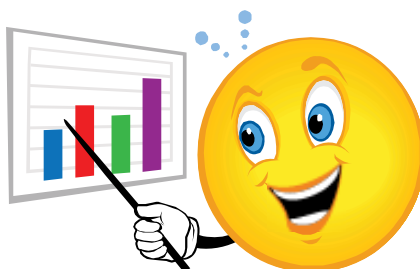


Battersea Loughborough Lake Association
Fall 2009 Newsletter



Highlights of the 2009 AGM

The Association Is Nicely Afloat



The Treasurer's Report presented at the AGM reveals that the Association is on a very sound financial footing. While expenditures over the past year of \$2768 exceeded income of \$1,803, that was because of a one-time payment of \$1,000 in the form of a donation to the Nature Conservancy of Canada. The NCC is working to preserve the Frontenac Arch and has been raising funds to purchase the Freeman property (which includes 1 km of shoreline on Loughborough Lake). As of the 2009 AGM, the Association had a cash/bank balance of \$5,752, together with \$7,297 in investments.

Have You Renewed?

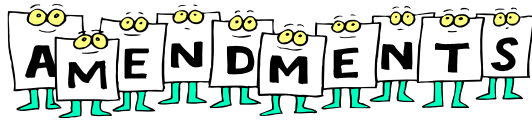
Those members who still need to renew should find a reminder at the top right corner of their copy of this newsletter.

There are currently 188 members in the Association, representing almost 50% of the estimated 400 residences on the lake. While this is a solid representation, it means that there are over 200 other prospective members that we need to reach. Please help us out by sharing this newsletter with friends or neighbours on the lake and encouraging them to join. A membership form is included.

Preserving the Frontenac Arch



As described in the previous newsletter, one of the priorities of the Nature Conservancy of Canada is the protection of the Frontenac Arch which is one of the most biologically diverse areas in Ontario and acts as a key migratory corridor for birds, insects, and mammals, including many species at risk. As part of its strategic land acquisitions that help to maintain the integrity of this corridor, the NCC is purchasing the Freeman property which includes shoreline on Loughborough Lake. Gary Bell, Eastern Ontario Program Manager for the NCC, gave a very informative presentation on the work of the Conservancy and the significance of the Freeman purchase. By November a final \$120,000 needs to be raised to complete the acquisition of the Freeman property and donations are matched more than two to one by provincial and federal funds. Those interested in contributing to this very worthwhile project are encouraged to contact Hugh Bennett at hugh.bennett@natureconservancy.ca or at 613-243-2502. The NCC is a registered charitable organization and all donations towards this project are tax deductible.



To the Constitution and By-Laws of the Battersea- Loughborough Lake Association

A number of amendments were adopted at the AGM, mainly dealing with housekeeping matters. The main item of interest was an amendment to the definition of members. The designation of 'life member' was removed since that category is really an active member who has chosen to pay a life membership (rather than a one or three year membership). A new category of 'honorary member' was adopted, to be given by the Board of Directors in recognition of individuals who have made a major contribution to the Association and its objectives. The Board is pleased to award the first such honorary designations to Diane and John Seymour, whose contributions were recognized in the last newsletter.

Prognosis on Lake Planning?

"To promote conservation of water, fish, and wild life in the Battersea Loughborough area and the natural beauty and advantages of the area consistent with the orderly development thereof" is one of the stated objectives of this Association. One way to pursue this objective is through a community based lake plan that identifies the most valued features of the area, sets out actions that can best preserve and enhance these features, and – ideally – serves as a point of reference for the various government bodies whose activities affect the lake and surrounding area.

