

Gouvernement du Québec

O.C. 517-2003, 11 March 2003

Natural Heritage Conservation Act
(2002, c. 74)

**Île-Garth ecological reserve
— Establishment and approval of the conservation
plan**

Establishment of the Île-Garth ecological reserve and approval of the conservation plan

WHEREAS the public was consulted on the project of the Minister of the Environment to propose to the Government the establishment of the Île-Garth ecological reserve, the plan and technical description of which are attached as a schedule, a notice to that effect having been published in the *Gazette officielle du Québec* of 16 October 2002 and in the regional newspapers *La voix des Mille-Îles* and *The Gazette*, also on 16 October 2002, in accordance with the requirements of section 2 of the Ecological Reserves Act (R.S.Q., c. R-26.1);

WHEREAS, in accordance with that section 2, the 30-day consultation period before the granting of permanent ecological reserve status has expired;

WHEREAS, under section 86 of the Natural Heritage Conservation Act (2002, c. 74), that Act replaced the Ecological Reserves Act (R.S.Q., c. R-26.1);

WHEREAS, under section 88 of the Natural Heritage Conservation Act (2002, c. 74), the proposed ecological reserves in whose respect a notice was published in the *Gazette officielle du Québec* before 19 December 2002 are maintained and governed, as of that date, by the provisions of that Act;

WHEREAS, under section 43 of that Act, the Minister of the Environment may recommend to the Government that all or part of land be assigned permanent ecological reserve status and recommend the Government approve the conservation plan for the reserve;

WHEREAS the Minister of the Environment, as authorized by the Government of Québec under Décret 1033-2001 dated 7 September 2001 and published in the

Gazette officielle du Québec of 3 October 2001, acquired ownership of Île-Garth following the payment of the provisional indemnity and registration of the notice of transfer of title provided for in the Expropriation Act (R.S.Q., c. E-24) at the registry office of the registration division of Terrebonne;

WHEREAS the land considered for the ecological reserve is not situated in a reserved area or in an agricultural zone established under the Act respecting the preservation of agricultural land and agricultural activities (R.S.Q., c. P-41.1);

WHEREAS Municipalité régionale de comté Thérèse-de-Blainville has given its opinion confirming that the proposed ecological reserve is in compliance with the objectives of its development plan;

WHEREAS the Commission de toponymie du Québec has approved the use of the name “Réserve écologique de l’Île-Garth”;

WHEREAS, under section 45 of the Natural Heritage Conservation Act (2002, c. 74), permanent protection status for the land and its conservation plan take effect on the date of publication of the order in the *Gazette officielle du Québec* or on any later date specified therein;

IT IS ORDERED, therefore, upon the recommendation of the Minister of State for Municipal Affairs and Greater Montréal, the Environment and Water and Minister of the Environment:

THAT permanent ecological reserve status be assigned to the land, the plan and technical description of which are attached as a schedule, under the name “Réserve écologique de l’Île-Garth”;

THAT the proposed conservation plan for that area, the text of which is attached as a schedule, be approved;

THAT the ecological reserve status and conservation plan come into force on the date of publication in the *Gazette officielle du Québec* of the notice of the decision of the Government provided for in section 44 of the Natural Heritage Conservation Act.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

PROVINCE OF QUÉBEC
REGISTRATION DIVISION OF TERREBONNE

CADASTRE OF QUÉBEC
MUNICIPALITÉ DE LA VILLE
DE BOIS-DES-FILION
MUNICIPALITÉ RÉGIONALE DE COMTÉ
DE THÉRÈSE-DE-BLAINVILLE

TECHNICAL DESCRIPTION OF ÎLE-GARTH
ECOLOGICAL RESERVE
MENV FILE: 5141-03-15 (6.43)

LOT 1 953 696

Of irregular shape,

Bounded on all sides by Rivière des Mille Îles, a land without cadastral division.

The southwestern end of that lot being situated one hundred and eighty and three tenths metres (180.3 metres) along a bearing of 124°50' from the intersection of the dividing line between lots 2 294 921 and 1 952 902 with lot 1 955 577.

Covering an area of 172,327.0 square metres.

The whole as shown on the attached plan, drawn from an extract of the plan of the cadastre of Québec produced by the Ministère des Ressources naturelles du Québec.

Prepared by Claude Vincent, land surveyor, bearing number four thousand three hundred and thirty of his minutes.

