as a result, presents tables of meaningless data to feign the appearance of rigorous analysis and ultimately mislead the reader. Conclusion: Further study is needed to address the major issues raised above. The unanswered questions of economic impact, public safety, public access, appearance, and noise, need to be established and mitigated. The proponents report reads

more like a marketing brochure - one that is stuffed with tables and pictures, but skirts the issues of critical importance to the community.

75. The ESR makes no references to the noise associated with the construction of the facility. This omission is significant and highly important to all residents of Bala and extremely important to those who reside within direct line-of-sight of the project locations. Anyone living either in line with the intake location or downstream and in-line with the generator location will be highly impacted by construction noise. What is the SREL plan to mitigate construction noise? The noise calculations (Appendix C1) assume the area is Class 1 or Class 2 (as defined in the Ministry of the Environment's *Sound Level Limits for Stationary Sources in Class 1 and 2 Areas (Urban)*), which assumes that Bala has a background "urban hum" to mask the noise of the power station. Firstly, Bala doesn't have an urban hum (which is defined as the "aggregate sound of many unidentifiable, mostly road traffic related noise sources"). Secondly, if the project proceeds, the Falls would be reduced to a trickle, so there wouldn't be any masking background sound from the Falls. Table 7.1. Clearly there is a definite need to have mitigation in relation to all matters related to noise in Bala that will be attributed to the proposed development.
76. There is no estimate of vibration from this massive equipment either. What will people standing in the alleged "park like setting" on top of the powerhouse experience in terms of vibration and noise. The requisite analysis has not been done, and so no mitigation can be proposed.

d. Landscape

77. The report does not provide any real, concrete measures how the landscape would not be forever transformed from the beautiful rock cropping of the Cambrian Shield into an industrial site with few "citified" shrubs and plants. They do not, because even 600 pages of 'self assessment' cannot hide the facts that it just cannot be done.
78. All drawings and "Photoshopped" pictures that have been circulated by SREL are illustrated with "mature" trees or with existing trees relocated by the magic of a computer. We know that in real life this cannot happen and thus I would ask that the images and drawings be re-done and supplied with trees and other landscaping elements that are real, not contrived or set up to show what the sites would look like in 25 years. Let's see what they would look like the day after the job is finished. Note: The average pine tree grows (gain in height) at the rate of 13 to 24 inches per year while the average oak grows (gain in height) at just over 24 inches per year and a white birch grows (gain in height) at a rate of 13 to 24 inches per year. Therefore, even if more mature trees are replanted, the island may not look like this drawing for years.

Overall, it could easily take 2-3 generations to replace the existing trees, if large nursery stock were supplied and would grow.

79. What could SREL do for the side of the power station facing the north falls other than pile up blasted rock?; what would be the appearance of the 75'-long and 15'-high retaining wall (facing the Moon River)?
80. Proper renderings/drawings to scale have not been done. Why not? So far SREL have not satisfactorily prepared and given to the public, community, council or even the media. This is a major construction project that affects everybody. No public input is necessary on this from them? Why are they so exceptional that they don't have to comply like the rest of us? The community doesn't want to lose any of our natural beauty that already exists at our falls. How will they leave the existing trees and rock alone? No blasting? Can they be allowed to cut down and trees that exist now?
81. Will all the trees need to be cut down and cleared between the North and South Falls for the construction of this project? If not all, then what will be cut and cleared?
82. Who will be on the Landscape Advisory Committee mentioned and how will they be selected and by whom?
83. The latest renderings displayed on the proponents website extremely and offensively deceptive. These renderings show mature trees. The trees/foilage in the renderings will never look like this in our lifetime. SREL is showing the mature trees seem to be about 50-60 years old (ie. they photoshopped on to a current photo of Burgess island). In fact, however the trees/foilage will be starting from scratch because they will be clear-cut and blasted out and citified landscaping will be put in. Therefore, it will be impossible to have trees of such natural species and of such an age. Why can't SREL give a TRUE rendering of their proposal? Why are they continuing to deceive the public?

