

From: Mitchell Shnier [Mitchell@Shnier.com]
Sent: Tuesday, September 21, 2010 12:58 PM
To: 'Robertson, Al'
Cc: 'Gillen, Ann'
Subject: RE: Proposed Bala Falls Hydro-electric Generating Station

Hello Mr. Robertson,

1) I e-mailed you on May 5, 2010 requesting your response on many safety issues we feel are outstanding concerning the proposed Bala falls hydro-electric generating station (see below). Could you provide an update on when you would be able to provide a response.

2) We understand Transport Canada's mandate and authority for the boating and navigational issues relative to this proposed project, but could you confirm whether Transport Canada has authority or responsibility for the safety aspects of the proposed project for in-water recreational activities, such as swimming.

Thank you.

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Mitchell Shnier

-----Original Message-----

From: Robertson, Al [<mailto:al.robertson@tc.gc.ca>]
Sent: Friday, May 7, 2010 12:27 PM
To: Mitchell Shnier; Gillen, Ann
Subject: RE: Proposed Bala Falls Hydro-electric Generating Station

Dear Mitchell Shnier;

Ann Gillen and I have received your email outlining your concerns with the proposed North Bala Falls generating project and I recall discussing this with you by phone during the winter.

I will work on getting a full reply to you shortly; however, it will take a couple weeks before I am able to complete that.

Please rest assured that your concerns will be fully considered and a direct reply will be provided to you.

Regards.
Al Robertson
NWP Officer
Operation Specialist
Ottawa

-----Original Message-----

From: Mitchell Shnier [\[mailto:Mitchell@Shnier.com\]](mailto:Mitchell@Shnier.com)
Sent: May 5, 2010 8:46 AM
To: Gillen, Ann; Robertson, Al
Subject: Proposed Bala Falls Hydro-electric Generating Station

Ms. Ann Gillen
Senior Advisor, Program Integrity, Operations and Environmental Programs
Transport Canada 330 Sparks Street Ottawa, ON K1A 0N5
Phone: 613 998-0657
E-mail: Ann.Gillen@tc.gc.ca

Mr. Al Robertson
Navigable Waters Protection Officer, Operations and Environmental Programs
Transport Canada 330 Sparks Street Ottawa, ON K1A 0N5 Phone : 613 990-5901
E-mail: Al.Robertson@tc.gc.ca

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.

Mitchell Shnier, on behalf of SaveTheBalaFalls.com
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