Prepared at Charlesbourg, this thirteenth day of March of the year two thousand and three.

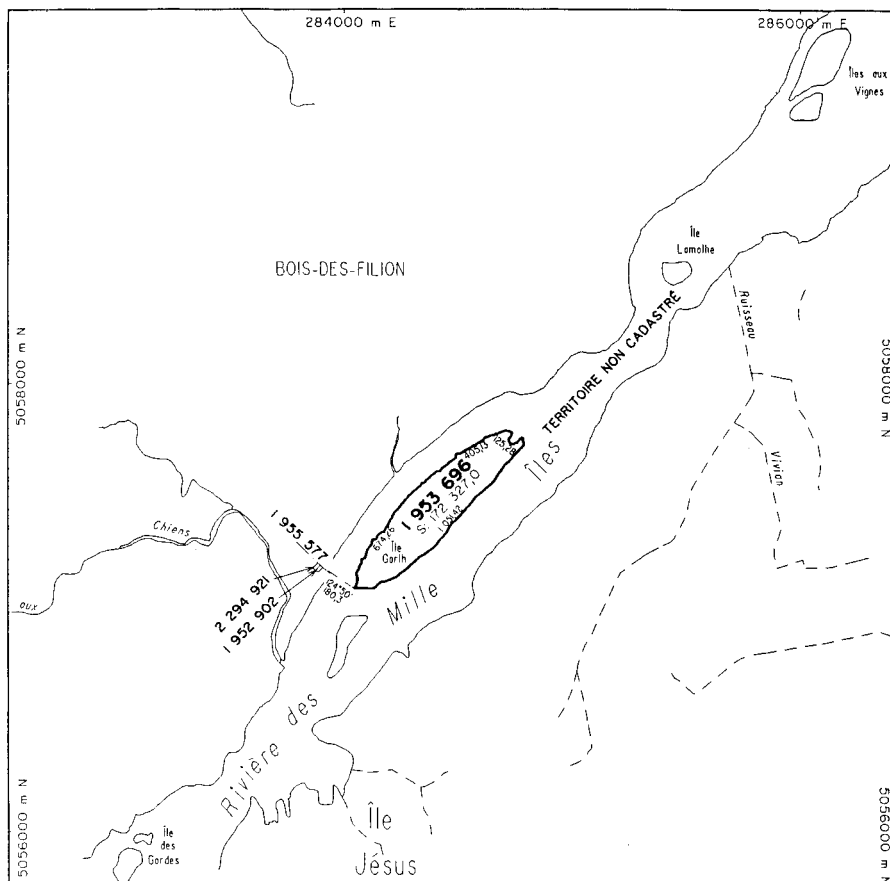
CLAUDE VINCENT & ASSOCIÉS

CLAUDE VINCENT,
Land surveyor

TRUE COPY

Made on: 13-3-03

File: LC122
Minute: 4330



NOTES

Les mesures indiquées sur ce document sont en mètres (SI).
 Quadrillage : SCOPQ, fuseau 8, NAD 83
 Source: carte produite par le ministère des Ressources naturelles du Québec, feuillets 3IH2-200-0201 et 3IH2-200-0202
 ÉCHELLE: 1 : 20 000

COPIE CONFORME

Charlebourg 13/3/03...

PLAN ACCOMPAGNANT LA DESCRIPTION TECHNIQUE
 DE LA RÉSERVE ÉCOLOGIQUE DE L'ÎLE-GARTH
 MINISTÈRE DE L'ENVIRONNEMENT
 DOSSIER: 5141-03-15 (6.43)

LOT(S): 1 953 696
 CADASTRE: DU QUÉBEC
 CIRCONSCRIPTION FONCIÈRE: TERREBONNE
 MUNICIPALITÉ: VILLE DE BOIS-DES-FILION
 M.R.C.: THÉRÈSE-DE BLAINVILLE

CHARLESBOURG, le 13 MARS 2003

préparé par: *Charlebourg*

CLAUDE VINCENT
 arpenteur-géomètre

CLAUDE VINCENT ET ASSOCIÉS
 ARPENTEUR-GÉOMÈTRE

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MINUTE: 4330
 DOSSIER: LC122
 FICHER: LC122.DES

CONSERVATION PLAN FOR THE ÎLE-GARTH ECOLOGICAL RESERVE, MARCH 2003

1. Plan and description

1.1. Geographic location, limits and dimensions

The plan of the Île-Garth ecological reserve and its location are shown on the annexed maps.