7. ECONOMIC IMPACTS

a. Tourism and Local Economy

84. Tourist impact - will they ever come back? or will Bala simply be left to die a slow death?
85. There may no longer be a tourist attraction or a cause for people to return to Bala to experience the natural beauty of the Bala Falls and the solid bedrock of the Canadian Shield. Any negative and long-term effect on the tourism and

economy of the area would be irreversible. How does the proponent plan to compensate business owners and The Township of Muskoka Lakes?

86. **Economic Impact.** The Bala Falls is a valued scenic site that attracts many visitors to the Bala area due to the falls. The economic impact of a big ugly power facility on tourist visits has not been addressed. What if the power facility diverts all the water to maximize revenue and the falls are reduced to a trickle, who's coming to Bala to see this and what is the impact on the business community when there are no tourists?
87. **THIS MIGHT BE A GOOD PROJECT BUT IN ANY OTHER PLACE BUT A SMALL TOWN TOURIST BASED TOWN LIKE BALA.** The proposed project expects to take up 1/3 of the town. Tap into our water and take the rush of the falls away. The Muskoka Brand that we all travel for and recreate for. This is not found in the city of Toronto. We spent our hard earned dollars to come to a muskokian setting. The natural granite precambrian rock, water, water sports, and the nature all in a natural beautiful setting.
88. This historical site has years of history. Over 100 years. Quite remarkable. How do they propose to maintain our precious historical sites? The portage path that is used to portage over from Lake Muskoka to the Moon River and is used daily throughout the summer months and for over a hundred years campers travel this exact path. How will cottagers and campers be able to maintain this sport safely?
89. The Falls are the heart and soul of this town and people take great pleasure in the Falls and surrounding scenery. It is a tourist destination because of the Falls - One just has to be in Bala on a summer day, or at Cranberry Festival time to enjoy this site! How would destruction of the Bala Falls affect the social, environmental, and cultural conditions of the Bala community?

b. Employment

90. The ESR estimates that there will be 4000 to 6000 person days of labor during the construction period. The ESR states that no mitigating measures are necessary as any effect on the local labour force will be positive. Employers and residents do not necessarily concur as it is anticipated that certain areas businesses/employers, commuters of the local economy may be effected during the construction period. What mitigation plans does the proponent have?
91. This project is not producing any employment in Bala hence, again no benefit to a growing community. What employment do they think they are producing?

92. Business impact - how long will businesses be interrupted and can they ever recover? Other towns have never recovered because the work not only went on too long but people went elsewhere not necessarily more convenient, but without the detours etc. and quite simply continued with their newfound routine.
93. The proponent claims that there are 3 full time positions locally (page 30) which is impossible since the installation will be 'remotely controlled' from outside the area with existing manpower. In previous town hall meetings, the proponent has admitted that there is no permanent employment impact from the project. How does SREL explain this?

c. Property Values

94. The issue of the effect of this massive project on property values is not addressed other than a comment that water levels changes will not effect property values: "*...it is expected that likely causes of property value reduction such as increased risk of flooding or nuisance noise during operation, will not be an issue.*" What if their guess is wrong?
95. Significant Damage to Property Values - The sight and sound of an operating industrial hydroelectric generating station would undoubtedly cause significant unmitigated environmental effects to the value of Moon River waterfront property in "line of site" of the Bala Falls. No more invigorating view of water falling from Lake Muskoka to the Moon River, instead an unpleasant view of an industrial hydroelectric generating station with all of its urban accessories i.e. concrete, chain link fencing, barb wire, security lighting, orange safety booms, an ugly blast rock retaining wall supporting the service road, a huge gate raised to let water out etc. No mitigation other than a few potted plants is offered by the proponent.

