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## Laws and Regulations

Volume 135

### Summary

Table of Contents  
Regulations and other acts  
Draft Regulations  
Decisions  
Notices  
Index

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## Table of Contents

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**Page**

---

### Regulations and other acts

---

Agreement concerning new methods of voting using “PERFAS-MV” ballot boxes — Municipality of Piedmont .....	1535
---	------

---

### Draft Regulations

---

Professional Code — Chemists — Code of ethics .....	1549
---	------

---

### Decisions

---

Chief electoral officer — Decision pursuant to the powers conferred upon him by section 490 of the Election Act, concerning the exercise of voting rights by election officers on polling day .....	1551
Chief electoral officer — Decision pursuant to the powers conferred upon him by section 490 of the Election Act, concerning the remuneration of poll clerks .....	1552

---

### Notices

---

Temporary protection status assigned to various territories as a proposed biodiversity reserve or aquatic reserve .....	1553
--	------



## Regulations and other acts

Gouvernement du Québec

### Agreement

An Act respecting elections and referendums  
in municipalities  
(R.S.Q., c. E-2.2)

#### AGREEMENT CONCERNING NEW METHODS OF VOTING USING “PERFAS-MV” BALLOT BOXES

#### AGREEMENT ENTERED INTO

#### BETWEEN

The MUNICIPALITY OF PIEDMONT, a legal person established in the public interest, having its head office at 670, rue Principale, Piedmont, Province of Québec, represented by the mayor, M. Maurice Charbonneau and the clerk or secretary-treasurer, M. Gilbert Aubin under a resolution bearing number 6720-0303, hereinafter called

#### THE MUNICIPALITY

#### AND

Mtre Marcel Blanchet, in his capacity as CHIEF ELECTORAL OFFICER OF QUÉBEC, duly appointed to that office under the Election Act (R.S.Q., c. E-3.3), acting in that capacity and having his main office at 3460, rue de La Pérade, in Sainte-Foy, Province of Québec, hereinafter called

#### THE CHIEF ELECTORAL OFFICER

#### AND

the Honourable André Boisclair, in his capacity as MINISTER OF MUNICIPAL AFFAIRS AND GREATER MONTRÉAL, having his main office at 10, rue Pierre-Olivier-Chauveau, in Québec, Province of Québec, hereinafter called

#### THE MINISTER

WHEREAS the council of the MUNICIPALITY, by its resolution no. 6720-0303, passed at its meeting of 24 March 2003, expressed the desire to avail itself of the provisions of the Act respecting elections and referen-

dums in municipalities to enter into an agreement with the CHIEF ELECTORAL OFFICER and the MINISTER in order to allow the use of electronic ballot boxes for the municipal election of 2 November 2003 in the MUNICIPALITY;

WHEREAS sections 659.2 and 659.3 of the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2) provide the following:

“**659.2.** A municipality may, in accordance with an agreement made with the Minister of Municipal Affairs and Greater Montréal and the Chief Electoral Officer, test new methods of voting during a poll. The agreement may provide that it also applies to polling held after the poll for which the agreement was entered into; in such case, the agreement shall provide for its period of application.

The agreement must describe the new methods of voting and mention the provisions of this Act it amends or replaces.

The agreement has the effect of law.

**659.3.** After polling during which a test mentioned in section 659.2 is carried out, the municipality shall send a report assessing the test to the Minister of Municipal Affairs and Greater Montréal and the Chief Electoral Officer.”;

WHEREAS the MUNICIPALITY expressed the desire to avail itself of those provisions for the municipal election held on 2 November 2003 and could, with the necessary adaptations, avail itself of those provisions for elections held after the date of the agreement, the necessary adaptations to be included in an addendum to this agreement;

WHEREAS it is expedient to provide the procedure that applies to the territory of the MUNICIPALITY for that municipal election;

WHEREAS an agreement must be entered into between the MUNICIPALITY, the CHIEF ELECTORAL OFFICER and the MINISTER;

WHEREAS the MUNICIPALITY is solely responsible for the technological choice elected;

WHEREAS the council of the MUNICIPALITY passed, at its meeting of 24 March 2003, resolution no. 6720-0303 approving the text of the agreement and authorizing the mayor and the clerk or secretary-treasurer to sign this agreement;

WHEREAS the returning officer of the MUNICIPALITY is responsible for the application of this agreement and the means necessary to carry it out;

THEREFORE, the parties agree to the following:

## 1. PREAMBLE

The preamble to this agreement is an integral part of the agreement.

## 2. INTERPRETATION

Unless stated otherwise, expressly or as a result of the context of a provision, the following expressions, terms and words have, for the purposes of this agreement, the meaning and application given in this section.

2.1 “electronic voting system” means an apparatus consisting of the following devices:

- a computer containing in its memory the list of electors, used for the preparation of electronic voting cards;

- a reader of electronic voting cards;

- one or more printers;

- one or more autonomous voting terminals;

- electronic cards used to place the terminals in “election” mode, to vote (electronic voting cards), to place the terminals in “end of election” mode, and to record the results from each autonomous voting terminal;

2.2 “voting terminal” means an independent device containing a display with a graphical representation of a ballot paper, buttons used by electors to vote, and a memory card to record and compile the votes cast by electors;

2.3 “electronic card reader” means a device allowing the information required for an elector to vote to be transferred onto an electronic card;

2.4 “rejected ballot paper” means a ballot paper for which the button corresponding to “I do not wish to vote for the office of mayor” or “I do not wish to vote for the office of councillor” has been pushed by an elector on the voting terminal;

2.5 “operations trail” means a print-out of the operations (audit) of a voting terminal.

## 3. ELECTION

3.1 For the purposes of the municipal election of 2 November 2003 in the municipality, a sufficient number of “PERFAS-MV” model electronic voting systems will be used.

3.2 Before the publication of the notice of election, the municipality must take the necessary steps to provide its electors with adequate information concerning the testing of the new method of voting.

## 4. SECURITY MECHANISMS

Each electronic voting system must include the following security mechanisms:

- (1) a report displaying a total of “zero” must be automatically produced by the electronic ballot box when a voting terminal is turned on on the first day of advance polling and on polling day;

- (2) a verification report must be generated on a continuous basis and automatically saved on the memory card of the voting terminal, and must record each procedural operation;

- (3) a mechanism which prevents a voting terminal from being placed in “end of election” mode while polling is still under way, because the terminal can only be placed in “end of election” mode by the insertion of an “end of election” card;

- (4) a mechanism to ensure that the compilation of results is not affected by any type of interference once the electronic ballot box has been placed in “election” mode;

- (5) each voting terminal must be equipped with seals, two to prevent the opening of the box and one covering the screws of the voting terminal;

- (6) each voting terminal must be equipped with a back-up power source (battery) able to operate for two to five hours, unless all the terminals are connected to a generator;

- (7) if a voting terminal is defective, its internal memory card may be removed and transferred immediately into another voting terminal in order to allow the procedure to continue.

## 5. PROGRAMMING

Each electronic voting system used is specially programmed by the firm PG Elections inc. for the municipality in order to recognize and tally ballot papers in accordance with this agreement.

## 6. AMENDMENTS TO THE ACT RESPECTING ELECTIONS AND REFERENDUMS IN MUNICIPALITIES

### 6.1 Election officers

Section 68 of the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2) is amended by inserting the words “senior deputy returning officer, assistant to the senior deputy returning officer” after the word “assistant,”.

### 6.2 Senior deputy returning officer, assistant to the senior deputy returning officer

The following is substituted for section 76 of the Act :

“**76.** The returning officer shall appoint the number of senior deputy returning officers and assistants to the senior deputy returning officer that he deems necessary for each polling place.

The returning officer shall appoint a deputy returning officer and a poll clerk for each polling station.”.

### 6.3 Duties of the senior deputy returning officer, assistant to the senior deputy returning officer and deputy returning officer

The following is substituted for section 80 of the Act :

“**80.** The senior deputy returning officer shall, in particular,

(1) see to the installation and preparation of the electronic voting systems (voting terminal and electronic card reader);

(2) ensure that the polling is properly conducted and maintain order in the vicinity of the voting terminals in the polling place;

(3) facilitate the exercise of the right to vote and ensure that voting is secret;

(4) ensure that the electronic voting systems function correctly;

(5) print out the results compiled by the voting terminals at the closing of the poll;

(6) complete an overall statement of votes from the partial statements and the results compiled by each voting terminal;

(7) give the returning officer, at the closing of the poll, the results compiled by each voting terminal, the overall statement of votes and the number of electors at each polling station who were given an electronic voting card;

(8) give the returning officer the memory card on which the results of each voting terminal are recorded, the card used to place terminals in “end of election” mode, and the voting terminals in sealed cases.

**80.1.** The assistant to the deputy returning officer shall, in particular,

(1) assist the senior deputy returning officer in the latter’s duties;

(2) receive any elector referred by the senior deputy returning officer;

(3) verify the polling booths in the polling place.

**80.2.** The deputy returning officer shall, in particular,

(1) see to the arrangement of the polling station;

(2) see that the polling is properly conducted and maintain order at the polling station;

(3) facilitate the exercise of the right to vote and ensure that voting is secret;

(4) receive proof of identity from electors;

(5) give electors an electronic voting card to exercise their right to vote;

(6) check that each electronic voting card returned after the vote has been used. If a card has not been used, a record shall be made in the poll book that an elector has failed to exercise the right to vote;

(7) at the close of the poll, give the senior deputy returning officer a statement indicating the total number of electors given an electronic voting card by the deputy returning officer at the polling station.”.

#### 6.4 Discretion of the Chief Electoral Officer upon observing an error, emergency or exceptional circumstance

The following is substituted for section 90.5 of the Act:

“**90.5.** Where, during the election period, within the meaning of section 364, it comes to the attention of the Chief Electoral Officer that, subsequent to an error, emergency or exceptional circumstance, a provision referred to in section 90.1 or in the agreement provided for in section 659.2 of the Act respecting elections and referendums in municipalities does not meet the demands of the resultant situation, the Chief Electoral Officer may adapt the provision in order to achieve its object.

The Chief Electoral Officer shall first inform the Minister of Municipal Affairs and Greater Montréal of the decision he intends to make.

Within 30 days following polling day, the Chief Electoral Officer shall transmit to the President or the Secretary General of the National Assembly a report of the decisions made pursuant to the first paragraph. The President shall table the report in the National Assembly within 30 days of receiving it or, if the National Assembly is not sitting, within 30 days of resumption.”.

#### 6.5 Notice of election

The following is added after paragraph 7 of section 99:

“(8) the fact that the method of voting is by means of an electronic voting system.”.

#### 6.6 Polling subdivisions

The following is substituted for section 104 of the Act:

“**104.** The returning officer shall divide the list of electors into polling subdivisions, each comprising not more than 750 electors.

The returning officer shall provide a sufficient number of polling stations at each polling place to receive electors, establish their identity and give them an electronic voting card.

In the polling place, the electors may report to any polling station. They shall be directed to the first available voting terminal to exercise their right to vote.”.

#### 6.7 Verification of electronic voting systems

The Act is amended by inserting the following subdivision after subdivision 1 of Division IV of Chapter VI of Title I:

##### “§1.1 *Verification of electronic voting systems*

“**173.1.** The returning officer shall, not later than the fifth day preceding the first day of advance polling and the fifth day preceding polling day, test the electronic voting system to ensure that it tallies the number of votes cast accurately and precisely, in the presence of the candidates or their representatives if they so wish.

**173.2.** During the testing of the electronic voting system, adequate security measures must be taken by the returning officer to guarantee the integrity of the system as a whole and of each component used to record, compile and memorize results. The returning officer must ensure that no electronic communication that could change the programming of the system, the recording of data, the tallying of votes, the memorization of results or the integrity of the system as a whole may be established.