The Île-Garth ecological reserve covers the total area of Île-Garth in the Mille Îles river. The island is situated within the limits of Ville de Bois-des-Filion, approximately 2 kilometres downstream from the town of Rosemère. Almost 90% of the island is a flood-risk area. The ecological reserve covers an area of approximately 18 hectares.

1.2. Ecological overview

The ecological reserve is part of the natural region of the Upper St. Lawrence Plain in the natural province of the St. Lawrence Lowlands. It protects three threatened or vulnerable species: black maple (*Acer nigrum*), hackberry (*Celtis occidentalis*) and American bladdernut (*Staphylea trifolia*). The ecological reserve also protects regionally rare forest communities of interest such as white pine, red oak and bur oak stands, and communities of American bladdernut and silver maple with shagbark hickory. It will protect one of the rare riparian forests typical of the Mille Îles river having conserved a high level of ecological integrity and having remarkable floristic diversity.

1.2.1. Representative elements

Climate:

The territory is characterized by a moderate climate. It belongs to the bioclimatic field of sugar maple-bitternut hickory stands.

Geology and geomorphology:

The bedrock is formed mainly of limestone and dolostone, carbonatized rock types. The majority of surface deposits on Île-Garth are composed of sediments deposited by the Mille Îles river.

Vegetation:

Silver maple stands cover the entire central and eastern part of the island. In the low-lying areas in the interior of the island, poor drainage conditions result in one complex in which the only companion species of trees in abundance are red ash and American elm (*Ulmus americana*).

The herbaceous stratum is made up almost exclusively of sensitive fern.

The highest part of the island, the western tip, is colonized by a white pine stand. Shagbark hickory and American basswood are also relatively abundant.

On the north-eastern part of the island, pioneer species such as white birch (*Betula papyrifera*) and red maple (*Acer rubrum*) are found alongside more shade-tolerant species such as butternut and shagbark hickory.

1.2.2. Outstanding elements

Île-Garth is home to at least three threatened or vulnerable species in Québec: black maple (*Acer nigrum*), hackberry (*Celtis occidentalis*) and American bladdernut (*Staphylea trifolia*).

As for the fauna, the map turtle (*Gratemys geographica*), a species likely to be designated as threatened or vulnerable in Québec, was spotted in 1985 at the mouth of Aux Chiens creek, located in the vicinity of Île-Garth, and also at other points along the Mille Îles river.

1.3. Land occupation and use

The land is public property. There has been no development on the island.

2. Protection status

The Île-Garth ecological reserve meets the objectives for which it is established on the territory, namely:

(1) to conserve the elements constituting biological diversity in their natural state, as integrally as possible and in a permanent manner, in particular by protecting ecosystems and the elements or processes on which their dynamics are based;

(2) to set aside land for scientific study or educational purposes; and

(3) to safeguard the habitats of threatened or vulnerable flora or fauna.

3. Activities within the reserve

All activities carried on within the Île-Garth ecological reserve are governed by the provisions of the Natural Heritage Conservation Act (2002, c. 74, s. 48). This conservation plan does not specify any prohibited activity other than those prohibited in ecological reserves by the Act.

3.1. Prohibited activities

— General prohibitions under the Act

For reference purposes, it is important to note that under the Natural Heritage Conservation Act, the main activities prohibited in an area assigned ecological reserve status are:

- hunting, trapping, fishing, earthwork or construction activities, agricultural, industrial or commercial activities, and generally, any activity likely to alter the state or nature of ecosystems;
- forest management activities within the meaning of the Forest Act (R.S.Q., c. F-4.1);
- mining, and gas or petroleum development;
- mining, gas or petroleum exploration, brine and underground reservoir exploration, prospecting, and digging or boring; and
- the development of hydraulic resources and any production of energy on a commercial or industrial basis.

In addition, no person may be in an ecological reserve, except for an inspection or for the carrying on of an activity authorized under law. The Minister may, however, authorize, in writing and on the conditions the Minister determines, any activity consistent with the purposes of an ecological reserve or with the management thereof.

3.2. Supervision of activities

The Minister of the Environment is responsible for the application of the Natural Heritage Conservation Act, and is also responsible for the ecological reserves established under that Act. The Minister will supervise and monitor the measures contained in the Act with regard to permitted activities in protected areas.

In addition, the Minister has authority over that land, which forms part of the domain of the State.

