



Memphrémagog Conservation inc

Newsletter - June 2011



A word from the president

In this international Year of the Forest, we have a large role to play in the protection of the exceptional ecosystems contained within forests, as well as of the numerous and irreplaceable functions and ecological services they provide. MCI is working towards this goal, as detailed in the article describing the conservation program's accomplishments in its first year. MCI has undertaken the promotion of the various conservation options available to owners of private property within the watershed of Lake Memphremagog who would like to protect the natural environments of interest on their properties. Towards this end, MCI has produced a brochure and pamphlet explaining the different conservation options and associated financial and fiscal incentives available. I invite you to contact us if conservation is of interest to you. Free of charge, MCI offers assistance to property owners throughout the process of obtaining protection of their properties in perpetuity, through the various vehicles available, such as land donations for ecological purposes, conservation easements, and the establishment and recognition of private nature reserves. A number of articles in our newsletter touch on this subject. Marie-Josée Martel, forestry engineer, writes about the ecological functions of forests, and Jean-François Girard, lawyer specializing in environmental law, writes about a precedent-setting court ruling which recognizes the role of municipalities in the preservation of natural environments.

MCI has been promoting the protection of forests for many years, and 2010 was no exception, as we distributed 4,000 trees and 600 shoreline shrubs to property owners

within the watershed. On May 28th of this year, we distributed 3,000 trees in Austin, Magog and Stanstead Township, thanks to the support of the Eastern Townships Forestry Association, the Ministry of Natural Resources and Wildlife, and the municipalities involved.

MCI trains and finances a lake patrol which is on the lake from May to September. In 2010, we were able to count on a team of four competent and devoted patrollers. This dynamic team undertook a number of tasks: information, education, meeting with lakeside residents, water sampling programs, and contact with municipal inspectors. In short, a team dedicated to guarding and protecting the lake.

Among their most important activities, the patrollers conducted a photographic inventory of all lakeside residences, which will serve as a reference tool for the municipalities. They also did an inventory of boats on the lake, which will be forwarded to the regulatory bodies concerned. The objective of this is to start a public discussion of the impacts of navigation on a reservoir of drinking water.

For the last three years, we have offered our members free consultations with a biologist on how to replant their shorelines. The biologists met with 130 shoreline residents, resulting in the replanting of several kilometres of shoreline. Our patrollers will be pursuing this activity in 2011, and can also refer our members to other renaturalization specialists.

Collaboration with our American neighbours is very important, as we must combine all of our efforts to preserve and restore the lake. MCI is now an official member of the Quebec-Vermont Committee, and we work in close collaboration with the Memphremagog Watershed Association (MWA) of Vermont. A number of our volunteers have participated in their project to replant 2,600 feet of shoreline on the Black river. As well, we financed a part of Dr. Fritz Gerhardt's 2010 study of the Black river (his report can be found on our web site). Once again this year, MCI will be supporting his work in identifying sources of phosphorus on the Black river.

In conclusion, we would like to thank Mr. François Bélanger, who volunteers his expertise with all of the technical issues related to our different activities and projects. Mr Bélanger also acts as MCI's technical expert on the Quebec-Vermont committee. We would also like to thank Francine Hone, Biologist, and Terri Monahan, both specialists in conservation, who were instrumental in putting in place our conservation program. A special thank you goes out to the members of our Board of Directors, who make it possible for us to be so effective.

Let us plant trees and protect our forests!

Gisèle Lacasse Benoit
Volunteer President



Memphrémagog Conservation Inc. : Powell Creek

The Annual General Meeting 2011

The AGM for members of MCI will be held on August 6, 2011 at 9:30 am at the Southerie sur le lac chapel. We look forward to seeing you all!



2011 Patrol



Erich Smith-Peter, Jean-Sébastien Messier and Alexis Martin

Once again this year, MCI is pleased to be able to count on the services of Erich Smith-Peter as leader of our patrol. A native of Coaticook, Erich is a Masters level student in Biology at the University of Sherbrooke. He is passionate about nature and displays great leadership qualities. Also with us for a second year is Alexis Martin, Masters level student in Biology at the University of Sherbrooke. To complete the team this year, we have recruited Jean Sebastien Messier, a biology student at UQAM. The responsibilities of our patrol team are numerous, and require a good knowledge of the environment and of biology, which is why our recruiting leans towards students qualified in these areas. Our three patrollers are dynamic and conscientious individuals, and will be patrolling the lake 7 days a week, weather permitting.