**173.3.** The returning officer shall conduct the test by performing the following operations:

(1) he shall prepare a pre-determined number of electronic voting cards and transfer onto them the information relating to one of the positions to be filled;

(2) he shall record on the voting terminal a pre-determined number of votes that have been manually tallied. The votes shall include:

(a) a pre-determined number of votes in favour of one of the candidates for the office of mayor and councillor;

(b) a pre-determined number of votes corresponding to the statement “I do not wish to vote for the office of mayor” or “I do not wish to vote for the office of councillor”;

(c) a pre-determined number of votes for a candidate for the office of mayor and the same pre-determined number of votes for a candidate for a position as a councillor;

(3) he shall ensure that it is not possible to record more than one vote for the same position;

(4) he shall ensure that the button used to record a vote can be pushed only after the button used to vote for the mayor or corresponding to the statement “I do not wish to vote for the office of mayor”, and the button used to vote for a councillor or corresponding to the statement “I do not wish to vote for the office of councillor”, have been pushed;

(5) he shall ensure that the information relating to the positions to be filled contained on the electronic voting cards is consistent with the information transferred to the cards by the returning officer;

(6) he shall place the system in “end of election” mode and ensure that the results compiled by the voting terminal are consistent with the results compiled manually;

(7) once the test has been successfully completed, he shall reset the voting terminal to zero and replace it in a sealed case; the candidates or their representatives may affix their signature if they so wish;

(8) where an error in the compilation of the results compiled by the terminals is detected, the returning officer shall determine with certitude the cause of error, proceed with a further test, and repeat the operation until a perfect compilation of results is obtained; any error or discrepancy shall be noted in the test report;

(9) he may not change the programming established by the firm PG Elections inc.”.

## 6.8 Advance polling

The following is substituted for sections 182, 183 and 185 of the Act:

“**182.** At the close of the advance polling station, the poll clerk shall enter the following particulars in the poll book:

(1) the number of electors who were given an electronic voting card;

(2) the total number of votes recorded on each terminal, as transmitted by the senior deputy returning officer;

(3) the names of the persons who performed duties as election officers or as representatives.

The deputy returning officer shall place in separate envelopes the forms, the verification reports printed out at each terminal, the poll book and the list of electors,

and shall then seal the envelopes. The deputy returning officer, the poll clerk and the representatives who wish to do so shall affix their initials to the seals of the envelopes. The envelopes, except the envelope containing the list of electors, shall be given to the senior deputy returning officer for deposit in a large envelope. The large envelope shall be sealed. The persons present may affix their initials to the seal.

**182.1.** At the close of the advance polling station, the senior deputy returning officer shall:

(1) place the voting terminals in “end of election” mode;

(2) transfer the data contained in the memory of the electronic ballot box onto a memory card;

(3) print the operations trail (audit);

(4) place the memory card (memory chip) and the operations trail in separate envelopes, and seal the envelopes;

(5) forward the envelopes to the returning officer, who shall keep them safely in separated locations;

(6) set each voting terminal to zero, seal it and place it in its plastic case;

(7) affix his initials to all the seals and give the candidates or representatives present an opportunity to affix their initials.

**182.2.** The senior deputy returning officer shall place the card used to place the terminals in “election” mode and “end of election” mode in the large envelope.

The senior deputy returning officer shall seal the large envelope and each terminal. The senior deputy returning officer and the representatives who wish to do so shall affix their initials to the seal of the large envelope.

The senior deputy returning officer shall then give the large envelope, the envelopes containing the list of electors, the memory card and the operations trail, as well as the voting terminals, to the returning officer or the person designated by the returning officer.

The returning officer shall keep in safety, in separate locations, the envelopes containing the memory card and the operations trail.

**182.3.** The returning officer shall, using the various lists of electors used in the advance polling, draw up an integrated list of all the electors who voted in the advance poll. The returning officer shall make as many copies of the list as there are to be polling stations on polling day.

**183.** Immediately before the time fixed for the opening of the polling station on the second day, where applicable, the senior deputy returning officer, before the persons present, shall open the large envelope and give each deputy returning officer the poll books and the forms. Each deputy returning officer shall open the envelopes and take custody of their contents.

The senior deputy returning officer shall take possession of the verification reports indicating the total number of votes recorded on each terminal, the card used to place the terminals in “election” mode and the card used to place the terminals in “end of election” mode.

The senior deputy returning officer shall verify for each terminal, using the memory card, that the number of votes recorded matches the number entered the previous day in the poll book by the poll clerk for that polling station.

The returning officer, or the person designated by the returning officer, shall return the list of electors to each deputy returning officer.

At the close of the advance poll on the second day, the senior deputy returning officer, the returning officer and the poll clerk shall perform the same actions as at the close of the advance poll on the first day.

**185.** From 7:00 p.m. on polling day, the returning officer or the person designated by the returning officer shall, using the memory card or cards on which the results are recorded, print out the results compiled by each voting terminal used in the advance poll in the presence of the deputy returning officers, the poll clerks and the representatives who wish to be present.

The results shall be printed out at the location determined by the returning officer. The print-out shall be performed in accordance with the rules applicable to the printing-out of the results from polling day, adapted as required.”.

## 6.9 Revocation

Sections 186 and 187 of the Act are revoked.

## 6.10 Polling place

The following is substituted for the first paragraph of section 188 of the Act:

“**188.** The polling place must be in premises that are spacious and easily accessible to the public.”.

## 6.11 Booths

The following is substituted for section 191 of the Act:

“**191.** Where electronic voting systems are used in an election, each polling station shall have the number of polling booths determined by the returning officer.”.

## 6.12 Ballot papers and electronic voting cards

The following is substituted for section 192 of the Act:

“**192.** The returning officer shall ensure that a sufficient number of electronic voting cards are available to facilitate the exercise of the electors’ right to vote.”.

The following is substituted for sections 193 to 195 of the Act:

“**193.** The graphical representation of a ballot paper that appears on the voting terminal shall be consistent with the model set out in Schedule 1 to the agreement provided for in section 659.2 of the Act respecting elections and referendums in municipalities.”.

## 6.13 Identification of the candidates

The following is substituted for section 196 of the Act:

“**196.** The graphical representation of a ballot paper that appears on the voting terminal must allow each candidate to be identified.

Depending on the number of positions to be filled, the representation shall have one or more columns on one or more pages, showing:

(1) the name of each candidate, the given name preceding the surname;

(2) under each name, the name of the authorized party or recognized ticket to which the candidate belongs, where such is the case;

(3) a rectangle for the elector’s mark opposite the particulars pertaining to each candidate.

All rectangles, as the space between consecutive rectangles, must be of the same size.



Where several independent candidates for the same office have the same name, the graphical representation of the ballot paper used in the polling for that office shall indicate the address of each candidate under the candidate's name and, where such is the case, above the indication of the candidate's political affiliation.

The particulars must appear in alphabetical order of the candidates' surnames and, as the case may be, of the candidates' given names. Where two or more candidates for the same office have the same name, the order in which the particulars relating to each of them appear shall be determined by a drawing of lots carried out by the returning officer.

The particulars pertaining to the candidates must correspond to those contained in the nomination papers, unless, in the meantime, the authorization of the party or the recognition of the ticket has been withdrawn, or the name of the party or ticket appearing on the nomination papers is inaccurate.”.

#### 6.14 Reverse of ballot paper

Section 197 is revoked.

#### 6.15 Withdrawal of a candidate

The following is substituted for section 198 of the Act:

“**198.** Where an electronic voting system is used in an election, the returning officer shall ensure that the memory card is adjusted so that it does not take into account the candidates who have withdrawn.

Any vote in favour of those candidates before or after their withdrawal is null.”.

#### 6.16 Withdrawal of authorization or recognition

The following is substituted for section 199 of the Act:

“**199.** Where electronic voting systems are used in an election, the returning officer shall ensure that they are adjusted so that they do not take into account the party or ticket from which authorization or recognition has been withdrawn.”.

#### 6.17 Number of voting terminals

The following is substituted for sections 200 and 201 of the Act:

“**200.** The returning officer shall ensure that a sufficient number of electronic voting systems are available for the election.

**201.** The upper surface of the voting terminal must be in conformity with the model described in Schedule 2 to this Agreement.

The voting terminal must be designed so that the button used to vote for a candidate is placed opposite the particulars relating to that candidate.

The instructions to the electors on how to vote must be clearly indicated on the upper surface of the voting terminal.”.

#### 6.18 Provision of polling materials

The following is substituted for section 204 of the Act:

“**204.** Not later than one hour before the time fixed for the opening of the polling station, the returning officer shall give or make available to the deputy returning officer, in a sealed envelope, after affixing his initials to the seals,

(1) the copy of the list of electors for the polling subdivision used for the advance poll and comprising the electors who are entitled to vote at that polling station;

(2) a poll book;

(3) electronic voting cards;

(4) the forms and other documents necessary for the poll and the closing of the polling station.

The returning officer shall give or make available to the deputy returning officer, as well as to the senior deputy returning officer, any other materials required for the poll, the closing of the polling office, and the tallying and recording of votes.”.

#### 6.19 Examination of polling materials and documents

The following is substituted for section 207 of the Act:

“**207.** In the hour preceding the opening of the polling stations, the senior deputy returning officer, before the persons present, shall initialize the electronic voting system for the polling place. The senior deputy returning officer shall ensure that the system computer displays a total of zero electors having voted, and that each voting terminal displays a total of zero recorded votes, by verifying the printed reports from those devices.

The senior deputy returning officer shall ensure that as many small envelopes are available for the memory cards used to record results as there are voting terminals under his responsibility.

The senior deputy returning officer must inform the returning officer of any discrepancy observed upon activating a voting terminal or during the poll.

The senior deputy returning officer shall keep the reports and show them to any person present who wishes to examine them.

The senior deputy returning officer must, in addition, before the persons present, ensure that two seals are affixed to each terminal.

In the hour preceding the opening of the polling stations, each deputy returning officer and poll clerk shall examine the polling documents and materials provided by the returning officer.”.

## POLLING PROCEDURE

### 6.20 Presence at the polling station

The following is substituted for the third paragraph of section 214 of the Act:

“In addition, only the deputy returning officer, the poll clerk and the representatives assigned to the polling station, together with the returning officer, the election clerk, the assistant to the returning officer, the senior deputy returning officer and the assistant to the senior deputy returning officer may be present at the station. The officer in charge of information and order may be present, at the request of the deputy returning officer for as long as may be required. The poll runner may be present for the time required to perform his duties. Any other person assisting an elector under section 226 may be present for the time required to enable the elector to exercise his right to vote.”.

### 6.21 Electronic voting cards

The following is substituted for section 221 of the Act:

“**221.** The deputy returning officer shall give each elector admitted to vote an electronic voting card to which the information required to exercise the right to vote has been transferred.

In no case may the information transferred to the card allow a link to be established between the casting of a vote and the identity of an elector.”.

### 6.22 Voting

The following is substituted for section 222 of the Act:

“**222.** The elector shall enter the polling booth and exercise the right to vote by:

(1) inserting the electronic voting card in the opening provided for that purpose and clearly identified on the upper surface of the voting terminal;

(2) pressing the button placed opposite the particulars relating to the candidate in whose favour the elector wishes to vote as mayor and councillor or councillors, causing a mark to appear in the rectangle;

(3) recording the vote by pressing the red button placed on the upper surface of the voting terminal, causing the red lights placed above the button to go out.”.

### 6.23 Following the vote

The following is substituted for section 223 of the Act:

“**223.** After removing the electronic voting card from the voting terminal, the elector shall leave the booth and give the electronic voting card to the polling officer designated for that purpose by the returning officer.

If an elector indicates one or more votes but leaves the booth without recording them, the senior deputy returning officer or the latter’s assistant shall record the votes.

If an elector fails to indicate and record one or more votes and leaves the polling place, the senior deputy returning officer or the latter’s assistant shall press the button corresponding to the statement “I do not wish to vote for the office of mayor” or “I do not wish to vote for the office of councillor” or both, as the case may be, and shall then record the voter’s vote.

The electronic voting card shall then be removed from the voting terminal and given to the deputy returning officer. The occurrence shall be recorded in the poll book.”.

### 6.24 Cancelled and spoiled ballot papers

Sections 224 and 225 of the Act are revoked.

