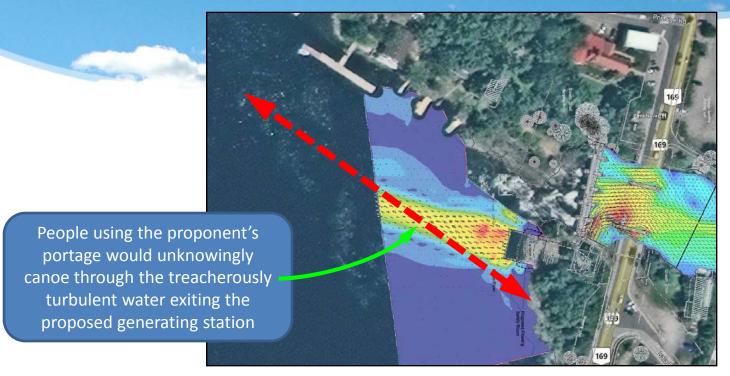


Proposed Hydro-electric Generating Station at the Bala Falls Where is the Safety Plan

Proponent's proposed portage



- In 2013 the MNR prohibited public access to the Crown land south of the Bala north falls as they say the water there is too dangerous
 - But proponent's rehabilitation of the Township's land would build a new portage landing directly adjacent to their tailrace
 - This doesn't make sense

More conflicting statements

- Proponent's 2005 proposal stated they would "not generally diminish the public's enjoyment of the area for swimming, boating, fishing, picnicking and hiking"
 - But OPG/OPP public safety campaign says: "Stay Clear, Stay Safe"
- Which works in Bracebridge
 - But Bala has unprotected public and private docks much closer
 - And "No Swimming" signs could not be posted on the private shores
- So this too doesn't make sense

2008 Drowning due to Wilson's Falls Generating Station



Incident Review

- OPP informed us that there was a group of boys skateboarding in the area.
- They were looking for a place to swim to cool down.
- Local resident gave them directions to a public swimming area.
 We believe they drove past and ended up at our generation site.
- The oldest was 21, the youngest was 12. Jose was 14 years old.
 The 21 year old climbed over the rocks, jumped in and swam through the discharge from the tailrace and over to the rocks on the falls.
- The youngest refused to go, thinking it was too unsafe. Jose was coerced by his peers into the water where he attempted to swim though the current but was overcome and didn't make it.
- It is a fact that the 2008 drowning at Wilson's Falls was due to the tailrace flow from the generating station
 - The station owner/operator stated this at an industry conference

Far more dangerous in Bala

- The situation in Bala would be far more dangerous
 - 1) Few people visit Wilson's Falls, but in-water recreation in Bala is extremely popular
 - ► The proposed Bala station would
 - 2) Have ten times the tailrace flow
 - 3) Be automatically started at about noon on ½ of summer days
 - ▶ Just when people would be in the water a few feet away, having seen it "safe"
- That is, public safety has not been addressed

Letter from the MNR – just call "911"

- Letter from Minister of Natural Resources, March 21, 2014:
 - "There is an assigned 911 civic address for the Crown land associated with the North Bala dam. This provides the means for emergency response personnel to attend the site in a timely way similar to any location in the province."
- The province is making political decisions from Toronto
 - They don't understand the local situation
- We need to prevent drownings, not help recovering bodies
 - We don't want Bala to be the drowning capital of Muskoka

From: Sent: Tec Co: Subject:	MINI Feedbask (MINE) Frase, Mustra 12, 1014 12:36 PM Mithri-Rightheir com Bessudin, Stein (MINE) Bonnethat, Megyan (MINE) MINESSISMC 2014 4:321 - A Message from the Minister Regarding the Proposed Hydro-Electric Project in Bala MINESSISMC 2014 4:321 - A Message from the Minister Regarding the Proposed Hydro-Electric Project in Bala
	MNR5385MC-2014-3
Mr. Mitchell Shri Save the Bala F Mitchell@shnier	als
Dear Mr. Shnier:	
Premier Kathlee proposed hydro-	n Wynne shared with me your e-mails of January 8 and February 4, 2014, regarding the electric project in Bala. I am pleased to respond.
Our government in support of the	is committed to expanding clean and renewable sources of energy, such as waterpower plan to phase out coal-fired generation in Ontario.
Assessment (EA Over a year ago	gy Ltd., the proponent of the waterpower project, completed the Class Environmental () for the project which included extensive public and government agency consultation. the Minister of the Environment confirmed that are Individual EA was not werranted and solid proceed with the project, subject to other permits and approvals required.
	submitted the required Statement of Completion to the Ministry of the Environment on 3, identifying the successful completion of the Class Environmental Assessment process
the location of th	iny Sound District has issued an approval under the <i>Lakes and Rivers Improveme</i> nt Act re facility on Crown land. Regional and district staff will review the plans and specificatio nce submitted by Swift River Energy Ltd.
facility that was I and technology.	t the new facility is expected to have a much higher electricity generating capacity than touth in 1929. The increased capacity relates, in part, to improvements in turbine design it would be enreased any and it would be enreased and to suggest that a generating capacity increase by to increases in the amount of flow required to produce the electricity.
demolished in 19	osal will be located on the same Crown land site as the former waterpower facility that v 072. This site is 0.07 hectores in size. The footprint of the former hydro facility and tures occupied much of this site, as would be the case with the current project.
	gned 911 chic address for the Crown land associated with the North Bala dam. This ans for emergency response personnel to attend the site in a timely way — similar to are rovince.
control structure promoted as pos understand that	inues to advise that swimming, wading or other water-based activities below a water such as the Bala North dam are not advisable recreational practices, one should they be solid tourist activities. There is a beach in the municipally maintained Jaspen Park, and it is available to the public for swimming and wading and located a short distance from t way from the influence of flowing waters from its de-flustoska.