Their main tasks consist of: 1) collecting, for Développement Durable, Environnement et Parcs Québec (MDDEP), water samples from 10 stations on the lake in order to obtain data on the quality of the surface water (This data can be found on our web site); 2) conducting daily monitoring of the lake to identify infractions and note any appearance of cyanobacteria; 3) meeting lakeside residents and young people attending day camps in the area in order to educate and sensitize them to good environmental practices; and 4) setting up and manning information kiosks at municipal festivities in the area.

In addition, we have developed over the years a very proactive approach with the five lakeside municipalities and their inspectors responsible for the environment. We have developed an excellent working relationship with them, thus allowing for even greater monitoring of lakeside activity.

As in years past, the patrollers will be visiting lakeside residents to solicit your support and advise you on concrete actions you can take to protect the lake. They also offer for sale articles with the MCI logo, the proceeds of which help to fund our activities. We invite you to contact them at (819) 620-3939 or by email at patrol@memphremagog.org for all questions or comments regarding the health of the lake. Do not hesitate to invite them in if you see them on the lake. They will be more than happy to meet with you.

Robert Benoit, Board member responsible for the patrol

Useful Resources

MCI Lake Patrol: 819 620-3939

Ministère de l'environnement de l'Estrie: 819 820-3882

Emergency: Yvan Tremblay, ext 248

Environment Emergency 24h. 1-866 694-5454

Wildlife Emergency 1-800 463-2191

MRC Memphrémagog Lake Patrol: 819 620-7669 / 819 821-0435

Boat Inventory

Navigation on a drinking water reservoir is an activity that has environmental impacts which affect the quality of the water. This is why MCI believes that it is important to examine this activity in order to assess its impacts as well as to identify those responsible for applying the different laws and regulations associated with it.

Over the course of the summers of 2009 and 2010, MCI patrollers conducted a count of the number of boats in marinas and private residences on the Canadian portion of the lake. We have counted over 4,000 boats, of which 3,400 are motorized.

Navigation raises a number of questions: What impact do motorboats have on bottom sediments? Do they cause phosphorus to go back into suspension in the water column? Who ensures that boats' septic tanks are sealed, and that they are properly emptied at pumping stations designed for that purpose? What are the impacts of boat wakes on shoreline erosion? How many boats can Lake Memphremagog accommodate before the quality of its water is affected? In short, what is the capacity of the lake to support boating activity?

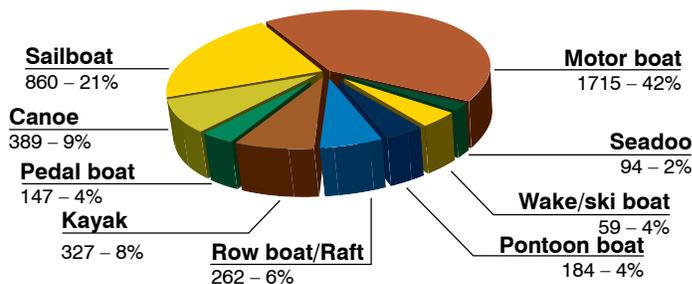
Navigation can also cause nuisance problems as a result of noise. We have received numerous complaints in this regard. The most common complaint relates to racing, or cigarette, boats. The noise they make is totally unacceptable on such a narrow lake, and MCI believes that this type of boat should be banned from the lake. The other common problem is large numbers of boats congregating in certain bays, where no rules are enforced. Loud music, shouting, and lack of respect for other users of the lake are a problem for all users.

Although it is not practical to imagine a day where all boats are banned from the lake, we should note that in many countries, navigation is not allowed on lakes that serve as drinking water reservoirs. We should, at the very least, assess the impacts of boating on the lake, and strictly regulate the activity to minimize its impact on the quality of the lake.

Gisèle Lacasse Benoit, President

Distribution of boats by type on Lake Memphrémagog

Total number of boats: 4137



Photohélico : Bryant's Landing, Austin



From Knowledge To Action

The quality of the water in Lake Memphremagog is the number one priority of MCI. To this end, the sources of pollution and the actions which degrade the lake's ecosystem must be identified. Over the years, MCI has contributed, in a substantive way, to the acquisition of knowledge on the Lake Memphremagog watershed, on both sides of the border.