### 6.25 Assistance for electors

The following is substituted for section 226 of the Act:

“**226.** An elector who declares under oath, before the senior deputy returning officer or the assistant to the senior deputy returning officer, that he is unable to use the electronic ballot box or to vote, may be assisted either:

(1) by a person who is the elector’s spouse or a relative within the meaning of section 131;

(2) by the senior deputy returning officer, in the presence of the assistant to the senior deputy returning officer.

A deaf or mute elector may be assisted, for the purposes of communicating with the election officers and representatives, by a person capable of interpreting the sign language of the deaf.

The senior deputy returning officer shall advise the deputy returning officer concerned that an elector has availed himself of this section, and the occurrence shall be entered in the poll book.”.

#### **6.26 Transfer of information to electronic voting cards**

The following is substituted for section 228 of the Act:

“**228.** The electronic voting system shall ensure that the information required for an elector to exercise the right to vote is transferred once only to the electronic voting card.”.

#### **6.27 Compilation of results and tallying of votes**

The following is substituted for section 229 of the Act:

“**229.** After the closing of the poll, the senior deputy returning officer shall compile the results by:

(1) placing the election terminals of the polling place in “end of election” mode;

(2) recording the results of each voting terminal;

(3) printing out the results compiled by each voting terminal.

The reports on the compiled results shall indicate the total number of voters who have voted, the number of valid votes, the number of rejected ballot papers and the number of votes for each candidate.

The senior deputy returning officer shall gather from each poll clerk the number of electors admitted to vote.

The senior deputy returning officer shall allow each person present to consult the results.”.

#### **6.28 Entries in poll book**

The following is substituted for section 230 of the Act:

“**230.** After the closing of the poll, the poll clerk of each polling station shall enter in the poll book:

(1) the number of electors who have voted;

(2) the names of the persons who have performed duties as election officers or as representatives assigned to that polling station.

**230.1.** The deputy returning officer shall place the poll book and the list of electors in separate envelopes.

The deputy returning officer shall seal the envelopes, and the representatives assigned to the polling station who wish to do so shall affix their initials to the seals.

The deputy returning officer shall then give the envelopes to the senior deputy returning officer.”.

#### **6.29 Compiling sheet**

Section 231 of the Act is revoked.

#### **6.30 Counting of the votes**

Section 232 of the Act is revoked.

#### **6.31 Rejected ballot papers**

The following is substituted for section 233 of the Act:

“**233.** The electronic voting system shall be programmed in such a way that every ballot paper for which the button corresponding to “I do not wish to vote for the office of mayor” or “I do not wish to vote for the office of councillor” is pushed by the elector on the voting terminal is rejected.

For the purposes of the poll, the memory card shall be programmed in such a way that the electronic voting system processes and conserves all the votes cast, in other words both the valid ballot papers and the rejected ballot papers.”.

Sections 234 to 237 of the Act are revoked.

### 6.32 Partial statement of votes and copy for representatives

The following is substituted for sections 238 and 240 of the Act:

“**238.** The deputy returning officer shall draw up the partial statement of votes, setting out the total number of electors admitted to vote.

A separate statement shall be drawn up for each polling station.

The deputy returning officer shall draw up sufficient copies of the partial statement of votes for himself, the senior deputy returning officer, the returning officer and every representative assigned to the polling station.

**238.1** Using the partial statements of votes and the results compiled by the electronic voting system, the senior deputy returning officer shall draw up an overall statement of votes.

**240.** The senior deputy returning officer shall immediately give a copy of the overall statement of votes to the representatives.

The senior deputy returning officer shall retain a copy of the statement and a second copy for the returning officer for the purposes of section 244.”.

### 6.33 Separate envelopes

The following is substituted for section 241 of the Act:

“**241.** After printing out the results compiled by each voting terminal in the polling place, the senior deputy returning officer shall:

(1) place the memory card used to record the results from each voting terminal in a small envelope bearing the serial number of the terminal concerned, seal the envelope and affix his initials, along with those of the representatives who wish to do so;

(2) place all the reports on the results compiled in an envelope, together with the partial statements and the overall statement of votes.”.

### 6.34 Seals

The following is substituted for section 242 of the Act:

“**242.** The senior deputy returning officer shall place in a large envelope:

(1) the small envelopes prepared pursuant to paragraph 1 of section 241;

(2) the envelopes provided for in section 230.1;

(3) the card used in the polling place to place the terminals in “election” mode and “end of election” mode;

(4) the electronic voting cards.

The senior deputy returning officer shall seal the large envelope. The senior deputy returning officer and the representatives who wish to do so shall affix their initials to the seal of the large envelope.”.

### 6.35 Placing in ballot box

Section 243 of the Act is revoked.

### 6.36 Delivery to returning officer

The following is substituted for section 244 of the Act:

“**244.** The senior deputy returning officer shall deliver to the returning officer or the person designated by the returning officer

(1) the envelope containing the reports of the results compiled by each voting terminal, the partial statements and the overall statement of votes;

(2) the large envelope provided for in section 242.”.

### 6.37 Addition of votes

The following is substituted for section 247 of the Act:

“**247.** The returning officer shall proceed with the addition of the votes using the overall statement of votes drawn up by each senior deputy returning officer.”.

### 6.38 Adjournment of the addition of votes

The following is substituted for section 248 of the Act:

“**248.** The returning officer shall, if unable to obtain an overall statement of votes that should have been provided, adjourn the addition of votes until the statement is obtained.

Where it is not possible to obtain an overall statement of votes, or the printed report on the results and a partial statement of votes, the returning officer shall, in the presence of the senior deputy returning officer and the candidates in question or of their representatives if they so wish, print out a new report using the appropriate memory card for recording results and the copy of the partial statements of votes taken from the large envelope, opened in the presence of the aforementioned persons.”.

#### **6.39 Placing in envelope**

The following is substituted for section 249 of the Act:

“**249.** After printing out the results, the returning officer shall place the memory card used to record results in an envelope, seal the envelope, and affix his initials and allow the candidates or their representatives to affix their initials if they so wish. He shall place the copy of the partial statements of votes in the large envelope, seal it, and allow the candidates or representatives present to affix their initials.”.

#### **6.40 New counting of the votes**

Section 250 of the Act is revoked.

#### **6.41 Notice to the Minister**

The following is substituted for section 251 of the Act:

“**251.** Where it is impossible to obtain the electronic cards used to record the results, where applicable, the returning officer shall advise the Minister of Municipal Affairs and Greater Montréal in accordance with Division III of Chapter XI.”.

#### **6.42 Access to voting papers**

Section 261 of the Act is revoked.

#### **6.43 Application for a recount or re-addition**

The following is substituted for the first paragraph of section 262 of the Act:

“**262.** Any person who has reasonable grounds to believe that a voting terminal has produced an inaccurate statement of the number of votes cast, or that a deputy returning officer has drawn up an inaccurate partial statement of votes, or that a senior deputy returning officer has drawn up an inaccurate overall statement of votes, may apply for a new compilation of the results. The applications may be limited to one or more voting terminals, but the judge is not bound by that limitation.”.

#### **6.44 Notice to candidates**

The following is substituted for section 267 of the Act:

“**267.** The judge shall give one clear day’s advance notice in writing to the candidates concerned of the date, time and place at which he will proceed with the new compilation of the results or re-addition of the votes.

The judge shall summon the returning officer and order him to bring the electronic cards on which the results of the votes are recorded, the reports of the compiled results, and the partial and overall statements of vote. Where the new compilation is limited to one or certain polling subdivisions, the judge shall order only the electronic cards on which the results of the votes are recorded, the reports of the compiled results, and the partial and overall statements of votes he will need.”.

#### **6.45 Procedure for a new compilation of results or re-addition of votes**

The following is substituted for section 268 of the Act;

“**268.** On the appointed day, the judge, in the presence of the returning officer shall, in the case of a new compilation of results, print out the results compiled by the voting terminal display or displays under inquiry.

In the case of a re-addition of votes, the judge shall examine the reports of the compiled results and the partial and overall statements of votes.

The candidates concerned or their mandataries and the returning officer may, at that time, examine all the documents and items examined by the judge.”.

#### **6.46 Repeal**

Section 269 is revoked.

#### **6.47 Missing electronic card for recording results and partial statements of votes**

The following is substituted for the first paragraph of section 270 of the Act:

“**270.** If an electronic card on which results are recorded or a required document is missing, the judge shall use appropriate means to ascertain the results of the vote.”.

#### **6.48 Custody of items and documents, and verification**

The following is substituted for sections 271, 272 and 273 of the Act:

**“271.** During a new compilation or a re-addition, the judge shall have custody of the voting system and of the items and documents entrusted to him.

**272.** As soon as the new compilation is completed, the judge shall confirm or rectify each report of compiled results and each report on a partial statement of votes and carry out a re-addition of the votes.

**273.** After completing the re-addition of the votes, the judge shall certify the results of the poll.

The judge shall give the returning officer the electronic cards used to record the results and all the other documents used to complete the new compilation or the re-addition.”.

## 7. DURATION AND APPLICATION OF AGREEMENT

The returning officer of the municipality is responsible for the application of this agreement and, consequently, for the proper conduct of the trial application of the new method of voting during general elections and by-elections held before 31 December 2005.

## 8. AMENDMENT

The parties agree that this agreement may be amended if need be to ensure the proper conduct of the municipal election to be held on 2 November 2003 and of any subsequent election provided for in the agreement. Mention of that fact shall be made in the assessment report.

## 9. ASSESSMENT REPORT

Within 120 days following the municipal election held on 2 November 2003, the returning officer of the municipality shall forward, in accordance with section 659.3 of the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2), an assessment report to the Chief Electoral Officer and the Minister addressing, in particular, the following issues:

- the preparations for the election (choice of the new method of voting, communications plan, etc.);
- the conduct of the advance poll and the poll;
- the cost of using the electronic voting system:
- the cost of adapting election procedures;
- non-recurrent costs likely to be amortized;

— a comparison between the actual polling costs and the estimated polling costs using the new methods of voting and the projected cost of holding the municipal election on 2 November 2003 using traditional methods;

— the number and duration of incidents during which voting was stopped, if any;

— the advantages and disadvantages of using the new method of voting;

— the results obtained during the addition of the votes and the correspondence between the number of votes cast and the number of electors admitted to vote.

## 10. APPLICATION OF THE ACT RESPECTING ELECTIONS AND REFERENDUMS IN MUNICIPALITIES

The Act respecting elections and referendums in municipalities shall apply to the municipal election held on 2 November 2003 in the municipality, subject to the provisions of the Act that this agreement amends or replaces.

## 11. EFFECT OF AGREEMENT

This agreement has effect from the time when the returning officer performs the first act for the purposes of an election to which this agreement applies.

## AGREEMENT SIGNED IN THREE COPIES:

In PIEDMONT, this 25th day of March 2003

MUNICIPALITY OF PIEDMONT

By: \_\_\_\_\_  
MAURICE CHARBONNEAU, *mayor*

\_\_\_\_\_  
GILBERT AUBIN, *clerk or secretary-treasurer*

In Québec, on this 31th day of March 2003

THE CHIEF ELECTORAL OFFICER

\_\_\_\_\_  
MARCEL BLANCHET

In Québec, on this 10th day of April 2003

THE MINISTER OF MUNICIPAL AFFAIRS  
AND GREATER MONTRÉAL

\_\_\_\_\_  
DENYS JEAN, *Deputy Minister*

## SCHEDULE I

## BALLOT PAPER

**PERFEASIM<sup>TM</sup>**  
TERMINAL DE VOTATION

**1** Insérez votre carte de votation

**3** Appuyez sur ce bouton pour enregistrer votre vote

**INSTRUCTIONS**

- 1 Insérez votre carte de votation
- 2 Faites votre sélection
- 3 Appuyez sur le bouton rouge pour enregistrer votre vote
- 4 Retirez la carte et la remettre au préposé

**2** Faites votre sélection

**MAIRE**  
Faites un (1) choix pour ce poste

☐ Candidature 1 Part 1

☐ Candidature 2 Part 2

☐ Candidature 3 Part 3

☐ Candidature 4 Part 4

☐ Je ne veux pas voter pour ce poste de maire

**CONSEILLER**  
Faites un (1) choix pour ce poste

☐ Candidature 1 Part 1

☐ Candidature 2 Part 2

☐ Candidature 3 Part 3

☐ Candidature 4 Part 4

☐ Je ne veux pas voter pour ce poste de conseiller





## Draft Regulations

### Draft Regulation

Professional Code  
(R.S.Q., c. C-26; 2001, c. 78)

#### Chemists

— Code of ethics  
— Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Code of ethics of chemists, made by the Bureau of the Ordre des chimistes du Québec, may be submitted to the Government for approval, with or without amendment, upon the expiry of 45 days following this publication.