A lake plan can be a very lengthy and expensive undertaking. For example, the Greater Bobs and Crow Lakes completed in 2007 (available at http://www.bobsandcrowlakes.ca/lake_plan/index.shtml) was a four year project. Not surprisingly, opinions vary as to the need for, and value of, lake plans – as is evident from articles and commentary in two recent issues of the local weekly newspaper. A Past President of the Sharbot Lake Association suggested that plans focused on individual lakes were not comprehensive enough since external developments in the broader watershed are not addressed and yet may have a significant impact on a lake.¹ Questions have also been raised about whether every lake in an area needs to do a separate lake plan or whether the findings of one lake plan could be used, with necessary minor modifications, for other lakes in the same general area.²

At this point, the Battersea Loughborough Lake Association is only exploring the extent of interest in, and potential volunteer resources available for, the initiation of a lake planning project. Discussions at the AGM were limited and inconclusive as to the issue of lake planning. There is a great deal of information about Loughborough Lake, much of it compiled by provincial ministries over the years, and it would undoubtedly be useful to update this information, integrate it, and have an improved knowledge base about our lake and its features. Identifying the concerns and priorities of those who reside on the lake would also be very helpful when situations arise that may affect the lake. However, a lake plan has no legal status. It would be received as "information" by the Township Council, but there is no assurance that it would be followed. On the other hand, without such a plan there wouldn't even be a formal lake perspective for council to consider.

Your Views on Lake Planning?

If you haven't already done so, please complete the brief survey on page 8 of this newsletter.

¹Rem Westland, as quoted in Craig Bakay, "Lake plans need to be more comprehensive, SLPOA told," *The Frontenac EMC*, July 23, 2009.

² Craig Bakay, Editorial, *The Frontenac EMC*, July 30, 2009.

Introducing Your Board of Directors

Since the last newsletter, three new members have been added to the Board. As you will see from the brief descriptions that follow, our membership includes fairly new residents of the lake and others who have been on the lake all their lives.



Sally Blasko	A self employed business woman who lives in the Inverary area, Sally has spent time on the lake since she was the sparkle in her Daddy's eye. Her family and ancestors have enjoyed their cottage and property off the Lower Round Lake Road since around 1890.
Peter & Sharon* Einwechter	Residents of Battersea and Loughborough Lake for 25+ years. As past owners of Holiday Manor Fishing Lodge they have a good feel for the lake as a major tourist attraction to the avid fisherman. As long time residents they know the importance of not abusing the lake. [* Sharon's appointment will be confirmed at next Board meeting.]
Bernie Finn	An accountant, College Professor, and enthusiastic fisherman who has lived on the lake (West Basin) for over 20 years.
Bob Fugler	An accountant, currently retired, Bob is a new (2007) resident on Loughborough Lake. He and his wife Philippa live in the East Basin.
Gordon & Diane Marantz	Have been on the lake for 20 years, having escaped from Toronto and the trials and tribulations of Bay Street to heal themselves with the gentle waters and good friends of Loughborough Lake.
Nona and Al Mariotti	Nona is a "lifer" on the lake who six years ago traded in her eclectic life in Toronto to reside permanently on the south shore, East Basin. Al acknowledges he fell in love with Nona before he was immersed into the Loughborough Lake lifestyle he loves.
Karl Montgomery	Has Loughborough Lake water in his veins! Karl grew up on the lake and worked in natural resource and recreation management for the public and private sectors until his recent retirement to Battersea.
John Pliniusen & Marion Abell	John runs a consulting company, is a business professor with Queen's School of Business, and has merrily lived on the lake for almost a decade. Marion is an active volunteer, retired entrepreneur, and has enjoyed beautiful Loughborough Lake sunrises and sunsets for almost a decade.
Susan & Richard Tindal	Susan is a retired lawyer who has spent most of her life on the lake, first as a summer resident and for the past 23 years as a permanent resident. Richard is a retired Professor, author or co-author (with Susan) of several text books, and long time municipal consultant.
Brian and Judy Ward	Found paradise on Loughborough Lake in 2002 and thoroughly enjoy the peaceful waters of Battersea Bay. They moved from Kingston where Judy was born and Brian escaped from Toronto many years ago.

Loughborough Lake Bridge Reconstruction

The previous newsletter contained an article about the plans for repairing the Loughborough Lake bridge in 2010. More details on that timetable are now available and it is understood that the Township plans to start work as early in the spring as the weather will permit, with the project taking four to five months to complete. As a result, we can expect some disruption to traffic from April through August next year.