d. Economic Impact Study

96. Why did the authors of the Financial Impact Study on the Bala Falls not survey the residents of Bala, Bala Bay and the Moon River? These are the most impacted group. The excuse of not knowing who they are is inexcusable. Many other groups, organizations (Township, MPAC, Newspapers, etc.) have no problems determining who these residents are? Is it possible to have a Town Hall Meeting dedicated to this Financial Study?
97. **People (locals and cottagers) shop in Bala.** People (locals and cottagers) shop in Bala and it is important that HWY 169 be 2 lanes by mid-April at the latest. (connected to point #1). SREL response was" the fact that the majority of cottagers no longer come and stay for the whole summer as they used to in the 1950s. They instead come for shorter periods and bring all their supplies

with them, reducing the need to purchase supplies from the local retailers. I also based the statement on my observation that many of the businesses in town (especially on Bala Falls Road) are closed and boarded up.” The comment that cottagers bring all their supplies with them is ludicrous. Has anyone from SREL actually spent any time in Bala along the Hwy 169 corridor? There is a difference between the Hwy 169 corridor and the Bala Falls Rd and SREL does not seem to understand the difference. For example, on the Hwy 169 corridor there are various clothing stores, The Cottage Butcher, Don’s Bakery, Annie’s Deli, the Liquor Store, Ice Cream Dreams, Fresh Fruit and Vegetable Stands, The Fresh Mart Grocery store, and Muskoka Lumber, to name a few. These businesses have to make their money from mid-April to mid-October.

The subsidy SREL is getting from the gov’t, hence the taxpayers and hence me. SREL response,

“The idea that we will be getting a rate that is "much greater than our cost" is frankly incorrect. The price was determined by the government to provide developers with a modest return on investment. The real driver for us to develop this project isn't a high price compared to costs, but instead a guaranteed long-term return since our contract with the Ontario Power Authority will be for 40 years. Some people assume the returns are higher because the rate is higher than what Ontario Hydro used to charge for these projects. The fact is that private developers can develop this project much more economically than the old crown corporation could. And while household bills may indeed rise over the upcoming years, the reason isn't because profits are coming up, it is the fact that users are starting to see the "true cost" of electricity. Unfortunately the old Ontario Hydro hid most of these "true costs" in the enormous stranded debt that is added to your utility bills now. Other alternative forms of electricity are nuclear that is significantly more expensive than waterpower, and coal that may be cheaper but at what environmental and health costs.” This does not answer the question and our understanding is SREL is getting 13 cents vs. 5 cents and in our books this is a subsidy or to put it another way, what is the government actually paying them. What is a modest return – please be specific?

98. Why was the economic impact study conducted in the Fall when many businesses were preparing for season end closing?
99. There will be negative economic impacts on Bala and vicinity; we are therefore requesting that, a complete economic impact study of this proposed development be undertaken. Furthermore this study should:
 - Be carried out at the expense of SREL.
 - Be carried out independently of SREL.
 - Establish a “bench mark” economic model for pre-construction period Bala.

- Be repeated 1 year after completion of all development work if the project is undertaken.
- Examine all direct, in-direct and induced impacts on the businesses in Bala and area.
- Examine the immediate, short-term and long-term impacts.
- Evaluate and quantify the positive and negative impacts on:
 - Employment.
 - Business income and profitability.
 - Tourism.

d. Financing and Performance Bond

100. My main concern is the financing of the project by Swift River Energy Limited. They have estimated a cost of approximately \$ 25 million to finance the project. What guarantee is there that SREL possesses sufficient funds to complete the project to its completion?
101. It would be prudent to ask for and review by Township Council the audited financial statements published by SREL to verify the ability of the Company to afford financing the project. We must never face a situation which exists in Port Carling where the Developer (Shawn Leon) was unable to financially complete the project. Examples of failed businesses - Eatons, Simpsons, Nortel to name a few.
102. If, after 50 years, the facility is decommissioned, (Sect 6.6) the "owner may choose to remove some or all facility components" and the site would need "rehabilitation". Will SREL provide a performance bond to guarantee funds will be available for this work?
103. There is no performance bond for a guarantee that if construction begins, the project would be fully completed and the site fully restored.
104. In order to guarantee that these studies are done and that compensation, if deemed necessary, is available, we would request that a "surety bond" be required to be posted by SREL. The amount would have to be sufficient to enable completion of the construction project, carry out the second economic impact study and provide a "compensation fund" pool should compensation be required. SREL must be required to carry out these requests.
105. Experts have pointed out that very important engineering details are lacking in the proposal, including ventilation, exhaust, disguising the 75' long and 13' high retaining wall etc. etc. I am not versed to speak on these construction details but my architect husband and a neighbour engineer insist that all related details must be seen BEFORE decisions to proceed are made- not afterwards. These professional residents also want any proposal to abide by existing laws that other buildings conform to (e.g. connecting to sewer lines) and have financial guarantees in place lest a developer not be able to complete a project for whatever reason.