Canadian side: Since 1996, the MCI patrol has been participating in the collection of water samples at ten sampling stations, using protocols validated by the MDDEP. The information derived from this sampling are sent to the MDDEP, which compiles and interprets the data. This information is combined with data from the Memphremagog MRC, who sample a number of tributaries. The goal of this sampling is to assess any changes in the quality of the water over time and to try to identify sources of contamination. This data has been studied by Mr. François Bélanger, engineer. Complete results of his analysis are available on both our and the MRC's web sites. Mr. Bélanger recommends that we focus, in 2012, on actions in the following sub-watersheds: l'Anse St-Benoit, Bunker, Cedarville and Tompkins.

American side: Since 75% of the water entering the lake comes from Vermont, it is also important to support our American neighbours in their efforts. That is why MCI has financed a portion of the studies of Dr. Fritz Gerhardt, Ph.D., who, in 2008 and 2009, undertook studies of the John's and Black rivers, as well as of other significant tributaries of the lake. His analyses have confirmed the presence of significant amounts of phosphorus and nitrogen coming from both agricultural and residential areas. In 2010, his studies on the John's and Black rivers, as well as on three smaller tributaries, have allowed him to pinpoint more precisely the sources of this pollution.

This year, he will be working to identify sources of phosphorus and sediments in the major tributaries of the Black river. For more details, you can see his reports on our web site in the Documents Centre section under studies (www.memphremagog.org/en/centre_docs.php?id=Studies).

In 2012, we are proposing a joint study with our partners both in Quebec and Vermont to complete the identification of the sources of phosphorus and the actions needed to reduce them.

Collaboration: MCI is closely following the actions of other groups who are working to preserve the quality of the water in the lake. Among others, we would single out the sharing of information and actions taken by the Quebec-Vermont Committee. This committee is closely following the study to model the inputs of phosphorus to the lake. This study, undertaken under the direction of the Memphremagog MRC, has allowed us to identify the major sources of phosphorus entering the lake. Detailed action plans for phosphorus reduction need to be developed for both countries.

MCI is pleased to contribute to the acquisition of knowledge through the collection of data essential to the scientific analysis of the lake's water quality. As well, our participation as a member of the Quebec-Vermont Committee ensures that the actions on the ground work in a complementary fashion, and permits us to participate fully in the decisions of the Committee, always with the goal of improving the quality of our magnificent lake.

Johanne Lavoie, General Manager

Coventry

On Thursday, January 20, New England Waste Management System Vermont (NEWSVT) held a public meeting in Coventry, VT, to present their latest proposal for the expansion of their solid waste landfill site close to the Black river a few miles south of Newport. If approved, this phase V would add 1.6 million tons of garbage to the landfill site. Attending the meeting were state and municipal government officials, representatives of the company, as well as citizens of both Vermont and Quebec concerned by this proposed expansion. No journalists from Newport attended the meeting.

This NEWSVT landfill site is the largest in Vermont. One section of the site is situated 300 feet from the Black river, as well as a wetland, a part of which is owned by the company. This river is the largest tributary flowing into Lake Memphremagog. In 2005, NEWSVT sought a permit to expand the site. On June 14, 2010, this request was denied by the Secretary at that time, J. Wood, because the company had not demonstrated that the changes would be of benefit to the people of Vermont or that they were necessary to ensure the viability of the company, especially considering that they already have all the landfill capacity needed. The company appealed this decision and on January 20, 2011, submitted a revised proposal.

This revised proposal seeks to empty one landfill cell of 900 acres at the north end of the site in order to replace it with a cell lined with a membrane. NEWSVT believes that emptying the non-lined cell will reduce the likelihood of future contamination, which would constitute a benefit to the population. In its development plan, the company is seeking, among other things, a dispensation allowing it to encroach, into the wetland, a half-acre parcel within the 300 foot buffer zone.

This would reduce the buffer zone, so important to the protection of the quality of the water of the lake, which is the source of potable water for more than 160,000 Quebecers. We must ask ourselves if the costs related to public health are less important than the benefits to NEWSVT. For these reasons, MCI is vigorously opposed to this proposal.

Madeleine Saint-Pierre, Secretary

Heritage Circle Members

We would like to thank the members of the Heritage Circle for their generosity. As well as those listed, 7 supporters requested anonymity.

