

COOPERATION AGREEMENT

BETWEEN

THE GOUVERNEMENT DU QUÉBEC

AND

THE STATE OF VERMONT

**CONCERNING PHOSPHORUS REDUCTION
IN MISSISQUOI BAY**

THE GOUVERNEMENT DU QUÉBEC,

represented by the Minister of the Environment and the Fight
against Climate change, Mr. Benoit Charette

AND

THE STATE OF VERMONT,

represented by the Secretary of the Agency of Natural
Resources, Ms. Julia S. Moore

Hereinafter, collectively designated the “Parties”,

WHEREAS the Missisquoi Bay watershed, draining 310,527 hectares (767,312 acres) and encompassing surface waters that cross international boundaries, is shared between Québec and the State of Vermont (the “Parties”);

WHEREAS in 2017, the Parties and the State of New York endorsed *Opportunities for Action: An Evolving Plan for the Future of Lake Champlain*, the basin wide long-term management plan supporting phosphorus reduction targets established by the Vermont and New York Total Maximum Daily Load (TMDLs) and reduction plans identified for the Québec portion of Missisquoi Bay;

WHEREAS while there has been significant implementation of pollution reduction projects in improving the water of the Missisquoi Bay watershed, the Bay remains at risk and continues to be sensitive to damage;

WHEREAS the Agreement between the gouvernement du Québec and the government of the State of Vermont concerning phosphorus reduction in Missisquoi Bay signed August 26, 2002 and expired on December 31, 2016 included a 0.025 mg/L in-lake phosphorus concentration criterion for Missisquoi Bay and a 97,2 mt/yr (metric tons per year) total target phosphorus load for the Missisquoi Bay watershed;

WISHING to pursue their cooperation to ensure the protection and conservation of Missisquoi Bay, its restoration, and to improvement of the integrity of its ecosystem;

RECOGNIZING that the Minister of Environment and Fight against Climate Change of Québec and the Vermont Secretary of the Agency of Natural Resources are delegated to carry out responsibilities under this Agreement;

THEREFORE, THE PARTIES HEREBY AGREE TO THE FOLLOWING:

**ARTICLE 1
PURPOSE OF THE AGREEMENT**

The purpose of this Agreement is to establish the framework for cooperation between the Parties to reduce their respective contributions to the annual load of phosphorus entering Missisquoi Bay and to report on progress towards attaining the mutually agreed target load.

**ARTICLE 2
COMMITMENTS OF THE PARTIES**

- 2.1 For the purpose of the implementation of this Agreement, the in-lake criterion for total phosphorus concentration in Missisquoi Bay of 0.025 mg/L (hereinafter the « target concentration ») established through previous commitments of the Parties, continues to be an appropriate goal for phosphorus management in the Missisquoi Bay watershed.
- 2.2 The Parties shall hereby seek achievement of the target total phosphorus concentration for Missisquoi Bay in a manner consistent with the objectives of the Memorandum of Understanding on Environmental Cooperation on the Management of Lake Champlain among the Gouvernement du Québec, the State of Vermont and the State of New York expired on April 27, 2020.
- 2.3 The Parties are free to choose the appropriate point and nonpoint source controls that will result in reducing phosphorus loads to the target concentration.

**ARTICLE 3
CONTROL AND MONITORING MEASURES**

- 3.1 Specific actions and targeted areas will be identified by each Party in the context of their respective ongoing phosphorus reduction efforts to support the Lake Champlain Basin Program's common objectives to restore and protect Lake Champlain and its surrounding watershed.
- 3.2 To facilitate the tracking and reporting of progress toward attaining the target concentration and previous target loading reductions, the Parties agree to maintain phosphorus monitoring of Missisquoi Bay tributaries and wastewater effluent from treatment facilities in the watershed.
- 3.3 The Parties will maintain consistent evaluation and reporting methods. The Parties will also share progress on monitoring, source load reduction, and best management practices implemented in the watershed.

**ARTICLE 4
IMPLEMENTATION**

- 4.1 To fulfill this Agreement, the Parties agree to each designate a person as liaison for the implementation of the terms of this Agreement and ensure an active permanent representation within the Agreement framework.
- 4.2 These designees must be in a position to:
 - a) facilitate support of core monitoring activities and evaluate short-term

opportunities to enhance phosphorus monitoring in Missisquoi Bay waters as they arise;

- b) ensure that their respective jurisdiction maintains consistent evaluation and reporting methods for tracking load reductions, including nonpoint source best management practices implemented in the watershed;
- c) propose appropriate means to facilitate common work between the Parties to progress towards phosphorus reduction targets; and
- d) report every two (2) years to the Lake Champlain Basin Program Steering Committee on their jurisdiction activities and progress towards attaining the reduction goals.

ARTICLE 5 FINAL PROVISIONS

This Agreement shall enter into force on the date of the last signature of the Parties. It will remain in force until any of the Parties provide six (6) months' notice in writing to the other Party to rescind or terminate the Agreement. Further, this Agreement may be amended or modified at any time upon the written agreement of both Parties.

This Agreement continues the purpose of the Agreement between the Gouvernement du Québec and the Government of the State of Vermont concerning phosphorus reduction in Missisquoi Bay signed in Québec City on August 26, 2002 and expired on December 31, 2016.

Done in duplicate in the English and French languages, both texts being equally authentic.

**FOR THE GOUVERNEMENT DU
QUÉBEC**

FOR THE STATE OF VERMONT

At Quebec, on march 25 2021

At Vermont, on April 21 2021



Benoit Charette
Minister of the Environment and the Fight
against Climate Change



Julia S. Moore, PE
Secretary of the Agency of Natural
Resources