106. How much liability insurance will you have? Will you be posting a completion bond?
107. The Town of Port Carling has an ugly eye sore that was left by a developer who ran out of money. Why is there no Performance Bond required for the SREL project?

e. Accountable Engineer

108. Who is accountable at Swift Energy and the accountable engineer at Hatch Engineering if something goes wrong during and after construction is complete?

f. Compensation

109. The Economic Impact Study prepared by C4SE states that Bala will suffer on page 33 "Our assessment also points out that the costs of the project - the loss of business and the inconvenience costs - will all be borne by the Bala Community". How much does SREL intend to compensate the business owners and property owners for their losses?
110. The two year disruption in business and consequential destruction of the town's principal tourist asset will no doubt have a profound negative effect to local business. The many businesses are interdependent and the loss of a few will likely have a domino effect. The prospective loss of the livelihoods of the local citizens does not even warrant a mention in this report. Will there be compensation offered? What will the process be to qualify for compensation?
111. How much rent does SREL anticipate paying to use the Option 2 location and the Township land in front of Purk's Place?
112. The 18 months of construction with intermittent road closures of our highway (the only road through a town built on islands) will surely bankrupt several businesses and leave the rest of us "clinging for dear life." What does SREL plan to do to offer us compensation?
113. In the event of a major power crash in Ontario, can Bala be guaranteed to tap into their power in the area? Will SREL promise and make it law that such, the town of Bala in never without power? Can all the property owners be subsidized by SREL use of our water?

114. **Compensation (during construction and after).** Is SREL going to compensate local businesses for lost business? No answer received

g. Cost to the Taxpayer

115. How is this Green? For the foreseeable future, the net effect on the environment of Option 2 will most certainly not be Green. In fact, the first several years will be profoundly negative to the environment, when you consider the consequences of construction involving: the destruction of land, rock and trees, the harmful effects on the fish and dislocation of wildlife, the carbon footprint and pollution from the construction trucks and equipment, and car exhaust from the traffic jams that will result. It will be several years before the area even recovers from the devastation. Why does SREL continue to promote Option 2 when it would clearly be devastating to Bala and clearly not green?
116. Can we be guaranteed that the owners of this company remain in Canada. That they are Canadian and never allow any investment offshore or out of country as a condition of the lease, if there ever is one? We need to preserve our natural resources.
117. Financial - what will it cost us, the taxpayers? and just how much money is being given to the Proponent by all levels of government including tax breaks that in the end cost us all? Cost to Bala and the taxpayer does NOT justify this project.
118. The claim that this generator is needed by the Province is questionable as it will only add approximately 0.017% to the total generating capacity of the province. We should also note that at this time, the province apparently has too much generation available. So why should we the consumer pay you 13.5 cents a k Watt hour for your electricity. The major generator in the province only gets around 5.8 cents a k Watt hour?
119. How much annual revenue do you expect to earn from the generation of 3MW. Have you considered a future government deciding the contract that McGuinty signed is odious and will no longer pay the exorbitant power rates to you. This is already happening in Germany.

