




Proposed Bala Falls Generating Station *Unresponsive Proponent Causing Delays*

Congratulations

- We are very pleased that on April 26, 2011 the District Municipality of Muskoka passed a resolution to transfer ownership of the land required for Option 2 to the Township of Muskoka Lakes
 - This is an issue which more affects and is of **concern to the local area**, so this is the correct level of government to be involved
 - This was a major issue in the October 25, 2010 municipal election, prospective Councillors clearly stated their position, the public has had their say, and the **Councillors present therefore have their mandate**
 - This is wonderful, this is the way **democracy** is supposed to work

Public Input

- Township of Muskoka Lakes July 8, 2008 resolution required that considering the use of the public land for the proposed Option 2 be **“subject to further public input”**
 - The Township has been very **active and successful** in soliciting this public input, most recently forwarding the public’s written questions to the proponent on March 24, 2011 – as required and requested by the proponent



MUSKOKA
Lakes

Agenda Reference 9.a.7.

COUNCIL MEETING

DATE: 8 July 2008 **RESOLUTION NUMBER:** C.29-08/07/08

MOVED BY: Councillor Patricia Arney

SECONDED BY: Councillor Elizabeth Denvar

BE IT RESOLVED THAT the Council of the Township of Muskoka Lakes, concurs "in principle", that the District Municipality of Muskoka consider the use of the District owned lands, located on the south side of the Dale Falls North Dam, by Swift River Energy, as part of a new hydroelectric generating facility, all subject to further public input and successful completion of the required Environmental Screening.

RECORDED VOTE:	NAYS	YEAS	
COUNCILLOR ARNEY	—	—	
COUNCILLOR DAVIDSON	—	—	
COUNCILLOR DENVAR	—	—	
COUNCILLOR ELLIS	—	—	
COUNCILLOR GRADY	—	—	
COUNCILLOR HARE	—	—	
COUNCILLOR MARTIN	—	—	
COUNCILLOR THOMPSON	—	—	
COUNCILLOR WALLACE	—	—	
MAYOR PRYKE	—	—	
TOTALS	—	—	
			MOTION DEFEATED []
			MOTION CARRIED [✓]
			<u>Susan Pryke</u> MAYOR

Unresponsiveness of Proponent

- Sadly, the proponent has not responded to this, or previous requests for information, for example
 - Proponent organized and publicized an Open House on October 29, 2009, but just 5 days before this “**postponed**” it – apparently forever
 - ▶ In fact, the proponent has not held any public meetings since August, 2008
 - At the August 24, 2010 Township Council meeting the proponent was requested to participate in a citizen’s committee, but **refused**
 - Proponent agreed to attend a September 18, 2010 public meeting organized by the Township, but just 4 days before this requested **questions be submitted in writing in advance** (for this and perhaps other reasons, the meeting was cancelled)

Unresponsiveness of Proponent

- At the January 18, 2011 Township Council meeting proponent agreed to attend a Town Hall meeting and respond to questions provided in writing, in advance
 - ▶ But at the February 22, 2011 Township Council meeting they **added numerous restrictions** to the questions they would answer
- Our delegation to the District Municipality of Muskoka's Public Works Committee February 23, 2011 detailed many **inconsistencies, oversights, and mistakes** in the information provided by the proponent
 - ▶ Yet corrections have **not been forthcoming** from the proponent

Clarification Regarding Town Hall Meeting

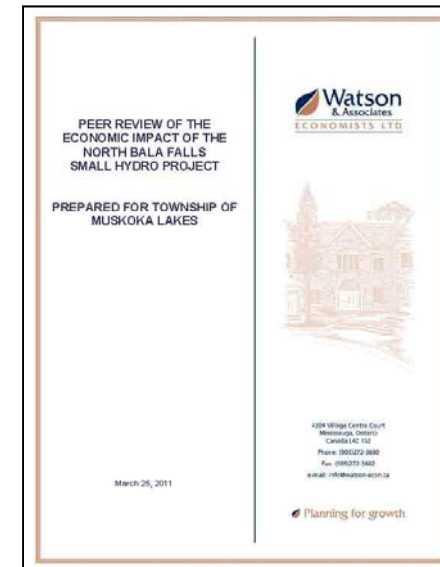
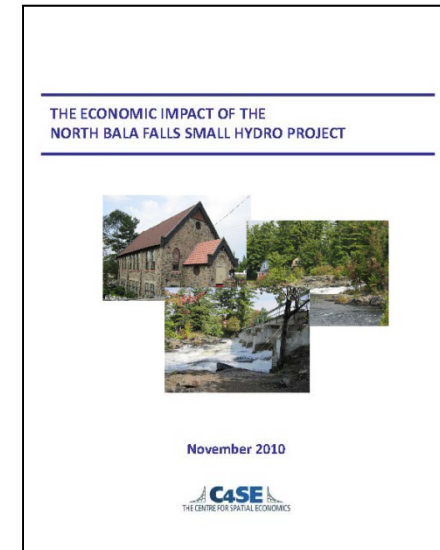
- Swift River agrees to attend a Council Meeting to answer Council's questions regarding the lease.
- Swift River requests the following:
 - Questions are provided in writing, in advance.
 - Questions are "...limited to those issues that are within Township Council's jurisdiction as set out in Township Council policy, clearly within Township Council's mandate to decide." (Township Council Policy C-5-06/02/06, revised C-8-20/11/07)
 - Questions shall exclude issues that are under the jurisdiction of agencies that have the qualifications, mandate, and authority for which to make such evaluations and/or decisions