The proponent made a commitment to maintain, if not enhance, the "scoric" flows over the north Bala Fall that have been maintained for many yeers by my ministry set to operator of the Bala dans. I understand that the proponent will convene the previously established public Sownic Flow Committee for at least one more meeting to identify any additional opportunities for enhanced scene flows, such as during important tourism events.

As the owner of a constructed waterpower facility with the responsibility for the operation of the facility and the two Ministry of Natural Resources (MNP) Stad adms, it would be the responsibility of Swiff the Energy to ensure appropriate public safety measures are in place as they relate to the structures and resulting flows and levels.

I understand that Bracebridge Generation Ltd. has been identified by the proposent as part of the projetion responsible for propriations and maintenance. This veotropower company has a wealth of knowledge and experience in the operation and maintenance of water control storactive including waterpower facilities. As the owner of the Bala dams, MNR will continue to ensure that the Bala dams are maintained operated with associated measuremen in place to seferular quicking software.

he Class EA and subsequent Addendum, which includes the proposed mode of operation for flows and refer demonstrates that there will not be any significant risk to public safety or traditional in-water screeding activities below the north Bala Falls due to the ongoing operation of the facility.

The Core hand side release procedure in effect at the time when the proponent was awarded Applicant of Record for the side did not include the requirement for an Applicant to have proof of an ageometic or some of legal was provided by which are proof of an ageometic or some of legal was provided by which are provided and through confirming all through confirming all through confirming all through confirming operation will not significantly impact any ripersism or abuting landowners in the area. Any rights or obtain to a confirming and the provided and the confirming and the confirmi

With regard to your comments relative to the purported existence of a historic portage and Section 65(4) of the Public Lands Act, this matter is the subject of a judicial review. The Court dismissed the matter on August 19, 2013. A motion for leave to appeal was filed by the Township or the Musicke Lakes. To date, the Court of Appeal has made no decision on this motion. As this matter is still before the Court, I can make no additional comment on this subject.

As this renewable energy project moves through the final approvals and permitting processes, I encourage you to work collaboratively with Swift River Energy. Ltd. to make this project the besit it can be and ensure it is a net benefit for the local community. There are many examples of communities that have benefited from a collaborative approach, including the Town of Bracebridge Final Swift Swift

Thank you again for writi

Sincerely

David Orazietti Minister of Natural Resour

c: Premier Kathleen Wynne

Where is the Safety Plan

- Despite strong efforts, the MNR still doesn't understand the public safety problem
 - The Township's support for this proposed project further convinces the MNR that there are no public safety problems
- Bracebridge Examiner, August 13, 2008, reporting on drowning due to the Wilson's Falls generating station:
 - "The family also wants to ensure other families do not have to go through a similar tragedy."
- Here is our opportunity to honour the family's wishes
 - We can't assume "someone else" will ensure safety
 - As community-minded people, we all must do what we can

Proposed Resolution

- Our request
 - Would the Township of Muskoka Lakes write a letter to the MNR asking that a safety plan be presented to the public
- Everybody wants this issue to go away
 - But thinking, hoping, and expecting someone else will ensure public safety will just come back to haunt us every time there is a drowning

COUN	CIL	Agenda Reference
DATE:	January 26, 2016	RESOLUTION NUMBER:
MOVED	BY:	
SECON	DED BY:	
notified	the Township of Muskoka L	2013, the Ministry of Natural Resources and Forestry (MNRF) akes that public use of the Crown land south of the Bala north ons, to protect the public from entering the water there;
	hereas the water from the gafety concerns there;	enerating station proposed for the same site would create even
(OPP) I		ario Power Generation (OPG) and the Ontario Provincial Police ar, Stay Safe* educational campaign informing people to stay sting stations;
generat	ting station, and this would i	templating a lease with the proponent for the proposed Bala nclude the proponent rehabilitating the Township land so there jacent to the proposed generating station;
stated t		al to the MNRF for the Bala generating station, the proponent ally diminish the public's enjoyment of the area for swimming, ng*;
the prop place a	ponent would "have the resp	tions about public safety concerns, the MNRF has stated that consibility to ensure appropriate public safety measures are in s and resulting flows*, but no such public safety measures have date;
request generat	ing that before any further a ting station, that the public b	at the Township of Muskoka Lakes write a letter to the MNRF pprovals and permits are granted regarding the proposed e provided with details of the fencing, safety booms, signage, ety measures that would be implemented.
RECO	RDED VOTE:	NAYS YEAS
COUNC COUNC COUNC COUNC COUNC COUNC COUNC	CILLOR BARANIK (Deputy CILLOR BARRICK-SPERN CILLOR CURRIE CILLOR EDWARDS CILLOR HARDING CILLOR KRUCKEL (Acting CILLOR LEDGER CILLOR NGTAGGART CILLOR NISHIKAWA R FURNISS S	