8. CONSTRUCTION

a. Drawings, Renderings and Technical

120. With regards to their current before and after images: I find these totally misleading and deceptive, as they have pretty much just Photoshop the proposed station and left all natural landscaping as is. Then follow with "Potential landscaping and architectural features shown may be subject to change." Which pretty much says they can totally change what ever they want.
121. At the presentations and meetings, the drawings of the developers were proven to be deceptively inaccurate which startled us. Since then, we have not seen fully accurate drawings and we understand the developer has refused to provide the details of the appearance of this proposed industrial facility. How can this refusal be allowed??? How can decisions be made without details??? This is a major concern when the project affects the main part of town where residents, guests and tourists visit.
122. Why is it that the wash sink in the proposed power station wouldn't need to connect to the town sewer line?
123. More detail is needed concerning the testing for leaks and contaminants into the 288,000 liters per day of water which would be dumped into the Moon River after being used for cooling of equipment in the proposed power station.
124. Experts have pointed out that very important engineering details are lacking in the proposal, including ventilation, exhaust, disguising the 75' long and 13' high retaining wall etc. etc. I am not versed to speak on these construction details but my architect husband and a neighbour engineer insist that all related details must be seen BEFORE decisions to proceed are made- not afterwards. These professional residents also want any proposal to abide by existing laws that other buildings conform to (e.g. connecting to sewer lines) and have financial guarantees in place lest a developer not be able to complete a project for whatever reason.

b. Construction and Physical Aspects of Plant

125. Importance of Hwy 169 as the only way to get through Bala. If road (Hwy 169) goes down to one lane only, it has to be completed by mid- April and way before the May 24th weekend (this is too late, is not realistic and does not allow for delays – planned or unexpected). SREL response was, "Unfortunately, there is always some disruption to people during construction. Cottagers are also very affected by the road construction on highway 400 and highway 11 on their way up to muskoka. This is, however, the reality of the situation." SREL does not seem to get it that Muskoka is a fairly large area with different routes in to various areas (e.g. Port Carling) but Bala is smaller and there is only one road through – Hwy 169). Hwy 169 is the economic life blood of Bala

126. SREL estimates the project can be completed in a period of 18 to 24 months. I fear the town will resemble a war zone during this period. As we are aware, Muskoka endures severe weather conditions in the winter and unexpected serious situations could arise preventing and delaying completion of the project as projected. Any delays could harm the community even further beyond all the damage created during the construction period. How can SREL guarantee completion as disclosed in the Environmental Screening Report?
127. The blasting will occur in an area where existing water and sewer mains, linking the north end of town to the south end of town, are located. How will SREL effectively prevent any damage, environmentally or otherwise, to the water and sewer mains?
128. Section 5.2.1 of the ESR speaks to the possible crushing of rock on site. How will noise and dust emissions be monitored and controlled? During what time of year is the crushing proposed?
129. How would waste from within the plant be stored and handled?
130. Where is the emergency back-up generator's diesel engine exhaust?
131. It is understood that the facility's cooling system would be a 'closed loop' type cooling system, seals and gaskets can fail and leaks can still occur. I also understand that regular maintenance, as proposed, may reduce the potential for leaks, but I do not see in the Environmental Screening Report how leaks can be detected by the lone operator. What is SREL's plan to monitor and address any leakages? Who will be responsible for monitoring compliance and performance?
132. Can we please see drawings that show the view of the proposed structures (sites 1 and 2) from highway 169?
133. What locations will be used by SREL for the purposes of material and equipment storage? What remediation is planned for these locations once the project is complete and the sites are no longer required?
134. What are SREL's precise mitigation plans to protect the buildings in the area of the proposed facility location from damage caused by vibration and flying debris during blasting and heavy equipment use times? Will property owners be compensated for damage? How?
135. If SREL has a lease on The Shield Parking lot, where will visitors park, where will the Cranberry Festival vendors be located?