The purpose of the Regulation is to amend the Code of ethics of chemists to introduce provisions stating the terms and conditions according to which a professional may communicate information that is protected by professional secrecy so as to prevent an act of violence.

These provisions are required by the Act to amend various legislative provisions as regards the disclosure of confidential information to protect individuals (2001, c. 78). That Act permits the lifting of professional secrecy to prevent an act of violence, including a suicide, where the professional has grounds to believe that there is an imminent danger of death or serious bodily injury to a person or an identifiable group of persons. However, the communication must be limited to such information as is necessary to achieve the purposes for which the information is communicated, and the information may only be communicated to a person exposed to the danger, to that person's representative, or to the persons who can come to that person's aid.

The Order expects the proposed amendments to have no impact on businesses, including small and medium-sized businesses.

Further information may be obtained by contacting Martial Boivin, Chair, Director General and Secretary of the Ordre des chimistes du Québec, 300, rue Léo-Pariseau, bureau 1010, Place-du-Parc, Montréal (Québec) H2X 4B3; telephone: (514) 844-3644; fax: (514) 844-9601, E-mail: [information@ocq.qc.ca](mailto:information@ocq.qc.ca)

Any person having comments to make is asked to send them in writing, before the expiry of the 45-day period, to the Chair of the Office des professions du Québec, 800, place D'Youville, 10<sup>e</sup> étage, Québec (Québec) G1R 5Z3. Comments will be forwarded by the Office to the Minister responsible for the administration of legislation respecting the professions; they may also be communicated to the professional order that made the Regulation, as well as to the interested persons, departments and bodies.

JEAN-K. SAMSON,  
*Chair of the Office des  
professions du Québec*

### Regulation to amend the Code of ethics of chemists\*

Professional Code  
(R.S.Q., c. C-26, s. 87; 2001, c. 78, s. 6)

**1.** The Code of ethics of chemists is amended by inserting the following sections after section 52:

**“52.1.** A chemist may communicate information that is protected by professional secrecy to prevent an act of violence, including a suicide, where the chemist has reasonable cause to believe that there is an imminent danger of death or serious bodily injury to a person or an identifiable group of persons.

**52.2.** In the cases referred to in section 52.1, the chemist may only communicate the information to a person exposed to the danger or that person's representative or to the persons who can come to that person's aid.

The chemist may only communicate such information as is necessary to achieve the purposes for which the information is communicated, in particular the identity of the person in danger, the identity and contact information of the person who made the threats, their nature and the circumstances in which they were made.

\* The Code of ethics of chemists, approved by Order in Council 27-2001 dated 17 January 2001 (2001, *G.O.* 2, 1017), has not been amended since its approval.

Where information is so communicated by a chemist, the chemist shall enter the following information in the client's record:

- (1) the date and time of the communication;
- (2) the identity of the person exposed to the danger or of the group of persons exposed to the danger;
- (3) the identity of the person to whom the information was communicated, specifying, as the case may be, that it was to the person exposed to the danger, to that person's representative or to the persons that can come to that person's aid;
- (4) the act of violence that the chemist intended to prevent;
- (5) the danger identified by the chemist; and
- (6) the information communicated.

The chemist shall also send that information to the bureau of the syndic without delay.”.

**2.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

## Decisions

### Decision, 10 April 2003

Election Act  
(R.S.Q., c. E-3.3)

#### **Chief electoral officer — Exercise of voting rights by election officers on polling day**

Decision of the chief electoral officer pursuant to the powers conferred upon him by section 490 of the Election Act, concerning the exercise of voting rights by election officers on polling day

WHEREAS order-in-council number 370-2003, issued on March 12, 2003, enjoined the chief electoral officer to hold general elections in Québec on April 14, 2003;

WHEREAS significant difficulties were encountered in several electoral divisions with regard to the recruitment of the election officers required to hold the poll;

WHEREAS the recruitment of election officers is underway on the date of this decision, and will continue until the day preceding polling day;

WHEREAS a number of the election officers recruited will not have exercised their right to vote in the advance poll;

WHEREAS these election officers cannot leave their positions on polling day to exercise their right to vote in the polling subdivision in which their domicile is located;

WHEREAS provisions are required to enable these election officers to exercise their right to vote;

WHEREAS section 490 of the Election Act allows the chief electoral officer to adapt a provision of the Act where he observes that, subsequent to an exceptional circumstance, it does not meet the demands of the situation;

WHEREAS the chief electoral officer has informed the authorized parties represented in the National Assembly of his intention to use the provisions of the said section, and has taken the steps required to inform the other authorized parties, the candidates and the electors in question;

The chief electoral officer, pursuant to the powers conferred upon him by section 490 of the Election Act, has decided to adapt section 340 of the Act and the Vote Regulation as follows:

1. The returning officer or his assistant shall issue an authorization to vote to every election officer entered on the list of electors in the electoral division in which he performs his duties who has not exercised his right to vote in the advance poll.

2. The authorization to vote shall be issued to the election officers concerned on the day of the poll, by the officer in charge of information and order.

3. An election officer who has obtained an authorization shall present it to the deputy returning officer and declare under oath:

a) that he is indeed the person who obtained it;

b) that he did not exercise his right to vote in the advance poll because he intended to vote on polling day;

c) that he was unaware, prior to closure of the advance polling station, that he would be performing the duties of election officer on polling day in the polling station to which he is assigned.

This decision shall take effect on the date of the order enjoining the chief electoral officer to hold general elections in Québec.

Québec, 10 April 2003

MARCEL BLANCHET,  
*Chief Electoral Officer and Chairman  
of the Commission de la représentation électorale*

5736

## Decision, 11 April 2003

Election Act  
(R.S.Q., c. E-3.3)

### Chief electoral officer — Remuneration of poll clerks

Decision of the chief electoral officer pursuant to the powers conferred upon him by section 490 of the election act, concerning the remuneration of poll clerks

WHEREAS order-in-council number 370-2003, issued on March 12, 2003, enjoined the chief electoral officer to hold general elections in Québec on April 14, 2003;

WHEREAS section 137 of the Election Act (R.S.Q., c. E-3.3) provides that the tariff of remuneration of election officers shall be fixed by government regulation;

WHEREAS section 137 of the said Act provides that the chief electoral officer may, in an election period, increase the amounts fixed by the tariff without exceeding the amount established by government regulation;

WHEREAS the Regulation respecting the tariff of remuneration and expenses of election officers states that the maximum amount of additional expenses brought about by such an increase may not exceed \$250,000;

WHEREAS the said Regulation provides that a poll clerk is entitled to a remuneration equivalent to 75% of the remuneration of a deputy returning officer, namely an hourly remuneration of \$7.85;

WHEREAS, subsequent to an error of interpretation, the remuneration to be paid to poll clerks exceeds the amounts stipulated in the Regulation;

WHEREAS the persons concerned have already been informed of the remuneration to be paid to them;

WHEREAS it is impossible to remedy the situation without risk to the proper operation of the poll;

WHEREAS section 490 of the Election Act allows the chief electoral officer to adapt a provision of the Act where he observes that, subsequent to an exceptional circumstance, it does not meet the demands of the situation;

WHEREAS the chief electoral officer has informed the authorized parties represented in the National Assembly of his intention to use the provisions of the said section, and has taken the steps required to inform the other authorized parties, the candidates and the electors in question;

The chief electoral officer, pursuant to the powers conferred upon him by section 490 of the Election Act, has decided to adapt section 137 of the Election Act and the Regulation respecting the tariff of remuneration and expenses of election officers as follows:

1. The hourly remuneration of all poll clerks is hereby fixed at \$9.35.
2. The maximum amount of additional expenses provided for in the Regulation is hereby fixed at \$450,000.

This decision shall take effect on the date of the order enjoining the chief electoral officer to hold general elections in Québec.

Québec, 11 April 2003

MARCEL BLANCHET,  
*Chief Electoral Officer and Chairman  
of the Commission de la représentation électorale*

5735

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## Notices

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### Notice

Natural Heritage Conservation Act  
(2002, c. 74)

#### **Temporary protection status assigned to various territories as a proposed biodiversity reserve or aquatic reserve**

Notice is hereby given, in keeping with section 29 of the Natural Heritage Conservation Act (2002, c. 74):

1° that, through the Ministerial Order of March 18, 2003, published in the *Gazette officielle du Québec* on April 9, 2003, the Minister of the Environment has assigned, for a period of four years as of the date on which this notice is published in the *Gazette officielle du Québec*, a temporary protection status to the seven (7) areas the name and location of which are mentioned in Appendix I, as a proposed biodiversity reserve;

2° that, through the Ministerial Order of March 18, 2003, published in the *Gazette officielle du Québec* of April 9, 2003, the Minister of the Environment has assigned, for a period of four years as of the date on which this notice is published in the *Gazette officielle du Québec*, a temporary protection status to the three (3) areas the name and location of which are mentioned in Appendix II, as a proposed aquatic reserve;

3° that a copy of the respective plans of those proposed biodiversity reserves and aquatic reserves can be obtained upon payment of a fee, by contacting Léopold Gaudreau by mail at Direction du patrimoine écologique et du développement durable, ministère de l'Environnement, 675, boulevard René-Lévesque Est, 4<sup>e</sup> étage, boîte 21, Québec (Québec) G1R 5V7, by phone at (418) 521-3907, extension 4783, by fax at (418) 646-6169 or by e-mail at leopold.gaudreau@menv.gouv.qc.ca

4° that the permanent protection status planned for those areas is respectively that of biodiversity reserve or aquatic reserve, as a continuation of the temporary status already granted, the allocation of such permanent status being regulated by the Natural Heritage Conservation Act.

MADELEINE PAULIN,  
*Deputy Minister*

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### APPENDIX I

#### PROPOSED BIODIVERSITY RESERVES

##### **Proposed Pasteur lake biodiversity reserve**

Location: The territory of this reserve is located in the Côte-Nord administrative region, between 50°09' and 50°27' latitude north and 66°50' and 67°06' longitude west.

##### **Proposed Boatswain bay biodiversity reserve**

Location: The territory of this reserve is located in the Nord-du-Québec administrative region, between 51°42' and 51°56' latitude north and 78°47' and 79°03' longitude west.

##### **Proposed Ministikawatin peninsula biodiversity reserve**

Location: The territory of this reserve is located in the Nord-du-Québec administrative region, between 51°09' and 51°40' latitude north and 78°59' and 79°31' longitude west.

##### **Proposed Missisicabi plain biodiversity reserve**

Location: The territory of this reserve is located in the Nord-du-Québec administrative region, between 50°28' and 50°44' latitude north and 78°29' and 79°54' longitude west.

##### **Proposed Muskuuchii hills biodiversity reserve**

Location: The territory of this reserve is located in the Nord-du-Québec administrative region, between 50°04' and 50°26' latitude north and 78°22' and 78°56' longitude west.

##### **Proposed Vaudray and Joannès lakes biodiversity reserve**

Location: The territory of this reserve is located in the Abitibi-Témiscamingue administrative region, between 48°01' and 48°13' latitude north and 78°36' and 78°45' longitude west.

##### **Proposed Sabourin lake biodiversity reserve**

Location: The territory of this reserve is located in the Abitibi-Témiscamingue administrative region, between 47°44' and 48°02' latitude north and 77°22' and 77°56' longitude west.