Some Board members attended a Township open house on the bridge project, the implications of which were then discussed in a Board meeting. Subsequently, the Board submitted a brief to the Township and the Consulting Engineer outlining our concerns and suggestions. The key points in our brief were:

- We questioned the wisdom of the plan to put sidewalks on both sides of the road as it crosses the bridge. We felt this could attract more people on to the bridge, including for fishing (at possible risk to boats passing under the bridge), and that having more pedestrians on the bridge is not desirable, especially as the traffic volume along Division Street continues to increase.
- Given the limited space available within the bridge structure, we recommended instead the provision of bike paths on both sides (which would still provide space for pedestrians who venture on to the bridge, but would not encourage their presence as sidewalks do).
- We expressed concern about the impact of the bridge construction on access to the lake at the Division Street boat ramp. Plans call for traffic to be limited to a single lane, first one side, then the other, with traffic lights to control the flow. Depending on the placement of the southerly traffic light, we felt that it could be difficult for boaters heading north to exit the boat ramp parking area. We also suggested widening Division Street south of the bridge to add a middle, left turn lane for easier access to the parking area for vehicles heading north.
- We also strongly urged the Township to work closely with the Cataraqui Region Conservation Authority (CRCA), which owns the boat ramp land, to improve the delineation of the entrance, exit, and parking areas adjacent to the ramp. We have also contacted the CRCA and reminded them of our prior donation of funds to be used toward improvements of the boat ramp area.

In its response to our submission, the Township indicated that improving the boat launch and parking area is a matter being discussed with the CRCA and that the traffic light south of the bridge will be located so as to expedite access to the highway for those exiting the parking lot and turning north. However, our sidewalk concerns were not persuasive and the Township announced that “for pedestrian safety” it would be putting sidewalks on both sides of the road across the bridge. As a result, there will not be any space for dedicated bike paths. As far as any road widening to accommodate a turn lane into the boat ramp area, the Township’s position has always been that any road work would have to be considered as a separate project upon completion of the bridge reconstruction.

We will continue to monitor the bridge project and may have updates on our web site from time to time, so don’t forget to visit www.loughboroughlake.org occasionally.

Joining the Wired World

The introduction of additional newsletters each year is one way in which we are trying to communicate more often with our membership. But we could do a much better job if we had your email addresses. That would allow us to respond to matters of interest or concern in a much more timely fashion, by sending out bulletins on an as needed basis. Consider, for example, the article that follows about the pending changes to the Mining Act and the matters that still need further improvement to protect private landowners. By the time you receive this newsletter, it is likely that the deadline for commenting on the revised legislation will have passed. But with an email list, we could have quickly produced and circulated a special bulletin just on this topic, in ample time for you to participate in the legislative process.

To help us do a better job of serving you, please provide your email address, by sending it to webmaster@loughboroughlake.org. We will respect your privacy. The emails will not be made available to anyone. They will only be used to send out information to you as a member.



Can You Dig It? (Legislative Changes re Mining Rights)

It is hard enough keeping a nice green back lawn without someone arriving and digging it up to explore for minerals. Yet such an invasive activity has been sanctioned by the Ontario Mining Act since 1873.³ Under the free entry system mandated by the Act, the mining industry has access to lands in search of minerals no matter who may own the surface rights on that land. The Act allows exploration activities, including aerial surveying, felling trees, blasting and drilling, trenching, and the construction of temporary roads and shelters – all without any public consultation or environmental assessment. You can imagine what such activity does to your lawn and garden, not to mention your general peace of mind. While amendments to the Mining Act in 1991 required progressive rehabilitation, site closure plans, and financial assurance requirements, most of these reforms were dismantled in the late 1990s, as part of the pattern in that decade of NDP legislation been rolled back or counteracted once the Conservatives gained power.