c. Option 1 Alternative

136. For several months SREL has threatened to simply move to the Option 1 Site and start to build if the Option 2 Site is not leased to them immediately. In the ESR Section 1.5.1.1 SREL states – *“The location of the powerhouse would remove any access to the falls from the south bank of the dam. The tailrace of the powerhouse would be located in close proximity to the falls which could cause safety issues and public concern. Furthermore, the location of the intake would be between the North Bala Dam and the highway bridge. This is not an optimum location from a hydraulic standpoint and head losses would be incurred. Approach area excavations near and below the road bridge to improve the hydraulics would be difficult and could threaten the bridge or dam.”* If these conditions existed in 2009 when the report was prepared what changes have taken place between 2009 and the present day that would make feasible to move to Site 1 and, what possible damage might occur to the bridge and/or the dam?
137. Section 1.5.1.1 of the ESR states – *“The roof levels are intended to be tiered with public access to the upstream roof area. The lower roof could be used for some components of the powerhouse”.* The recent layouts proposed by SREL for this optional site are not as per this statement. One illustration shows a roof with a large elevated portion close to the road. The second shows a completely flat roof. What has changed to make the flat roof possible?
138. Section 1.5.1.1 of the ESR states – *“Alternative 1 was presented during the Public Information Centre (PIC) of 2007. However strong public sentiment, in combination with the technical considerations discussed above determined that the powerhouse should be shifted farther to the south, away from the dam as described in Section 1.2. Public concerns expressed during stakeholder consultation included access to the Bala Falls area, and aesthetic preservation of the Bala Falls and surrounding parkland. By moving the project away from the North Channel, these concerns are better addressed. The potential occupation of lands owned by the District Municipality of Muskoka, the Town of Bala and Crown land by the project, as an alternative, represents amicable mitigation of some major public concerns expressed during the initial PIC. Due to the difficulties noted above, this layout alternative was not considered further.”* This paragraph tells us that SREL stopped doing any technical, design or engineering work on this location back in 2009 at the latest. Thus moving to it now would involve new work. What work would that be?
139. We see that the "new" Option 1 drawings provided by the proponent in September 2010 show that 75% of the north channel would need to be obstructed by a coffer dam during construction (see attached). Given that the Ministry of Natural Resources was very concerned about the coffer dam required in the north channel during construction of the proposed Option 2, it appears that for Option 1:

- The obstruction of the north channel caused by the coffer dam would be much greater.
- The obstruction would need to be in place for much longer.
- The coffer dam could not be removed quickly (if necessary for a high-flow event) as the construction crane would likely be located within the area protected by the coffer dam, and the supports for the District Road 169 bridge and the excavating adjacent to the north dam would not be ready to handle the force of the water for much of the time when the coffer dam needs to be in place.

Accordingly, we do not believe that the MNR would approve of the construction steps required for Option 1. We therefore do not believe that Option 1 could ever be built. We request a response from the MNR on this issue.

140. Inasmuch as the size of the Crown land site for Option 1 is very limited and contiguous to District land; if SREL decides to attempt to build here how does the proponent intend to:

- Build the power station with retaining wall, safety fences, room for hoisting equipment etc etc with the District denying all access or trespass on its land - possibly including some part of the road over the bridge?
- Build the power station without locating it on the probable District or Township shore road allowance on this Crown site, which may also extend under the water?
- Anchor the tailrace safety boom without this anchor being on District land or a shore road allowance?
- Satisfy provincial laws protecting the riparian rights of downstream property owners, public and private, against the dangerous and potentially damaging effects of fast water exiting the power plant ?
- Easily obtain an addendum to any provincial environmental certification obtained for Option 2, when the characteristics and impact of the alternative site are so dramatically different ?
- Satisfy Township noise and safety bylaws (which are subject to ongoing modification) regarding construction, exhaust fans and other machinery etc?
- Adequately compensate affected local businesses such as Purk's?
- Continue building if Township/District work crews are required to do extensive and delaying road work at the approach to the site, e.g. for bridge repairs, sewers or water mains?

d. South Channel

141. And what is wrong with using the already damned area between Lake Muskoka and the Moon River, with the ready made chute if council goes so far astray as to allow this ludicrous project.