## APPENDIX II

### PROPOSED AQUATIC RESERVES

#### **Proposed Ashuapmushuan river aquatic reserve**

Location: The territory of this reserve is located in the Saguenay–Lac-Saint-Jean region, between 48°40' and 50°45' latitude north and 73°42' and 72°44' longitude west.

#### **Proposed Moisie river aquatic reserve**

Location: The territory of this reserve is located in the Côte-Nord administrative region, between 50°19' and 52°29' latitude north and 65°58' and 67°33' longitude west.

#### **Proposed North Harricana river aquatic reserve**

Location: The territory of this reserve is located in the Nord-du-Québec region, between 50°11' and 51°00' latitude north and 79°7' and 79°20' longitude west.

### CONSERVATION PLAN OF THE PROPOSED PASTEUR LAKE BIODIVERSITY RESERVE

#### 1. Plan and description

##### 1.1. Geographic location, boundaries and dimensions

The plan of the proposed Pasteur lake biodiversity reserve and its location are shown on the maps in Schedules A.1 and A.2.

The proposed Pasteur lake biodiversity reserve is located in the Côte-Nord administrative region, between 50°9' and 50°27' latitude north and 66°50' and 67°6' longitude west. It is situated roughly 15 km north of Ville de Port-Cartier. It is accessible via the unpaved road RO920 that crosses the Port-Cartier–Sept-Îles wild-life sanctuary from north to south, or via the road RO921 to the east, near Gallix.

It lies within the non-municipalized territory of Lac Walker, which is attached to Municipalité régionale de comté de Sept-Rivières.

The proposed biodiversity reserve covers a total area of 310.9 km<sup>2</sup>.

##### 1.2. Ecological overview

The proposed biodiversity reserve is in the Central Laurentian natural province. It protects natural environments characteristic of ecosystems in the natural region of the Sainte-Marguerite River Plateau.

##### 1.2.1. Representative elements

**Climate:** The proposed biodiversity reserve is at the interface of two major types of continental climate: the hilly sectors in the west and northeast are characterized by a cold, subpolar and subhumid climate with a short growing season, whereas the valley bottoms are characterized by a subpolar, subhumid climate with a middle growing season. To the east, a small part of the reserve is characterized by a subpolar, subhumid climate with a short growing season. The protected area belongs to the bioclimatic field of mossy spruce stands.

**Geology and geomorphology:** The reserve is in the Grenville geologic province. It is part of the Central Laurentians, the foothills of a powerful mountain range created almost one billion years ago. The substratum is mainly formed by gneiss, derived either from sedimentary rock (paragneiss) or “granitized” gneiss (migmatites). To the northeast, the rock base is formed by felsic rock, in this instance solid granite and pegmatite. To the east of Chevarie lake, the bedrock is covered by a light deposit of rock and well-drained peat. In contrast, to the west of Chevarie lake, the surface is thin, well-drained till. The valley bottoms are covered with glaciofluvial sand and gravel. The landscape comprises hills dissected by inset, rectilinear valleys, with occasional glacial lakes. The average altitude is 285 m, varying between 77 m and 554 m.

**Hydrography:** Most of the zone is part of the watershed of the Aux Rochers river. It has around twenty lakes, which cover roughly 15% of the total area. The largest lake is Pasteur lake, which covers roughly 18 km<sup>2</sup>. The drainage system is well developed, and comprised mainly of intermittent watercourses. It is subparallel, generally oriented north-south, and follows the main fractures in the bedrock.

**Vegetation:** Three-quarters of the area is covered by forest, mainly resistant softwoods. Black spruce (*Picea mariana*) predominates, often with balsam fir (*Abies balsamea*). Almost two-thirds of the tree cover is made up of mature stands over 90 years old. The steeper slopes and some peaks are heathland. The dips, often poorly drained, are occupied by wetlands (peat bogs and alder groves). The area has not been logged recently, and has been only slightly affected by forest fires.

##### 1.3. Land occupation and use

The land occupations and uses in the proposed Pasteur lake biodiversity reserve are shown on the map in Schedule A.3.

The road network is the only human disturbance. It comprises 98% of unpaved roads suitable for road vehicles, and has a total length of 114 km.

Land rights have been granted on 8 sites: 2 cottage leases and 6 Native camps.

The entire territory lies within the Saguenay beaver reserve, where the Sept-Îles Inuit community residing at Uashat and Maliotenam has special rights regarding the hunting and trapping of fur-bearing animals.

The area also lies within the Port-Cartier–Sept-Îles wildlife sanctuary. Recreational activities (small and big game hunting, fishing, blueberry picking, wildlife observation, hiking, canoeing, canoe-camping, etc.) are subject to the regulations in force (such as visitor registration and payment of the applicable fees).

## 2. Protection status

The proposed biodiversity reserve safeguards several lakes at the head of the watershed of the Aux Rochers river, including Pasteur lake. The area offers a forest landscape of great interest, both from an ecological perspective and for its beauty.

Biodiversity reserve status would allow the pursuit of the following conservation objectives:

- the conservation of a glacial heritage characteristic of the Central Laurentians;
- the preservation of biodiversity in lake and forest ecosystems;
- the development of certain key elements in the landscape;
- the acquisition of new knowledge concerning natural heritage.

## 3. Activities within the reserve

All activities carried on within the proposed Pasteur lake biodiversity reserve are governed by the provisions of the Natural Heritage Conservation Act (2002, c. 74).

This conservation plan does not specify any prohibited activity other than those prohibited in biodiversity reserves by the Act; nor does it authorize any other activities, or set any additional constraints on the activities permitted by the Act.

### 3.1. Prohibited activities

For reference purposes, it is important to note that under the Natural Heritage Conservation Act, the main activities prohibited in an area designated as a proposed biodiversity reserve are:

- mining, and gas or petroleum development;
- mining, gas or petroleum exploration, brine and underground reservoir exploration, prospecting, and digging or boring, where such activities necessitate stripping, the digging of trenches, excavation or deforestation;
- forest management activities within the meaning of section 3 of the Forest Act (R.S.Q., c. F-4.1);
- the development of hydraulic resources and any production of energy on a commercial or industrial basis;
- any new allocation of a right to occupy land for vacation resort purposes;
- earthwork, backfilling or construction work.

### 3.2. Activities governed by other Acts

All activities carried on within the boundaries of the proposed Pasteur lake biodiversity reserve remain governed by the other applicable legislative and regulatory provisions, including those that require the issue of a permit or authorization or the payment of fees. The carrying on of certain activities may also be prohibited or limited by other Acts or regulations applicable within the boundaries of the proposed biodiversity reserve.

In particular, within the boundaries of the proposed biodiversity reserve, special legal rules may govern permitted and prohibited activities in connection with:

- Archaeological research (especially the measures contained in the Cultural Property Act (R.S.Q., c. B-4);
- Utilisation of wildlife resources (especially the measures contained in the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1) and the regulation on beaver reserves, and, where applicable, the measures contained in any applicable federal legislation);
- Access (especially the measures contained in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1));

— Land rights (especially the measures contained in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and in leases issued by the Minister of Natural Resources).

### 3.3. 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 proposed biodiversity 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.

All other government departments and bodies will retain their responsibilities as set out in all the legislative and regulatory texts that apply within a proposed biodiversity reserve.

The Minister of Natural Resources will supervise all activities subject to the Minister's authority within the territory of the proposed Pasteur lake biodiversity reserve, in particular as regards permitted forms of land occupation.

The Société de la faune et des parcs du Québec (FAPAQ) remains responsible for supervising the activities relating to wildlife protection and management that are under its responsibility, and the Société des établissements de plein air du Québec (SÉPAQ) remains responsible for the land in the Port-Cartier – Sept-Îles wildlife sanctuary.