Good News and Bad News

The Ontario government has introduced major amendments to the Mining Act in Bill 173, currently before the Legislature. As part of this initiative, Crown mineral rights are being withdrawn from all privately owned land in Southern Ontario that is not presently staked. In addition, existing mining claims will be withdrawn from staking when each of the individual claims lapse. Where mining activity continues on privately owned land, it will be governed by new rules including enhanced notification and environmental rehabilitation requirements. The reforms also provide that no new mines will be opened in Northern Ontario until there is a community-based land use plan.

³ The discussion of the legislation is based on material found at www.miningwatch.ca. The Mining Act can be examined at www.e-laws.gov.on.ca. Bill 173, the amended version of the Mining Act that is currently under consideration, can also be found at that site.

While the general thrust of this new legislation is most welcome, there are several concerns about the amendments contained within Bill 173.⁴

- The legislation leaves a great deal of discretion to the Minister responsible (the Minister of Northern Development and Mines). Particularly noteworthy is section 35 which gives the Minister the authority to re-open privately held land for staking/mining activity. Further amendments are needed to ensure that the removal of mining rights on privately owned land cannot be revoked unless various conditions are met – including consent of the landowner.
- Section 29 provides that a prospector can stake land that has been withdrawn from mining and then seek consent retroactively –raising doubts about the true intent of the new legislation.
- Much of the content of the mining regime for Ontario is to be spelled out over time through regulations issued by the Minister. These regulations will address such matters as dispute resolution, rehabilitation of exploration sites, and requirements for exploration plans and permits. Given their importance, it is vital that groups such as lake associations and environmental organizations be consulted during the development of the regulations.
- Nothing in the new legislation protects the surface rights of land owners where existing mining claims exist. Such lands remain at risk until the companies involved relinquish their claims.
- It is commendable that Bill 173 requires that all new staking and mining recognize Aboriginal land use planning processes in Northern Ontario, but what about the Planning Act and the need for mining to be subject to municipal planning and zoning decisions. Currently, municipalities do not have authority to prohibit mining on a particular parcel of land through their zoning by-laws and yet the Minister has the authority to require that lands be designated and zoned for mining.

Who're You Gonna' Call?

This issue isn't just a concern in the far North or on Aboriginal lands, as with the recent highly publicized opposition by the Ardoch Algonquin First Nation to the development of a uranium mine on its lands. Indeed, it is understood that there have been claim stakes in this area, in the Bedford District.⁵ Since there isn't any "MineBusters" organization, your best bet is to contact the Ontario government to express your views on this legislation. Your Association has already taken this step in the form of a letter from the President to several provincial members outlining concerns and recommendations for further improvements in the legislation. At this point, the deadline for comments on the draft legislation is September 4th, but even after that date you may want to register your views on the subject. The contact information below is for the Minister responsible for Bill 173 and the Minister of Environment (the member for the Kingston area). To obtain addresses for other members of the Legislature, go to www.ontla.on.ca and click on "contact an MPP" from the choices on the left of your screen.

Michael Gravelle Minister of Northern Development and Mines 5630 - 99 Wellesley St W, 5th Flr, Whitney Block Toronto ON M7A 1W3 Tel: 416-327-0633 mgravelle.mpp@liberal.ola.org	John Gerretsen Minister of the Environment 135 St. Clair Ave W, 15th Flr Toronto ON M4V 1P5 Tel: 416-314-6790 jgerretsen.mpp@liberal.ola.org
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⁴ These concerns are based on Lake Networking Group, *Response to Ontario's Bill 173*, posted on the Environmental Registry of Ontario July 3, 2009.

⁵ For the concerns of citizens in this area of South Frontenac, see www.bedfordminingalert.ca.

A Loon at Noon is Definitely a Boon

Adapted from Bob Fugler's article found at the Association's web site at www.loughboroughlake.org.

The loons on Loughborough Lake so enjoyed by residents and visitors alike are from a species of bird that dates back 50 million years. Four of the five species of loon worldwide breed here in Canada and it is the Common Loon, the best-known species, that is found here on Loughborough Lake.



