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29 June 2012

Agatha Garcia-Wright, Director  
Environmental Approvals Branch, Ministry of the Environment  
2 St. Clair Avenue West, Floor 12A  
Toronto, ON  
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E-mail: [Agatha.GarciaWright@ontario.ca](mailto:Agatha.GarciaWright@ontario.ca)

Dear Ms. Garcia-Wright:

**Re: Proposed Bala Falls Waterpower Project  
Addendum - 2009 Environmental Screening Review Report**

Ontario Rivers Alliance (ORA), a registered Not-for-Profit grassroots coalition with a focus on healthy river ecosystems all across Ontario. ORA members represent numerous organizations such as the French River Delta Association, Vermilion River Stewardship, CPAWS-Ottawa Valley, Council of Canadians, Friends of Temagami, Paddle Canada, Whitewater Ontario, Mississippi Mills Riverkeepers, along with many other stewardships, associations, and private and First Nations citizens who have come together to support healthy riverine ecosystems in Ontario, and to ensure watershed development is environmentally, ecologically and socially sustainable.

ORA has closely followed the development proposals for the Bala Falls, and has several concerns about the Addendum recently released by the proponent concerning the changes in their proposed design. According to the [regulations](#)<sup>1</sup>, an Addendum is allowed for “*minor modifications to projects, and to require consultation on changes that are environmentally significant.*” ORA asserts that the following changes are not “minor” modifications to the proposal:

- The location and direction of flow of the tailrace is significantly different.
- The operation of the proposed generating station would be cycled during the low flow summer, fall and winter months, and yet there has been no scientific study

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<sup>1</sup> Guide to Environmental Assessment Requirements for Electricity Projects – B.5.2

- to identify its potential impacts on fish habitat, or to what degree any affected inundation area could increase mercury levels in drinking water and fish tissue.
- The cycling operation also presents a public health and safety issue, which will result from the rapid and frequent river flow velocity and water level changes that will occur in this high use area.
  - Tourism is a mainstay of Bala, and the proposed cycling operating could pose a danger to the public during in-water recreation. A study is required to understand the effect of cycling on in-water recreation, and whether public use and cycling need to be coordinated to occur at different times.
  - The artist's rendering and site plan do not adequately illustrate features which are necessary to form a clear understanding of the proposed project:
    - would there be any stairwells or access ladders,
    - where would the emergency escape and equipment access hatches be,
    - where would the driveway be,
    - would there be a public look-out,
    - could people see over the tailrace gate hoists, and
    - where is the front door?
  - We note that many choices are optimistic rather than realistic. For example:
    - It is assumed that the electrical equipment could reside inside the structure even though we have seen that many other recent, and smaller-capacity, powerhouses locate it outside.
    - Fish mortality calculations assume a single turbine even though the proponent states and provides a drawing showing there could or would be two turbines.
    - It is assumed there would be no reduction in speed limit on the highway.
    - The upstream safety boom would be just metres from docks where less experienced people would be renting canoes.
  - The location and direction of flow of the tailrace could result in boating and recreation becoming dangerous along the north shore of the Moon River, at the base of the north falls, and for portaging canoes to the south of the proposed tailrace.
  - There is no consideration or information on the loss of riparian rights.
  - Finally, the proponent's decision to release an Addendum deprives the public of their right to be consulted and results in too many issues not being addressed, such as
    - noise,
    - the threat to public health and safety in such a high use tourist area,
    - how construction work at the north dam and highway supports could be completed safely,
    - the schedule for major aspects of construction,
    - the disruption to traffic and local businesses during construction, and
    - the risk of flooding Bala Bay during construction due to the need for a larger upstream cofferdam.

ORA requests that Swift River Energy Limited be required to provide an Environmental Review Report for this new proposal, and commence this process with proper public consultation, and a Public Information Centre, so that the negative environmental impacts of this proposed project can be fully reported, understood, and shown to be adequately mitigated.

ORA looks forward to your response.

Respectfully,



Linda Heron  
Chair, Ontario Rivers Alliance

Cc: K. McGhee, Swift River Energy Limited – [balafalls@m-k-e.ca](mailto:balafalls@m-k-e.ca)  
The Honourable James J. Bradley, Minister of Environment – [Minister.moe@ontario.ca](mailto:Minister.moe@ontario.ca)  
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