Arbuckle Fisher, Alison	Caron, Trevor H.	Davidson, Howard	L'Espérance, André	Nadeau, Michel	Saint-Pierre, Guy
Bannerman, Paul R.	Côté, Michel	Dumont, Jean	Lacasse Benoit, Gisèle	Nadeau, Monique	Savard, Guy
Belmer, Michael H	Coughlin, Peter F	Eakin, Gael	Landry, Jean-Luc	Penfield, Wendy	Spencer, Norman
Benoit, Robert	Couture, Martin	Ivory, Joan F.	Marcon, Loretta	Poulin, Bernard	Talon, Jean-Denis
Bombardier, J.R.	Cyr, Joanne	Ivory, Sarah	Milne, Catherine A.	Rackham, Anita	

MCI would also like to thank those generous supporters who offered a total of \$3,010 in memory of Mrs. Madeleine Hébert. This amount has been entirely applied to undertaking the conservation program in 2010. Among those supporters, MCI would like to highlight the support of the MSO. A thank you also goes out to the municipalities of Austin, Potton Township, Stanstead Township, Magog, Ogden and Saint-Benoit-du-Lac for their financial support.

Conservation – A very busy first year

In 2010-2011, MCI undertook its new program to protect natural environments within the Lake Memphremagog watershed. In this first year, we have been able to build a solid base for the processes that will result, over the coming years, in agreements with property owners for the protection in perpetuity of undeveloped lands. The approach we are using is one of voluntary conservation. Our objective is to encourage private property owners to participate, in a tangible way, in the conservation of natural environments on their properties, either by way of natural reserve status or other long term agreements such as land donation or sale, and conservation easements.

In order to promote the program within the membership of MCI, as well as with private property owners in the watershed, two conferences were organized, July 18 and September 11, 2010 in Georgeville and Austin. Given by Terri Monahan and Francine Hone, specialists in conservation, these conferences attracted more than 60 participants. Their aim was to inform property owners of the importance of conservation in our watershed, and to provide details of the steps they can take to ensure long-term protection of the natural environments on their properties.

Individual meetings have also taken place with a number of property owners who had indicated an interest in conserving their lands. These were one on one meetings where conservation options were spelled out in detail, focusing on their specific interests and expectations (type of protection envisaged, fiscal and financial implications, etc.) as well as the steps needed to finalize agreements.

For property owners already undertaking the conservation process, one of the most important steps is the completion of an ecological evaluation of the property. This work is done by biologists, who, through on-site surveys, identify natural environments of ecological interest and flora and fauna to be preserved. In 2010, MCI completed the ecological evaluation of a private property of 230 hectares.

As well, cartography being an essential tool for any conservation project, a cartographic database has been created. This database gathers together the main biophysical data of the territory, allowing for the mapping of elements of ecological interest. This work, done in collaboration with Appalachian Corridor, enabled us to map, at the watershed level, the most sensitive areas for preservation, such as unbroken blocks of forest cover, wetlands, watercourses, lakes, endangered species and buffer zones.

To support these efforts, a number of promotional tools have been developed. A page on conservation has been added to the MCI web site, to provide information to all of our members, and anyone else interested, on conservation within the Memphremagog watershed. A brochure on conservation, as well as a pamphlet explaining the options for conserving natural environments, have been produced. Finally, this Newsletter deals largely with conservation. It has been distributed to all MCI members, and can also be found on our web site.

The activities undertaken and tools developed for this program have already encouraged property owners to commit to undertaking the conservation process. In 2011-2012, MCI will maintain its focus in this area, and continue to support property owners in their efforts. We are confident that our efforts will result, in the near term, in the protection, in perpetuity, of natural environments. This will incite more property owners to commit to similar efforts in the coming years. The more property owners commit to conserving their lands, the greater our chances of preserving this watershed of great beauty and undeniable richness.

MCI is there for you!

If you value the natural environments on your property and you want to preserve them, a number of legal options are available to you to ensure their protection. The conservation experts at MCI will be delighted to answer your questions. Our goal is to help you to attain your conservation and financial objectives, by developing a tailored scenario that meets your specific needs. If you choose to pursue it, our experts will guide you through the process, step by step, always respecting your confidentiality. (For all questions regarding the conservation of your property, feel free to contact MCI).