Their presence is not only a joy to behold; it is also a positive indication of the health of our lake. Because loons are relatively high up the food chain, they are akin to canaries in a coal mine in alerting us to adverse changes in our environment relating to such factors as lake acidity, fish population, and aquatic life. Breeding productivity fluctuates over time and the most recent high point was 1998. Since then, the reproduction rate has declined somewhat but is still sufficient to maintain the bird population. Breeding success is adversely affected by such factors as the disturbance of loon nesting sites, garbage, and lost fishing tackle, so we all have a responsibility to provide a safe and healthy environment for the loons (and for ourselves).

Your Association has obtained and put up several Loon Alert signs (from Bird Studies Canada) with precautions to be taken to avoid disturbing or endangering the loons.



Keeping Track of our Loons

A volunteer loon survey started in the early 1980s has evolved into the Canadian Lake Loon Survey (CLLS) that now involves hundreds of participants across the country. They watch lakes at least once in June for signs of nesting, once in July for chicks, and one final time in August to see if the chicks survive long enough for their first flight. The participants then fill out the CLLS reporting form and return it to Birds Studies Canada (the organization that supports the loon survey), or they enter their observations online through the internet.

There is one long term participant in the CLLS from Loughborough Lake, but additional reporting resources would be greatly appreciated and would allow more of the lake to be surveyed. If you are interested, get in touch with Birds Studies Canada at www.birdscanada.org or by telephone 1-888-448-BIRD. There is a cost for participating – currently it is \$35 - but it does come with a survey package, quarterly magazines, the Bird Studies Canada Annual Report, and a tax receipt.

The Rest of the Newsletter Is Up To You

The last two pages contain a brief lake planning survey and a copy of the membership form. Please complete the survey, unless you have already done so. If you are already a current member, please consider sharing this newsletter with potential members and encouraging them to join.

Don't forget to check the web site (www.loughboroughlake.org) periodically for items of interest. to give your email address to webmaster@loughboroughlake.org so that we can communicate with you in a more timely fashion.

Lake Planning Survey

#1. What are the most attractive features of the lake that you want to ensure are preserved and enhanced?

#2. What do you feel are the biggest challenges/dangers facing the lake?

#3. What is your vision for Loughborough Lake 25 years from now?

#4. A lake planning exercise could require a significant amount of effort and cost. For example, there could be detailed shoreline surveys or extensive water and environmental testing to be performed.

Would you be interested in assisting in studies that could be performed by lake residents?

Would you be willing to contribute financially to the cost of a lake planning study?

Name _____ Phone # _____ Email _____

If convenient, you can email your survey responses to lakeplanning@loughboroughlake.org.

If you prefer to use regular mail, please send the completed survey to President, Battersea Loughborough Lake Association, R. R. #1, 3438 Lakeside Road, Inverary, ON, K0H 1X0

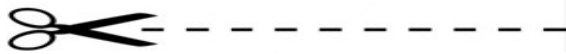
Battersea Loughborough Lake Association Membership Application

Membership Fees:
1 year \$10
3 years \$25
Lifetime \$150

Please join today by completing the form below and mailing it, along with your cheque (payable to the Battersea Loughborough Lake Association) to:

Battersea Loughborough Lake Association
5096 Ubdegrove Lane, R. R. #2,
Perth Road, ON, K0H 2L0

For further information about the Association, contact the President, Nona Mariotti, at 613-353-6589 or the Treasurer, Bob Fugler, at 613-353-7797. They can also be reached by email at president@loughboroughlake.org or webmaster@loughboroughlake.org.



Membership Form Battersea Loughborough Lake Association 5096 Ubdegrove Lane, R. R. #2, Perth Road, ON, K0H 2L0	
Name(s): _____	
Address: _____ _____	
Province/State:	Postal/Zip Code:
_____ _____	_____ _____
Phone:	Email:
_____ _____	_____ _____
<input type="checkbox"/> Please check if you would like to receive future communications by email.	
Amount enclosed: \$ _____	

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Battersea Loughborough Lake Association

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