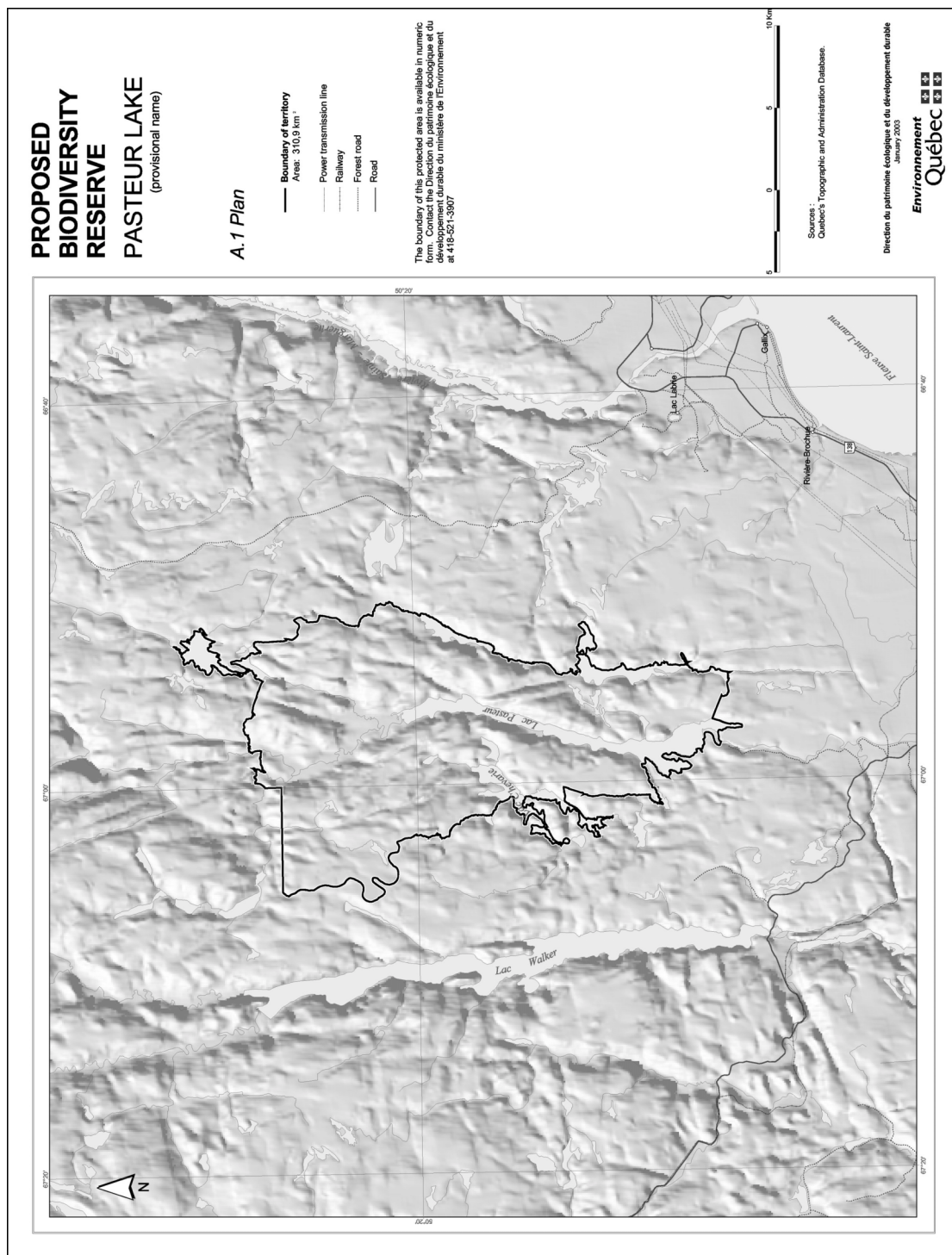
### 4. Permanent protection status

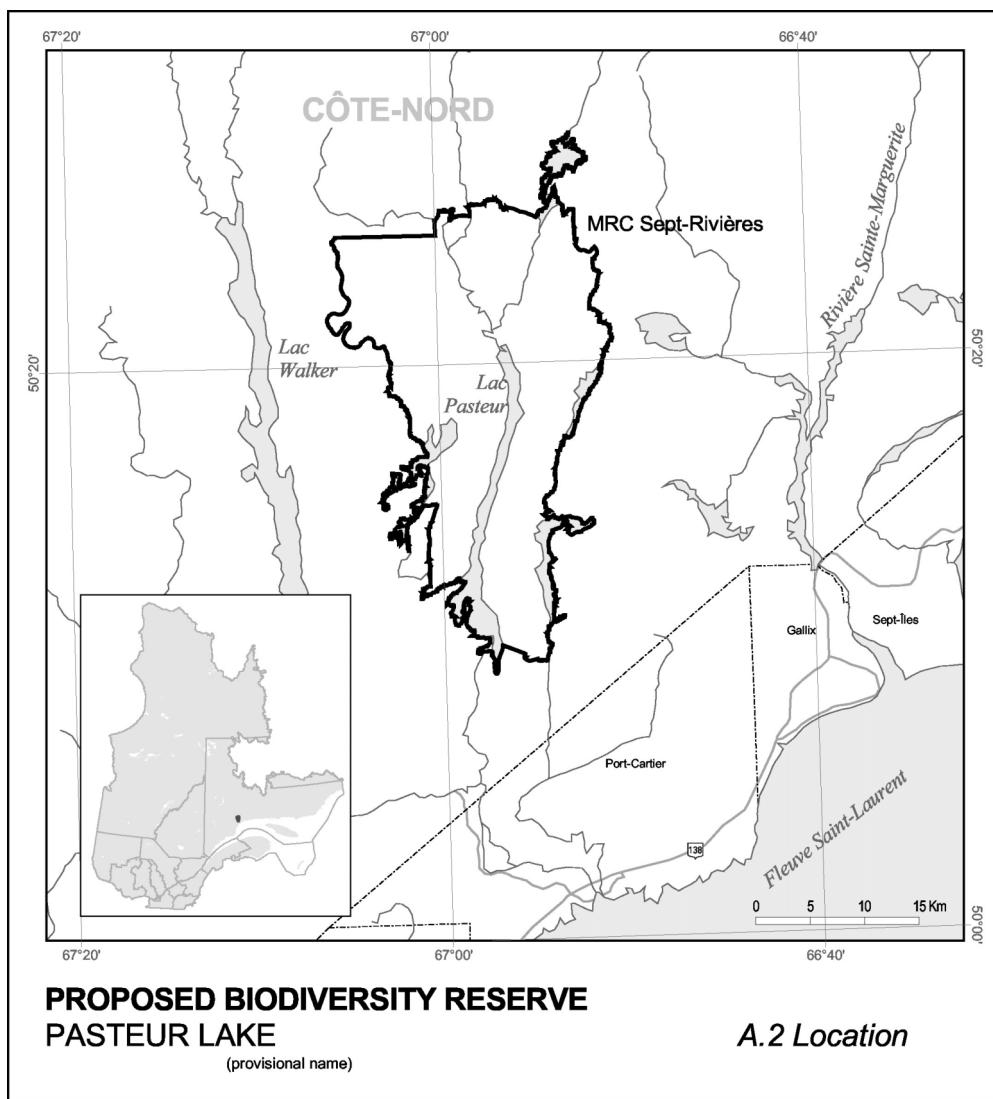
The permanent protection status envisaged for the reserve is “biodiversity reserve” status under the Natural Heritage Conservation Act.



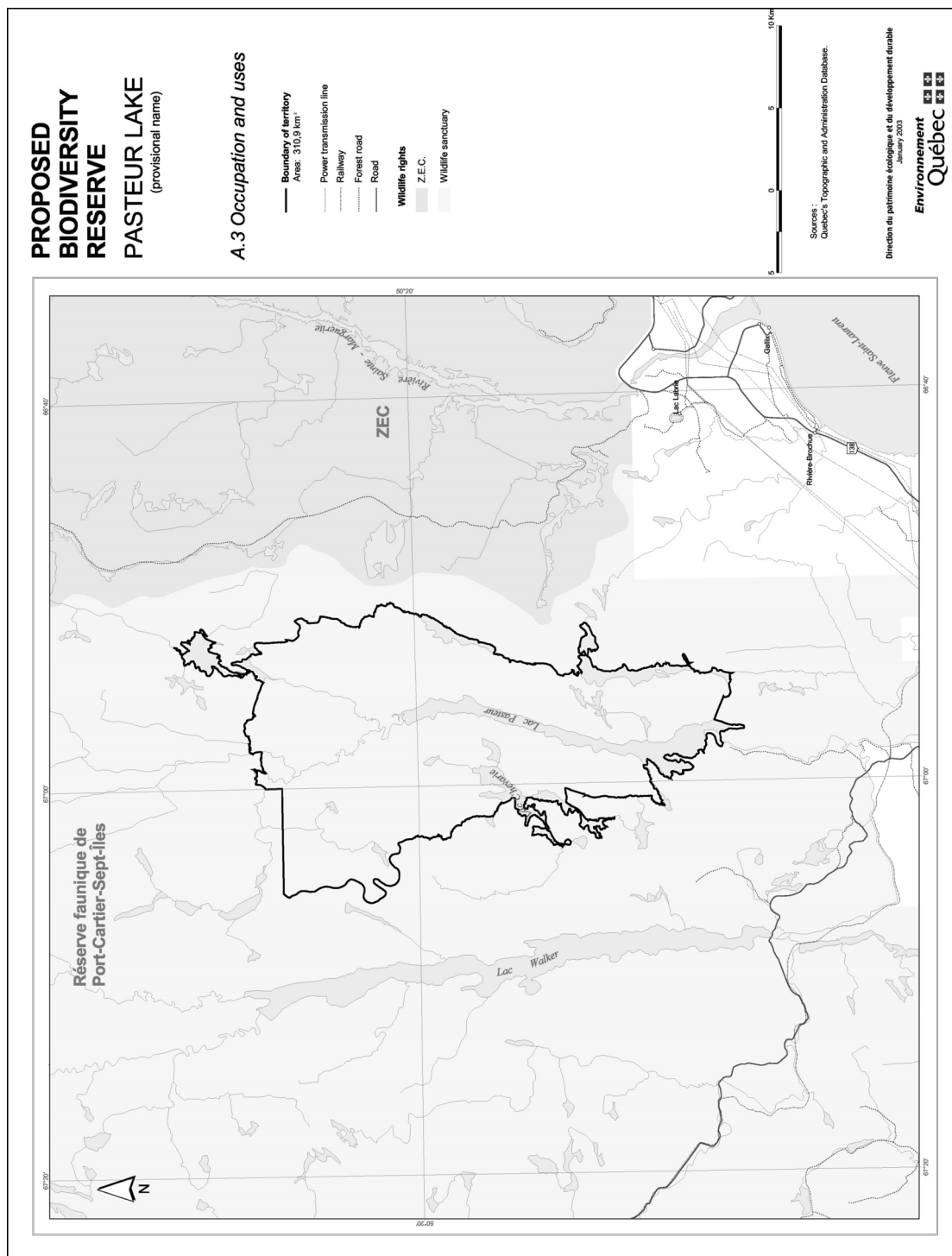
## SCHEDULES

### A.1. Plan of the proposed Pasteur lake biodiversity reserve (provisional name)



**A.2. Map showing the location of the proposed Pasteur lake biodiversity reserve (provisional name)**

A.3. Map showing land occupation and use in the proposed Pasteur lake biodiversity reserve (provisional name)



## CONSERVATION PLAN OF THE PROPOSED BOATSWAIN BAY BIODIVERSITY RESERVE

### 1. Plan and description

#### 1.1. Geographic location, boundaries and dimensions

The plan of the proposed Boatswain bay biodiversity reserve and its location are shown on the maps in Schedules A.1 and A.2.

The proposed Boatswain bay biodiversity reserve is located in the Nord-du-Québec administrative region, between 51°42' and 51°56' latitude north and 78°47' and °03' longitude west. It is situated roughly 30 km north of Municipalité de Waskaganish. To the west, the boundary runs along the shore of the bay, and then runs between 1 and 5 km inland.

It lies within the territory of Municipalité de Baie James.

The protected zone covers an area of 108.7 km<sup>2</sup>.

#### 1.2. Ecological overview

The area is in the natural province of the Abitibi and James Bay Lowlands. It protects peat bogs, representative of the natural region of the James Bay Coastal Plain.

##### 1.2.1. Representative elements

**Climate:** The land is characterized by a subpolar, subhumid continental climate, with a middle growing season. It belongs to the bioclimatic field of mossy spruce stands.

**Geology and geomorphology:** The land is part of the Superior geologic province, whose bedrock is archaic (> 2.5 billion years). The substratum is formed by paragneissic rock covered by organic deposits on the lakeshore plain. The geologic base rises to the surface in places, and is covered by glaciofluvial deposits, especially blocks, pebbles, sand and clay. The average altitude is 13.5 m, varying between 0 and 160 m.

**Hydrography:** The protected area is a peaty wetland belonging to the James Bay and Hudson Bay watershed. It is crossed by the Maquet river and several smaller watercourses, such as the Mistusipan and Uspiseukan Kawimeikach streams, which feed into James Bay. One small lake is found in the southwestern part of the area.

**Vegetation:** Two-thirds of the land is covered by oligotrophic, minerotrophic peat bogs. The higher land, covered by mineral deposits, is home to low-density stands of black spruce (*Picea mariana*) and dry heaths. These vegetations groups cover respectively one-quarter and one-tenth of the land area. In terms of natural disturbances, the protected area has been only slightly affected by forest fires (3%).

##### 1.2.2. Outstanding elements

The proposed biodiversity reserve is home to a threatened plant species, Macoun's Fringed Gentian (*Gentianopsis procera* subsp. *macounii* var. *macounii*), a herbaceous plant of limited distribution found in fresh and brackish water environments. The reserve is also home to Whiteberry (*Elaeagnus commutata*), a shrub likely to be designated as a threatened or vulnerable species.

The proposed biodiversity reserve is a migration stop for many aquatic birds (Snow Goose, Canada Goose, Brant, American Black Duck and various species of scoter and duck), and shorebirds (White-rumped Sandpiper and Hudsonian Godwit).

The Boatswain bay is one of the few nesting sites in Québec for the Sandhill Crane (*Grus canadensis*).

##### 1.3. Land occupation and use

The land occupations and uses in the proposed Boatswain bay biodiversity reserve are shown on the map in Schedule A.3.

Almost 70% of the proposed reserve has been classified as a "migratory bird sanctuary".

The proposed biodiversity reserve is classified as Category III land under the James Bay and Northern Québec Agreement signed in 1975 and the Act respecting the land regime in the James Bay and New Québec territories (R.S.Q., c. R-13.1). In addition, the whole area is part of the Rupert beaver reserve. The Cree community of Waskaganish has special rights special rights regarding the hunting, fishing and trapping in the area, in particular as regards fur-bearing animals.

## 2. Protection status

The proposed biodiversity reserve safeguards a wetland of great ornithological interest. It is a migration and nesting site for many different species of aquatic birdlife. The land also contains a landscape mosaic of high quality.

Biodiversity reserve status would allow the pursuit of the following conservation objectives :

- the protection of migratory bird habitats ;
- the preservation of biodiversity in aquatic and peat-based ecosystems ;
- the ongoing sustainable management of fur-bearing animals ;
- the acquisition of new knowledge concerning natural heritage.

## 3. Activities within the reserve

All activities carried on within the proposed Boatswain bay biodiversity reserve are governed by the provisions of the Natural Heritage Conservation Act (2002, c. 74).

This conservation plan does not specify any prohibited activity other than those prohibited in biodiversity reserves by the Act; nor does it authorize any other activities, or set any additional constraints on the activities permitted by the Act.

### 3.1. Prohibited activities

For reference purposes, it is important to note that under the Natural Heritage Conservation Act, the main activities prohibited in an area designated as a proposed biodiversity reserve are :

- mining, and gas or petroleum development ;
- mining, gas or petroleum exploration, brine and underground reservoir exploration, prospecting, and digging or boring, where such activities necessitate strip-ping, the digging of trenches, excavation or deforestation ;
- forest management activities within the meaning of section 3 of the Forest Act (R.S.Q., c. F-4.1) ;

— the development of hydraulic resources and any production of energy on a commercial or industrial basis ;

— any new allocation of a right to occupy land for vacation resort purposes ;

— earthwork, backfilling or construction work.

