

September 28, 2017

The Honourable Kathleen Wynne
Premier of Ontario and MPP, Don Valley West
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Dear Premier Wynne:

Re: Proposed Hydro-electric Generating Station at the Bala Falls

This is further to my September 18, 2017 letter to you as a constituent of yours who has met directly with you twice on this unresolved and unacceptable situation of public safety for the proposed hydro-electric generating station at the Bala falls.

- 1) In Question Period responses to MPP Norm Miller's questions earlier this week on September 25 and again on September 28, MNRF Minister McGarry confirmed the government **still** has not required the proponent to show, before any construction could begin, whether the proposed generating station could be operated safely.

This is unacceptable as it would be **unprecedented** to build a hydro-electric generating station in the middle of a popular in-water recreational area – it has never been done. A nearby generating station less than one-tenth the size caused the 2008 drowning of a 16-year-old boy, so such generating stations **are deadly**.

- 2) For their environmental assessment, the proponent claimed they would not make the water dangerous outside of their proposed downstream safety boom, but due to information they released only **after receiving environmental approval**, we **now** know they would make the water dangerous **outside** of their safety boom, and even in front of people's private docks.
- 3) The MOECC and MNRF repeatedly reply that we should direct these questions to the proponent, but the proponent:
 - a) Refuses to provide answers to us, they have ignored the last 12 letters we have sent to them over the past two years.
 - b) Has not updated their web site in the 22 months since they removed most of the information from it.
 - c) Has two lawyers working to prevent us from receiving information through the Freedom of Information process.
 - d) Refuses to disclose to the public the public safety plan.
- 4) Premier, the time to determine how, or if, such a dangerous facility could be operated safely is **before** any construction can begin – perhaps design changes would be required. It is unacceptable for a proponent to be completely unresponsive to answering what they would do to avoid drowning unsuspecting tourists, claiming they can figure this out later. **Safety cannot be an after-thought**, it must be part of the design.

We well understand that environmental assessments are a “proponent-driven process” which has the checks and safeguards required for most proposed projects. But this particular:

- a) Project has **serious public safety drowning risks** for which both Transport Canada and the MOECC do **not** have the expertise to assess or address.
- b) Proponent; is hostile to the community, does not reply to questions, and has not provided any information to the community in over a year. Government decision-making requires a higher standard, so this exceptionally abusive proponent necessitates **intervention now**.

5) This stained process requires that **your office** now get involved:

- a) As your Ministries have shown they cannot deal with this unusual situation.
- b) To prevent embarrassment and liability due to your bureaucrats “just following the usual procedures” – which have been shown to be inadequate in this case of endangering human life.

You should be worried that both the proponent and your office claim the proposed project would be safe, but have no evidence of this.

I request:

- That no further MNR or MOECC approvals be issued.
- The proponent be required to provide a third-party verified Safety Plan as part of an environmental assessment Addendum, as such risks to human life are the environmental responsibility of the MOECC.

The proponent has started pre-construction work, and started cutting down trees yesterday. Please respond by October 4, 2017.

Sincerely,



Mitchell Shnier

Cc: The Honourable Chris Ballard, Minister of the Environment and Climate Change, CBallard.mpp.co@liberal.ola.org
The Honourable Kathryn McGarry, Minister of Natural Resources and Forestry, KMcGarry.mpp@liberal.ola.org
Patrick Brown, Leader, Official Opposition and Progressive Conservative Party of Ontario, Patrick.Brown@pc.ola.org
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