Francine Hone, Biologist



Photohélicoptère : Eagle's Point

The Dunn Property: A future biodiversity reserve on Lake Memphremagog

A number of property owners, sensitized to the beauty of our landscapes, have already taken concrete measures to preserve natural environments in perpetuity. An example of this is Mr. Dunn, who, in an exceptional gesture in 2010, willed his property to the Quebec government and the US Fish and Wildlife Service (for the American portion). Now that the government has accepted the gift, MCI is hoping that it will receive a conservation status, in order to preserve forever the 118 Canadian hectares of the property. It would appear that this has taken place. The Ministry of Natural Resources and Wildlife (MRNF) has put together a Regional Coordination Committee, with the mandate to recommend to the Quebec government the most appropriate status and management option for the property. Last December, the committee recommended that the government give the land the status of biodiversity reserve. A biodiversity reserve is a protected area whose objective is to maintain its biodiversity, and more specifically to represent the different natural regions of the province.

MCI is awaiting the MRNF's official announcement.



The forest : a multifunction ecosystem

Recognized for its mountain vistas, natural landscapes and tourist attractions, the Eastern Townships are rarely thought of as a forestry region. And yet...

Forests are everywhere in the Eastern Townships, and the population has been intimately linked to forestry activities from the days of the first colonists right up until the present. In fact, forests fill three basic needs. The first are environmental or ecological needs, that is to say, soil conservation, maintenance of water quality, preservation of natural landscapes, support of biodiversity, climate regulation and carbon sequestration. The second are economic or productivity needs, such as wood fibres for the processing sector, maple syrup, firewood, hunting, fishing, leisure activities, resorts, tourism, etc. And the third are social needs, such as employment, residence, revitalization of small towns, natural and cultural heritage and quality of life.

The forestry sector was the region's economic driver right up until the 1920s, when it began to be affected by a shortage of trees of the proper species and size in area forests. By the middle of the twentieth century, forestry engineers were already worrying about the loss of forest cover in the region: "We still have large blocks of forest, but we must admit that our forests are shrinking rapidly". In fact, they deplored the lack of proper forestry management practices.

Within the past twenty years, owners of forest lands in the Eastern Townships have been improving their forestry management practices in order to minimize their impacts on the environment. Of all forestry management practices, area residents are most affected by the harvesting of trees. Forest stands are principally managed via selective cutting of trees. Selective cutting fosters, among other things, improvement in the species mix, tree growth and tree quality within the forest. As the forest cover remains in place, the forest can continue its role of providing wildlife habitat and absorbing and filtering of water for the benefit of society while at the same time providing economic benefits to the property owners and the community at large. It goes without saying that management by selective cutting needs to be done in a sustainable way in order to reconcile the forest's ecological functions with wood harvesting. Sustainable practices include the marking of trees to be cut by a professional, avoiding the use of mechanized equipment in waterside buffer zones, installing culverts for crossing watercourses, working during winter when the soil is frozen and/or placing branches in skid trails. Sensitive zones (unique wildlife habitat, locations containing species at risk, etc.) within areas being managed, as well as buffer zones around them should be excluded from the management activities, or at least have mitigation measures applied. The choice of sustainable forestry practices will depend on the dynamics of the individual forest stands. Although not all of the management practices within private forests are exemplary, the movement towards improving them is underway, and private owners are more and more viewing their forests from a global and long-term perspective.

As of January, 2010, private owners managing their forests, that is to say, those in possession of a forestry management plan, can voluntarily adhere to Forest Stewardship Council (FSC) certification. Certification is an independent assessment of the owners' forestry management practices, using ten guiding principles and numerous criteria. Certified owners commit to continually improving the management of their woodlots. For consumers, the purchase of certified products guarantees that they were sourced from responsibly managed forests. The acquisition of FSC certification recognizes the efforts made by owners in the improvement of their forest management practices over the past decades. In fact, the Eastern Townships is considered a pioneer in regard to certifying private forests in Quebec.



Young sugar bush undergoing pre-commercial thinning in 1990

One of the biggest challenges is probably sustaining forestry activities over the long term in a particular territory. Forests come under many different anthropogenic development pressures as well as environmental ones. Human development pressures lead to the disappearance of forest environments and thus of the ecological services they provide to society. At the same time, we count heavily on forests to counter climate change, preserve biodiversity and protect water quality, collectively advocating limitations on the uses to which thousands of private forest owners can put their forests, without regard to the ultimate goals they may have. We only reluctantly admit that the exploitation of forestry resources in order to respond to consumer demand can be carried out in harmony with the ecological functions of forest ecosystems. In our opinion, it is the reconciliation of conservation and exploitation activities that will give us the best chance of finding the balance needed to maintain the long term forestry vocation of our territory.