### 3.2. Activities governed by other Acts

All activities carried on within the boundaries of the proposed Boatswain bay biodiversity reserve remain governed by the other applicable legislative and regulatory provisions, including those that require the issue of a permit or authorization or the payment of fees. The carrying on of certain activities may also be prohibited or limited by other Acts or regulations applicable within the boundaries of the proposed biodiversity reserve.

In particular, within the boundaries of the proposed biodiversity reserve, special legal rules may govern permitted and prohibited activities in connection with :

— Archaeological research (especially the measures contained in the Cultural Property Act (R.S.Q., c. B-4)) ;

— Utilisation of wildlife resources (especially the measures contained in the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), the regulation on beaver reserves, and the Act respecting hunting and fishing rights in the James Bay and New Québec territories (R.S.Q., c. D-13.1)) ; activities relating to the management of the migratory bird sanctuary at Boatswain bay are authorized on the conditions prescribed by the federal regulations on migratory bird sanctuaries ;

— Access (especially the measures contained in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1)) ;

— Land rights (especially the measures contained in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and, where applicable, in leases issued by the Minister of Natural Resources).

### 3.3. 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 proposed biodiversity 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.

All other government departments and bodies will retain their responsibilities as set out in all the legislative and regulatory texts that apply within a proposed biodiversity reserve.

The Minister of Natural Resources will supervise all activities subject to the Minister's authority within the territory of the proposed Boatswain bay biodiversity reserve, in particular as regards permitted forms of land occupation.

The Société de la faune et des parcs du Québec (FAPAQ) remains responsible for supervising the activities relating to wildlife protection and management that are under its responsibility.

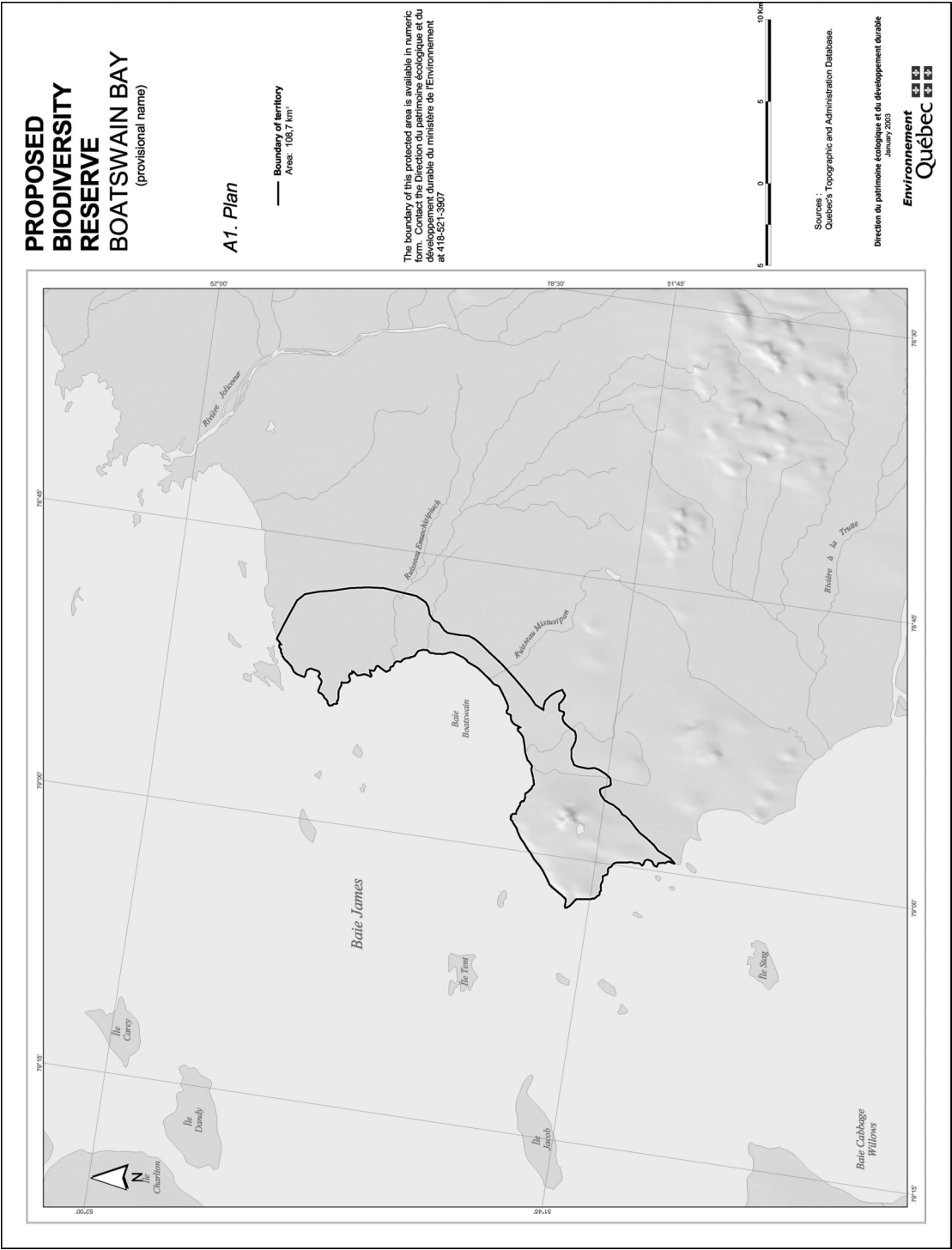
Environment Canada will remain responsible for the migratory bird sanctuary at Boatswain bay and will oversee the application of the federal wildlife legislation under its authority.

#### 4. Permanent protection status

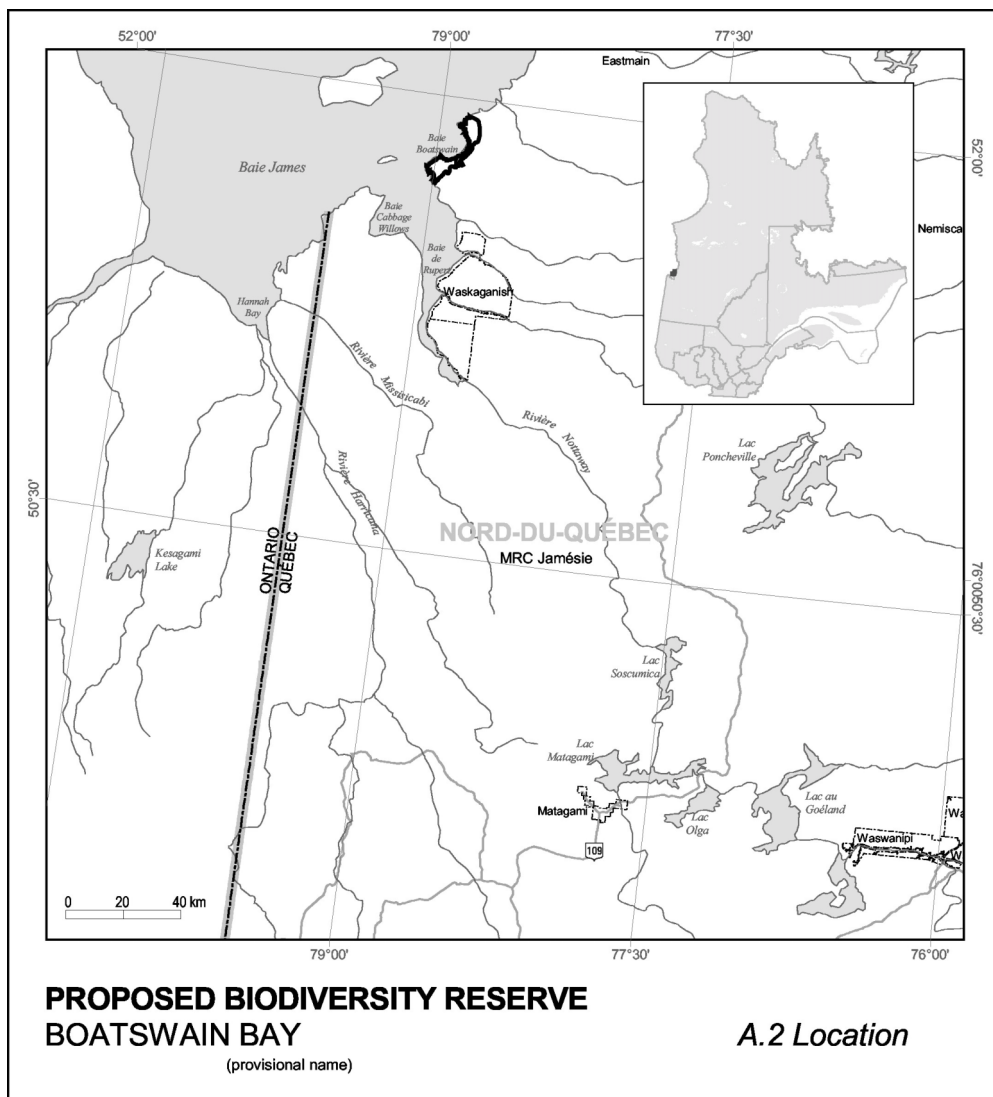
The permanent protection status envisaged for the reserve is "biodiversity reserve" status under the Natural Heritage Conservation Act.

SCHEDULES

A.1. Plan of the proposed Boatswain bay biodiversity reserve (provisional name)

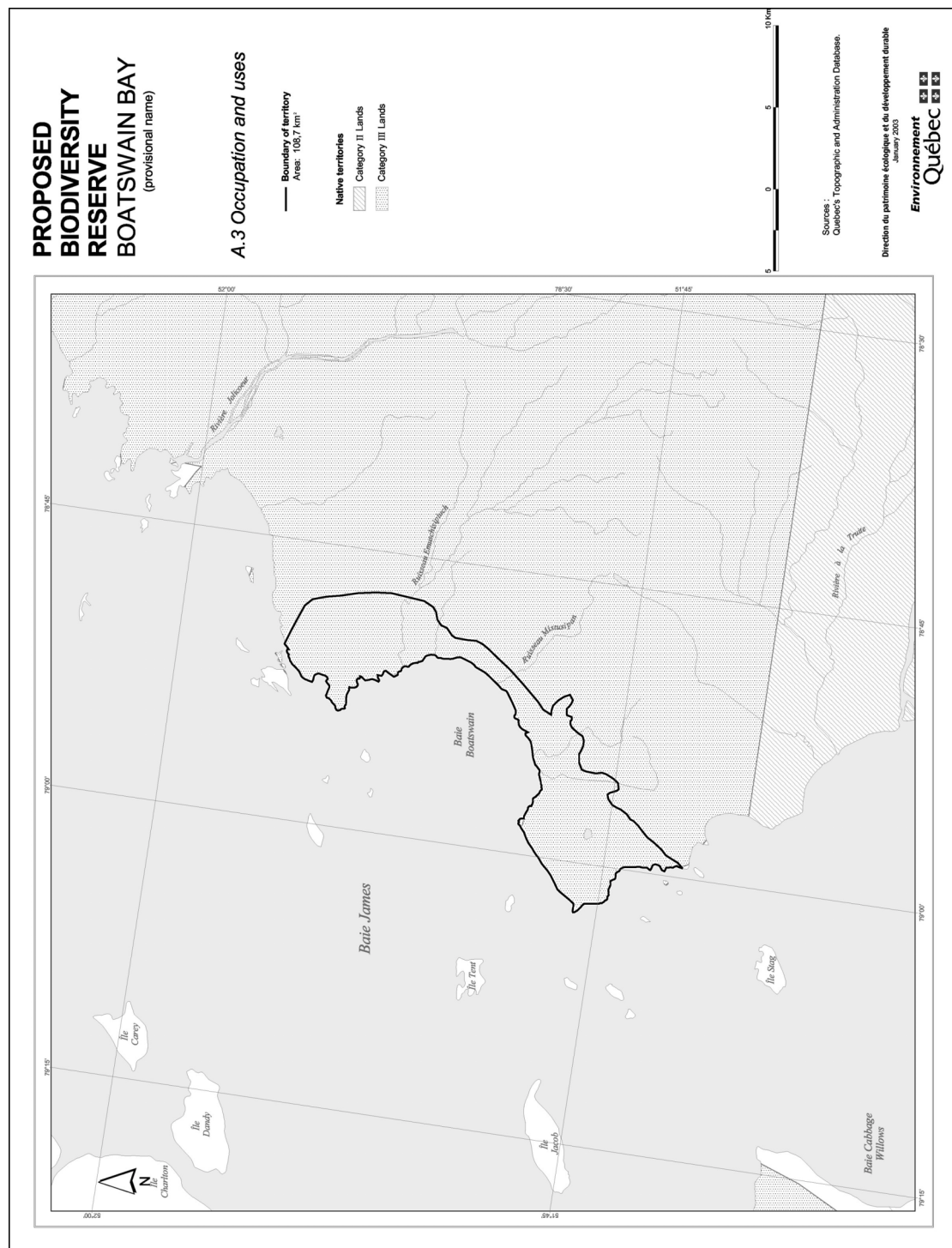


### A.2. Map showing the location of the proposed Boatswain bay biodiversity reserve (provisional name)





### A.3. Map showing land occupation and use in the proposed Boatswain bay biodiversity reserve (provisional name)



## CONSERVATION PLAN OF THE PROPOSED MINISTIKAWATIN PENINSULA BIODIVERSITY RESERVE

### 1. Plan and description

#### 1.1. Geographic location, boundaries and dimensions

The plan of the proposed Ministikawatin peninsula biodiversity reserve and its location are shown on the maps in Schedules A.1 and A.2.