Scenic Flow Distribution Committee

- Even though the committee was completely under the proponent's control
 - They wrote they “will be finalizing the **membership, mandate, agenda, and presentation material ...**”
- The proponent completely **ignored** the weeks of work:
 - They wrote the Ministry of the Environment “from the point of view of the ESR, there have been no changes to flow distribution plan provided in the ESR”
- And they wrote that a fourth meeting would be held if necessary, but this was not permitted to be held
 - Why would we believe the proponent's desired **landscape advisory committee** would be any less a waste of time

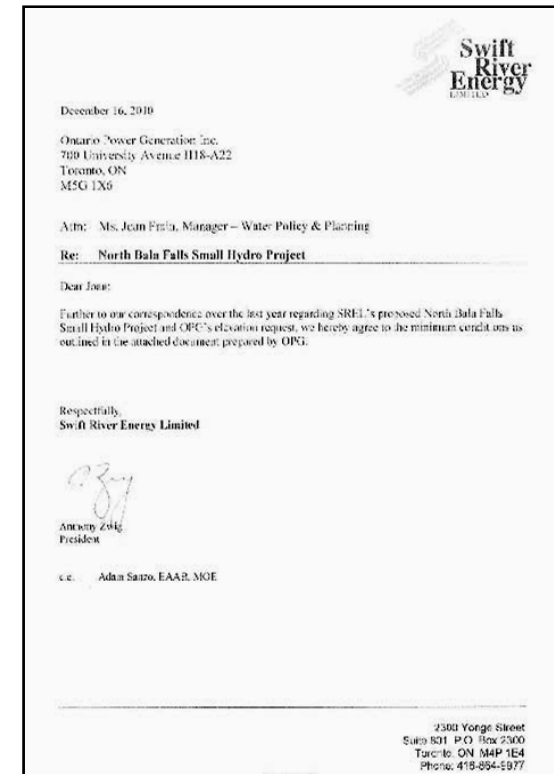
Economic Impact Study

- During 2010 proponent was required by the Ministry of the Environment to complete an economic impact study
 - Survey questions were biased, tourists were not interviewed, information was misinterpreted, unsubstantiated conclusions were provided
 - Peer review concluded study is inadequate



Agreement with OPG

- On December 16, 2010 the proponent signed an agreement requiring the operation of the proposed station be cycled at least daily, off and up to at least $\frac{1}{3}$ of its capacity during the summer
 - This has major fish and shoreline habitat and **public safety issues**
 - The negotiations were over a year, yet the public was not informed until after March 25, 2011
 - And these implications have **still not been addressed** by the proponent



What the Public Needs to Know

- Would the project be **safe**
 - Transport Canada says yes, but their mandate and expertise is marine navigation, not in-water recreation
- Would the project be **beautiful**, having a positive impact
 - All we've seen is an ugly concrete cube with blasted rocks piled up the side
 - Even this information is wrong as it does not allow for cooling, and the view down river from public lookout is obstructed
- Would there be enough **scenic flow**
 - The falls are crucial to Bala's economy
- A **local** process is needed
 - The Ministry of the Environment's process isn't working for Bala

Thank You

- Township Council has succeeded in bringing the public's questions to the proponent
- The proponent has repeatedly:
 - Avoided responding to questions from the public
 - Provided incorrect, inconsistent, and incomplete information
 - Ignored input from the public
 - Neglected to inform the public of important changes
- Thank you for continuing to represent the public's interest in obtaining answers from this unresponsive proponent
 - Recognition