

September 6, 2018

The Honourable Rod Phillips  
Ministry of the Environment, Conservation and Parks  
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Dear Minister Phillips:

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

It would be unprecedented to build a hydro-electric generating station in the middle of a popular in-water recreational area, yet the Bala proponent refuses to respond to how, or if, they could operate safely where:

- Dangerously fast and turbulent water would extend **outside** of their proposed downstream safety boom.
- Someone tipping out of a canoe at the only boat rental in the area could be drowned **within 45 seconds**.
- The portage they plan would be just **inches** from the fast and turbulent water exiting their proposed generating station.
- Scuba diving is very popular at Diver's Point, which is just upstream of the deadly proposed intake, as is the location of the Bala Regatta.

At an industry conference, the owner/operator of the nearby Wilson's Falls generating station confirmed that the 2008 drowning of a 16-year-old boy was due to the water exiting their generating station, **confirming such stations are deadly**. Alarming, the proposed Bala generation station:

- Would have **more than ten times** the flow of the Wilson's Falls generating station.
- Would be in an area **far more popular for in-water recreation**, would endanger use of the only public docks on the Moon River – and three private docks are even closer.
- Would often start, without warning or local Operator present, at about noon on summer days.

As summarized on the next pages, these dangers were not disclosed for the proponent's environmental approval. The MECP has the responsibility to protect human life, and to protect the integrity of the environmental assessment process from political interference. Now is the time for the Minister to require the proponent to show an acceptable safety plan.

Sincerely,



Mitchell Shnier, on behalf of SaveTheBalaFalls.com

Issue	Risk	Concern to MECP	Request to resolve
Upstream safety boom	Drowning	<ul style="list-style-type: none"> <li>• Environmental Assessment Act defines that Environment includes: <i>“human life”</i> and: <i>“any building, structure, machine or other device or thing made by humans”</i>, so MECP does have responsibility for public safety.</li> <li>• This is confirmed by the recent decision by the Environmental Review Tribunal for the proposed Fairview wind turbine project which was to be built too close to two Collingwood-area airports. This decision reversed the MOECC’s approval, causing cancellation of this proposed project which would have risked the lives of those using these airports.</li> <li>• Method used to determine distance upstream to safety boom does not account for the new danger of the intake for proposed generating station.</li> <li>• People tipping out of a canoe at the only boat rental in the area would risk being drowned 45 seconds later.</li> </ul>	<p>It would be unprecedented to locate a hydro-electric generating station in the middle of a popular in-water recreational area, and as close to public and private docks, yet the proponent has not shown how, or if, they could operate safely.</p> <p>Transport Canada does not have the expertise or mandate to assess risks to in-water recreation, so their approval is inadequate.</p>
Downstream safety boom	Drowning	<ul style="list-style-type: none"> <li>• Fast and turbulent water created by proposed generating station would extend outside of proposed downstream safety boom, and proponent does not have right to increase extent of safety boom.</li> <li>• Proposed generating station would have more than ten times the flow of stations that have caused drownings.</li> </ul>	<p>The proponent has refused to disclose information on the turbulence and undertows their proposed generating station would create. For their environmental approval, they did not disclose the full extent of the areas they would make dangerous.</p>
Warning of new dangers	Drowning	<ul style="list-style-type: none"> <li>• Proponent does not have rights to land and property in locations required to post signs warning of new dangers that would be created.</li> <li>• Proponent could not provide warning before starting operation due to change to cycling operation, even though this is required by the MNRF, and would most often occur around noon on summer days, when people would be most likely to be nearby in the water.</li> <li>• Fast and turbulent water would be brought hundreds of feet closer to the popular in-water recreational area.</li> </ul>	<p>Require that the proponent’s safety plan:</p> <ul style="list-style-type: none"> <li>• Have input from an organization with relevant expertise.</li> <li>• Be disclosed to the public (to ensure it is workable).</li> <li>• Be approved by an organization with the required expertise, such as The Royal Life Saving Society Canada.</li> </ul>
Increased minimum flow	Drowning	<ul style="list-style-type: none"> <li>• Without consultation or mitigation, increased the minimum flow through their proposed generating station by 50%.</li> </ul>	

Building height	Economic impact	<ul style="list-style-type: none"> <li>• For their environmental assessment, proponent noted the current design would be taller than previously proposed, but the roof would still not rise above road level (2012 Addendum Appendices, page 29 of 63).</li> <li>• This is important as the area's economy depends on tourists stopping, for example, due to the view down the Moon River, but this would be blocked by their proposed three-storey poured-concrete structure that would obstruct this view.</li> </ul>	Require proponent to <i>"implement the Project in the manner it was developed and designed, as set out in the Environmental Screening Report"</i> as is stated by the Minister of the Environment for the proponent's final environmental approval, January 23, 2013.
Building footprint	Economic impact	<ul style="list-style-type: none"> <li>• Proposed building footprint is 50% larger than stated in their 2012 Addendum, which claimed that was: <i>"the largest building size required .... Therefore, this size may indeed be reduced following detailed design prior to construction"</i></li> </ul>	Require proponent to comply with commitments made for their 2013 environmental approval.
Portage	Public safety	<ul style="list-style-type: none"> <li>• Alternate routes proposed are more dangerous, including being directly adjacent to extremely turbulent flow from proposed generating station.</li> </ul>	Require safety of alternate routes to be properly assessed, for example, by actually using them.
Noise	Unacceptable noise impacting neighbouring residences	<ul style="list-style-type: none"> <li>• Now that building and equipment details are known, has not disclosed noise impact assessment and whether modelling shows noise emissions would be acceptable for the required Certificate of Approval (Noise) as required by the Environmental Protection Act.</li> </ul>	Noise Impact Assessment be released to the public.