

March 6, 2018

Kathleen O'Neill  
Director, Environmental Assessment and Permissions Branch  
Ministry of the Environment and Climate Change  
135 St. Clair Avenue West  
Toronto, ON M4V 1P5  
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Hello Ms. O'Neill:

## **Re: Proposed hydro-electric generating station at the Bala falls**

### **Summary**

For their environmental approval from the Ministry of the Environment and Climate Change, the proponent stated that during the proposed construction there would be only two road closures of Muskoka Road 169, and there would be mitigation such as these closures being overnight.

However, the proponent apparently now plans 100 daytime road closures, which would be a significant disruption to businesses and emergency vehicles, as the detour is 50 km.

It therefore appears that:

- The proponent does not have provincial approval for the road closures they plan.
- The Ontario Provincial Police would be obligated to allow the public full use of Muskoka Road 169, as there is no provincial approval preventing this.

I look forward to any comments or additional information you can provide on this urgent issue, as I understand these closures could start as early as Monday March 12, 2018.

### **Detail**

In 2009, the proponent for the proposed hydro-electric generating station at the Bala falls submitted their Environmental Screening/Review report for what they called their "Alternative 2D". In Section 5.3.4.1 of this 2009 ES/R the proponent noted there would be only two complete closures of Muskoka Road 169, both overnight. Such complete road closures are of great concern as the detour is 50 km; so would cause economic impact to area businesses, and unacceptable delays for both volunteer fire fighters and emergency vehicles.

The proponent subsequently abandoned their Alternative 2D, and proposed their current "Alternative 1A" in an Addendum issued in 2012.

The proponent's 2012 Addendum stated in many places the positive impacts of their changing from Alternative 2D to their current Alternative 1A, for example:

- 1) Section 4.6, Socioeconomic: *"the lane and road closures anticipated for Alternative 2D will not be required for Alternative 1A."*

- 2) Table 4.1, Screening Criteria, there would be no negative effects related to traffic as: *“the road closures and lane reductions would not be required. Alternative 1A eliminates the need for road closure of Bala Falls Road”, with a net effect of: “Positive”.*
- 3) Table 5.1, Comparison of Potential Effects between Alternative 2D and Alternative 1A During Construction Phase, concerning: “Local Traffic – Highway 169”, the proponent reports: *“Periodic traffic disruption on MR-169 will still be required at various points throughout the construction period. However, no temporary Bailey Bridge, nor the anticipated lane and road closures of MR-169 and the north end of Bala Falls Road, will be required for Alternative 1A. It is therefore anticipated that traffic disruption required for Alternative 1A will be less than would have been required for Alternative 2D.”*, with the summary: *“Positive effect due to lesser amounts of traffic disruption on MR-169.”*
- 4) Section 5.2.3, Local Traffic: *“Alternative 2D required short-term lane closures and road closures of MR-169 and limited access to the north end of Bala Falls Road to accommodate excavation and construction of the project water conveyance structure under MR-169 for the period of mid-October through mid-May. These impacts to local traffic will not be required for Alternative 1A. Therefore, there is a positive benefit to local traffic on these roads for Alternative 1A.”*

That is, the proponent committed that their current Alternative 1A would have less traffic disruption than the two overnight road closures of their abandoned Alternative 2D.

As noted in the attached February 19, 2018 letter from the proponent’s contractor, the proponent intends to completely close Muskoka Road 169 at 9:00 am and at 6:00 pm, for six days a week, for approximately two months. This would be a total of approximately 100 road closures which would be in addition to some road closures both plans would have required due to large equipment deliveries.

The proponent’s January 23, 2013 environmental approval states that: *“Swift River Energy Limited must implement the Project in the manner it was developed and designed, as set out in the Environmental Screening Report”.*

As the proponent’s environmental approval from the MOECC is for only two overnight road closures, with mitigation measures for disruption to the public and area businesses, it appears the proponent’s current plans for 100 daytime road closures do not have provincial approval through the environmental assessment process.

Please respond providing details of whether, and if so by what means, the proponent has provincial approval for the 100 daytime road closures stated in the attached letter, and what authority they would have to request the OPP to prevent the public from utilizing Muskoka Road 169.

This issue is urgent as we understand the road closures may start this Monday March 12.

Sincerely,



Mitchell Shnier, on behalf of SaveTheBalaFalls.com

Cc: The Honourable Chris Ballard, Minister, MOECC, CBallard.mpp.co@liberal.ola.org

Norm Miller, MPP, Parry Sound – Muskoka, Norm.Miller@pc.ola.org

John Klinck, District Chair, District Municipality of Muskoka, John.Klinck@districtcouncil.ca

Provincial Constable Dean Ronson, Dean.Ronson@opp.ca  
Pamela Steel, Gravenhurst Banner, PSteel@MetrolandNorthMedia.com  
Office of the Ombudsman of Ontario, info@ombudsman.on.ca  
Frank Belerique, Swift River Energy Limited, FBelerique@horizonlegacy.com

February 19, 2018

**Re:** Notice of blasting activities at the North Bala Small Hydro Project  
Property Identification Number (PIN): 481541071

Dear Sir/Madam,

Swift River Energy Limited (SREL) has retained the services of CRT Construction inc. (CRT) for the construction of the North Bala Small Hydro Project (the Project). In preparation for the upcoming rock excavation phase of the Project, CRT is notifying you of blasting activities that will occur. Blasting activities are expected to commence on **March 2<sup>nd</sup>, 2018** and continue over a period of approximately two (2) months. The blasting schedule will be as follows:

Mondays	9:00 to 9:30, 18:00 to 18:30
Tuesdays	9:00 to 9:30, 18:00 to 18:30
Wednesdays	9:00 to 9:30, 18:00 to 18:30
Thursdays	9:00 to 9:30, 18:00 to 18:30
Fridays	9:00 to 9:30, 18:00 to 18:30
Saturdays	9:00 to 9:30, 18:00 to 18:30
Sundays	No blasting

In order to ensure public safety, a thirty (30) meter radius safety zone will be secured prior to each blast, which will include Muskoka Road 169 at the Project Site. Pedestrians and moving vehicles are asked to stay outside this zone. The road will be closed during this time. Delays of approximately twenty (20) minutes can be expected. CRT is kindly asking that you respect the signs, barriers and flagmen that will be directing traffic and pedestrians. They are present to ensure your safety.

Project Site:  
3105 Muskoka Road 169  
Bala, Ontario, Canada  
P0C 1A0

As part of the blasting procedure and to ensure public safety, CRT will be using an audible blast warning system prior to blasting. The blast warning system will be as follows:

Step 1	One (1) minute prior to blast: Twelve (12) audible signals (short whistle) with a one (1) second interval
Step 2	Blast
Step 3	Waiting time of ten (10) minutes
Step 4	All-clear signal confirmed by one (1) audible signal (long siren) of five (5) seconds

Once the all-clear signal has been given, barriers will be removed and the road will be reopened to public access.

Should you have any questions, please call 1-877-389-4099 or email us at [info@balafalls.ca](mailto:info@balafalls.ca). Kindly let us know your name and how we can contact you. We will get back to you in a timely manner.

We thank you for your understanding and cooperation.

Sincerely,

CRT Construction team