Marie-Josée Martel, ing. f., M. Sc.

Agence de mise en valeur de la forêt privée de l'Estrie

Tree distribution

True its mission, MCI distributed 3000 trees on Saturday, May 28 in the municipalities of Austin, Stanstead Township and Magog.



Memphrémagog Conservation inc.

Municipal Powers

Quebec municipalities possess wide powers in the area of forest protection, as confirmed in a recent appeals court judgement, setting a new precedent. Mr. Jean-François Girard, lawyer and biologist specializing in municipal and environmental law, discusses the case of 9034-8822 Quebec Inc. vs The Town of Sutton, on which judgement was passed on May 3rd, 2010.

The decision of the Quebec Court of Appeal will have a large impact on sustainable development in the province, having confirmed the decision of Judge François Tôth, who recognized the powers of the Town of Sutton to adopt strict measures to protect the forest cover within the municipality and promote the sustainable development of privately held woodlands.

In 2001, the Town of Sutton adopted zoning by-law 600-1, which contains a clause regarding the cutting of trees. The basic rule of this clause states that 'In all zones, only thinning aimed at removing, in a uniform manner, at most one third (1/3) of commercially valuable trees per ten (10) year period is permitted'.

Both in the original court case and in the appeal, the appellants contested the validity of these portions of the zoning by-law, which they considered ultra vires and null, being imprecise, incomplete, unreasonable, abusive, arbitrary and inequitable.

The court stated that this rule was adopted by the Town of Sutton in conformity with the regulations of article 113 of the development and urbanism law, which allows municipalities to "govern or restrain the planting or cutting of trees in order to ensure the protection of the forest cover and to promote the sustainable development of private forests".

In essence, the Court of Appeal noted that the Quebec Legislature has given to municipalities "the responsibility to ensure the long term existence and sustainable development of private forests" and the right to impose norms to govern and limit the cutting of trees.

In short, in its analysis, the Court rejected all the arguments of the appeal and confirmed the decision of Judge Tôth. This judgement creates a major precedent in Quebec environmental law, being the first judgement that really speaks to the paradigm of sustainable development.

What is remarkable is the wide definition of "forest environment". A forest is defined as a "milieu" which includes a whole variety of elements, including the soil, the water, wildlife habitats, and landscapes.

To read Mr. Girard's detailed analysis, please visit our web site at www.memphremagog.org.

Claude Bernier, Vice-President

Memorandum at the National Assembly

The Commission des Transports et de l'Environnement has tabled its report on the situation of Quebec lakes regarding cyanobacteria.

MCI tabled a memorandum in 2009 and made a presentation to the National Assembly in August 2010. Here are some of the recommendations that we made:

- Ensure that Lake Memphremagog receives all the attention it needs to minimize the degradation of the quality of its water;
- Give the MDDEP the responsibility for water quality and for the protection of drinking water reservoirs, as well as the financial means needed to properly carry out these responsibilities;
- Create and put in place a Local Watershed Committee for Lake Memphremagog, with adequate financing to draw up a water quality master plan for the Lake;
- Make public all information on the quality of Quebec's lakes, including MDDEP memos on cyanobacteria blooms in order to keep the population informed regarding the health of our lakes.



Memphrémagog Conservation inc.

For more details, you may consult our memorandum on our web site.

Membership

Have you renewed your MCI membership for 2011?

Since 1967, the MCI has been dedicated to the preservation and conservation of Lake Memphremagog and its surrounding country. While the success of this organisation is largely due to the work of its many volunteers, its success very much depends on the continuing financial support from its membership.

Our mutual love of our beautiful lake means that we must continue in our efforts to protect its health. We ask you to renew your membership for 2011, if you have not already done so, using the membership form that is included with this newsletter. If you wish, you may renew your membership on line by using the MCI web site at www.memphremagog.org.

MCI Board Members (2010-2011)

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Austin 819 868-1369

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Austin 450 292-0864

Pat Trudel, Vice-president & Treasurer
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