PARTICIPANTS IN THE PROCESS

Public Consultation

142. Changes & Amendments the proponent has more than once issued a statement at a public meeting or in a written communication only to change their position after the fact. Significant changes in the proponents stated position require that additional meetings be held and written communications sent to inform stakeholders so that these changes may be included in their deliberations. This has not been done. When will such meetings be held? A recent example is the request by the proponent for an amendment to the MRWMP giving them the right to operate in peaking/ponding mode. This change would allow operation during peak demand hours for electricity which just happen to coincide with boating hours. While this mode would maximize private profits it would also maximize the increase in danger for recreational users of the waterway and waterfront. Making significant changes in the proposal requires additional "Information Meetings" to consult the public and other stakeholders. Holding additional meetings would enable SREL to consult with stakeholders regarding these changes.
143. The Proponent should be required to demonstrate that the public benefits from the Project, beyond any reasonable doubt, far outweigh the adverse impact the Project will have on the area and its many stakeholders.
144. We cannot believe that Council is not requiring the Proponent to appear before it. At least if they appeared, everyone could hear their responses at the same time and not be forced to emails. Cannot believe that you, our elected Council, would bow to the proponent and go so far as to set up this email address because " the proponent responded that because they wouldn't know in advance which experts would be needed, they prefer to receive such questions in writing." By now, we would think that everyone on SREL has become an expert on this subject.
145. Our family concerns have not been addressed by the proponent! If this proposed project proceeds, there will be a lasting impact on the natural features of the Bala Falls and surrounding parkland, and on the citizens of this community. These Falls and adjoining parkland have been enjoyed by four generations of our family – we owe it to our future generations to NOT MAKE A MISTAKE. Full-time residents, seasonal residents and tourists alike go into Bala for many reasons.

146. It is unconscionable to suggest that the Bala Falls, as “resources”, are not unique. Anyone who knows Muskoka and Bala Falls in particular, understands that the uniqueness of these resources drives tourism and the local economy. Words like “majority” and “low magnitude” are as diversionary here as a cheap magic trick. Defining the standard of review with vague and self-serving terms such as “based on the criteria used”, and then concluding confidently that the residual effects are not “considered significant”, is hollow and deceptive. Indeed, the Report is rife with such examples. It is an insincere sales pitch that must be viewed with skepticism. The Report’s failure to address (and in no way mitigate) these important considerations demands that the Project be elevated to an Individual Environmental Assessment. Furthermore, the promises of the Proponent to attempt to mitigate certain damage in the future (such as by maintaining water levels in Lake Muskoka) cannot be accepted as proper mitigation given the practical limitations on enforcing the Proponent’s covenants and the fact that the damages, when incurred, could not be compensated by monetary damages (if in fact a direct causal connection could ever be proven in what would no doubt be protracted and legalistic maneuvering).
147. We have had the same questions outstanding for over a year. We detailed a total of 69 questions in our technical response to the proponent's environmental screening report, and in over a year the proponent has only addressed two of our questions (16 and 54). The remainder of their responses have not answered the questions asked, but have simply repeated what they already said. We request answers to the questions we asked, rather than the evasive, non-committal replies previously received.

Proponent

148. Is Swift River Energy a real company? Do you have a company website? The only website is related to the Bala Falls Project. Is that all you have?
149. Have you ever built a power station such as the one being proposed for Bala?
150. Do any of SREL’s investors, officers or staff own property in the township of Muskoka Lakes? Who and in which Ward?
151. What experience as a limited company does Swift River Energy Limited have in Hydro-Electric Generating Station construction and or operation?
152. Swift River Energy Limited needs to demonstrate it’s expertise in risk management. What conditions of its contract with the government addresses

structural failure during the proposed construction? What a catastrophe if that was to happen and the waters of Lake Muskoka were let surge uncontained down the Moon River. Who is underwriting this company?

153. Curious as to who/what company/companies are actually involved with this. There seems to be many, SREL, Hatch Energy, Horizon Wind Inc., McGhee-Krizzsan Engineering to name a few. We wrote a letter to Ian Baines (see attached) and A. Zwig but no response was ever received back. After emailing Hatch, we finally got a response from Karen McGhee. Each person seems to be in multiple companies so difficult to connect the dots and follow the trail. Also wrote a letter to the Premier and the former mayor of Muskoka Lakes and got no response from either.

First Nations

154. Correspondence with the First Nations was described in the Environmental Screening Report with a fairly non-reactionary response reported. What information was rendered to them by the proponent? What is the current nature of the relationship between SREL and the various First Nation's communities on the Moon and Musquash Rivers? Does the band have or will they have an equity position in the development?

Agency Approvals

155. SREL reportedly has received approval from transport Canada and The Department of Fisheries and Oceans with regards to their project. What precise approvals did they receive, are there any conditions and what are those conditions?

Ministry of Tourism and Culture

156. Has the Ministry of Culture signed a letter of clearance of the archaeological condition?