The proposed Ministikawatin peninsula biodiversity reserve is located in the Nord-du-Québec administrative region, between 51°09' and 51°40' latitude north and 78°59' and 79°31' longitude west. It is situated 40 km west of the territory of the community of Waskaganish.

It lies within the territory of Municipalité de Baie James.

The proposed biodiversity reserve covers an area of 894.9 km<sup>2</sup>. To the west, its boundary follows the boundary between Québec and Ontario. To the north, it follows the shoreline of James Bay, and to the east the shoreline of Cabbage Willows bay and Rupert bay. To the south, it skirts the tributaries on the left bank of the Novide river.

#### 1.2. Ecological overview

The proposed biodiversity reserve is in the natural province of the Abitibi and James Bay Lowlands. It protects peat bogs representative of the natural region of the James Bay Coastal Plain.

##### 1.2.1. Representative elements

**Climate:** The proposed reserve is characterized by a cold, subpolar and subhumid continental climate, with a middle growing season. It belongs to the bioclimatic field of mossy spruce stands.

**Geology and geomorphology:** The land in the proposed reserve is part of the Superior geologic province, whose bedrock is archaic (> 2.5 billion years). The substratum is formed by carbonate rock, mainly limestone and dolomite. This geological base is covered by organic deposits on the coastal plain, and by sand and glaciofluvial clay on the higher ground. The average altitude is 15 m, varying between 0 m and 72 m.

**Hydrography:** The protected area is a peaty wetland that is part of the watershed of Hannah and Rupert bays. The drainage system is well developed, with mainly small watercourses. The largest watercourse is the Novide river. The watercourses follow mainly rectilinear and parallel paths, in a general north-south direction. A small lake is found in the western part of the area.

**Vegetation:** Two-thirds of the proposed reserve is covered by oligotrophic and minerotrophic peat bogs. The higher ground, covered in mineral deposits, is home to very low-density stands of black spruce (*Picea mariana*) and dry heathland. These vegetation groups cover 10% and 2% of the area, respectively. In terms of natural disturbances, 10% of the protected area has been affected by forest fires.

##### 1.2.2. Outstanding elements

The proposed biodiversity reserve is home to five plants likely to be designated as threatened or vulnerable species: *Salix maccalliana*, Whiteberry (*Elaeagnus commutata*), *Thalictrum dasycarpum*, *Carex prairea* and Sartwell's Sedge (*Carex sartwellii*).

The Ministikawatin Peninsula is a mosaic of habitats used for nesting or as staging areas by the Sandhill Crane (*Grus canadensis*), a wader that is rare in Québec.

There is also a species of amphibian, the Boreal Chorus Frog (*Pseudacris maculata*). This small frog species was formerly quite abundant in Québec, but is now a vulnerable species because of a worrying decline in its population, caused by habitat destruction.

##### 1.3. Land occupation and use

The land occupations and uses in the proposed Ministikawatin peninsula biodiversity reserve are shown on the map in Schedule A.3.

No rights in land have been granted within the perimeter of the protected area.

Half of the proposed reserve is classified as Category II land under the James Bay and Northern Québec Agreement signed in 1975 and the Act respecting the land regime in the James Bay and New Québec territories (R.S.Q., c. R-13.1). The western part of the proposed reserve is on Category III land, and the entire area is part of a beaver reserve. The Cree community of Waskaganish has special rights with regard to hunting, fishing and trapping, in particular for fur-bearing animals.

## 2. Protection status

The proposed Ministikawatin peninsula biodiversity reserve safeguards a wetland of great ecological interest. The habitats it contains are home to several species in a precarious situation province-wide. The area also constitutes a landscape mosaic of high quality.

Biodiversity reserve status would allow the pursuit of the following conservation objectives :

- the conservation of environments representative of the natural region of the James Bay Coastal Plain ;
- the protection of threatened or vulnerable species of flora and fauna ;
- the preservation of biodiversity in aquatic and peat-based ecosystems ;
- the ongoing sustainable management of fur-bearing animals ;
- the acquisition of new knowledge concerning natural heritage.

## 3. Activities within the reserve

All activities carried on within the proposed Ministikawatin peninsula biodiversity reserve are governed by the provisions of the Natural Heritage Conservation Act (2002, c. 74).

This conservation plan does not specify any prohibited activity other than those prohibited in biodiversity reserves by the Act; nor does it authorize any other activities, or set any additional constraints on the activities permitted by the Act.

### 3.1. Prohibited activities

For reference purposes, it is important to note that under the Natural Heritage Conservation Act, the main activities prohibited in an area designated as a proposed biodiversity reserve are :

- mining, and gas or petroleum development ;
- mining, gas or petroleum exploration, brine and underground reservoir exploration, prospecting, and digging or boring, where such activities necessitate stripping, the digging of trenches, excavation or deforestation ;

— forest management activities within the meaning of section 3 of the Forest Act (R.S.Q., c. F-4.1) ;

— the development of hydraulic resources and any production of energy on a commercial or industrial basis ;

— any new allocation of a right to occupy land for vacation resort purposes ;

— earthwork, backfilling or construction work.

### 3.2. Activities governed by other Acts

All activities carried on within the boundaries of the proposed Ministikawatin peninsula biodiversity reserve remain governed by the other applicable legislative and regulatory provisions, including those that require the issue of a permit or authorization or the payment of fees. The carrying on of certain activities may also be prohibited or limited by other Acts or regulations applicable within the boundaries of the proposed biodiversity reserve.

In particular, within the boundaries of the proposed biodiversity reserve, special legal rules may govern permitted and prohibited activities in connection with :

— Archaeological research (especially the measures contained in the Cultural Property Act (R.S.Q., c. B-4)) ;

— Utilisation of wildlife resources (especially the measures contained in the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), the regulation on beaver reserves and the Act respecting hunting and fishing rights in the James Bay and New Québec territories (R.S.Q., c. D-13.1)) ;

— Access (especially the measures contained in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1)) ;

— Land rights (especially the measures contained in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and, where applicable, in leases issued by the Minister of Natural Resources).

### 3.3. 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 proposed biodiversity 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.

All other government departments and bodies will retain their responsibilities as set out in all the legislative and regulatory texts that apply within a proposed biodiversity reserve.

The Minister of Natural Resources will supervise all activities subject to the Minister's authority within the territory of the proposed Ministikawatin peninsula biodiversity reserve, in particular as regards permitted forms of land occupation.

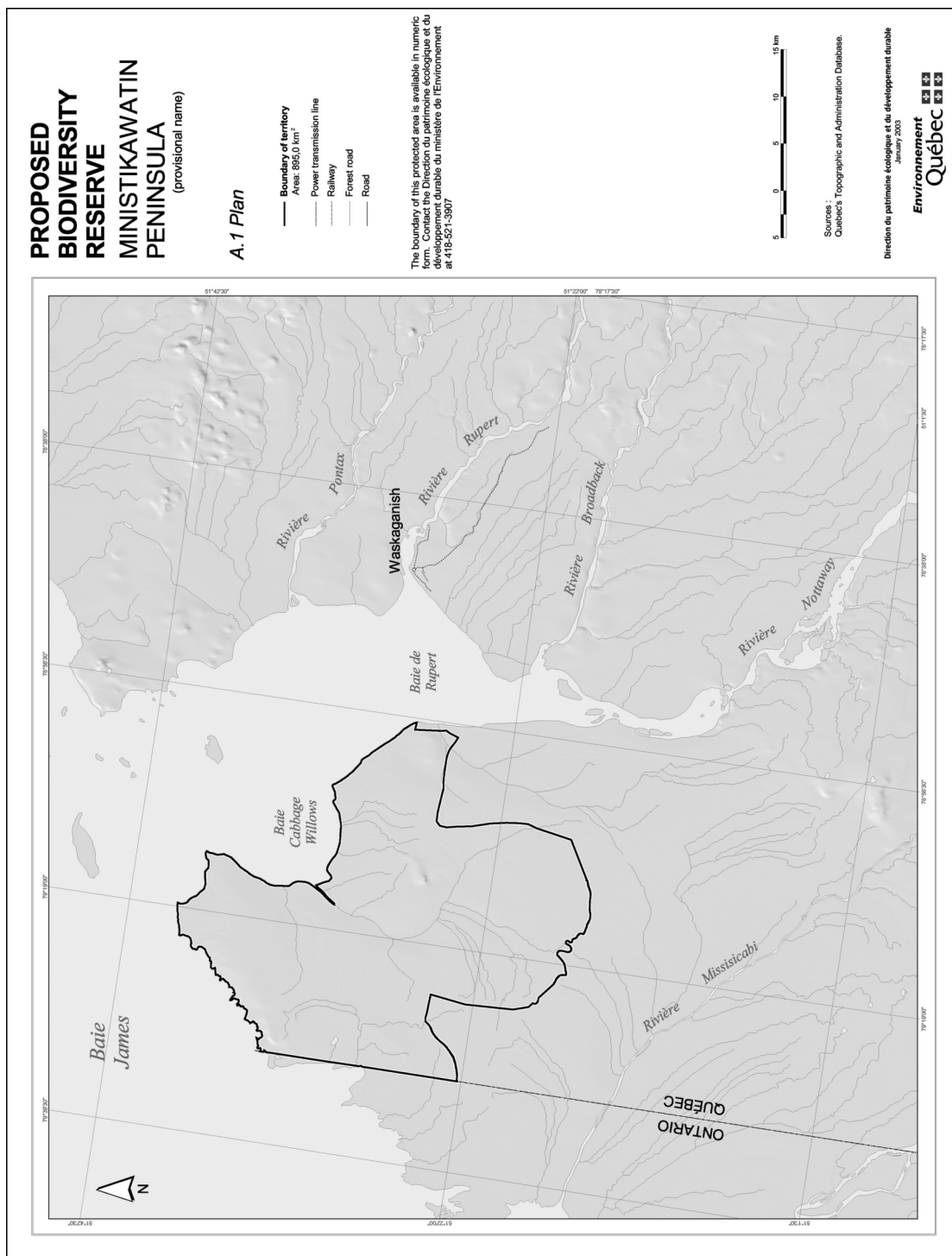
The Société de la faune et des parcs du Québec (FAPAQ) remains responsible for supervising the activities relating to wildlife protection and management that are under its responsibility.

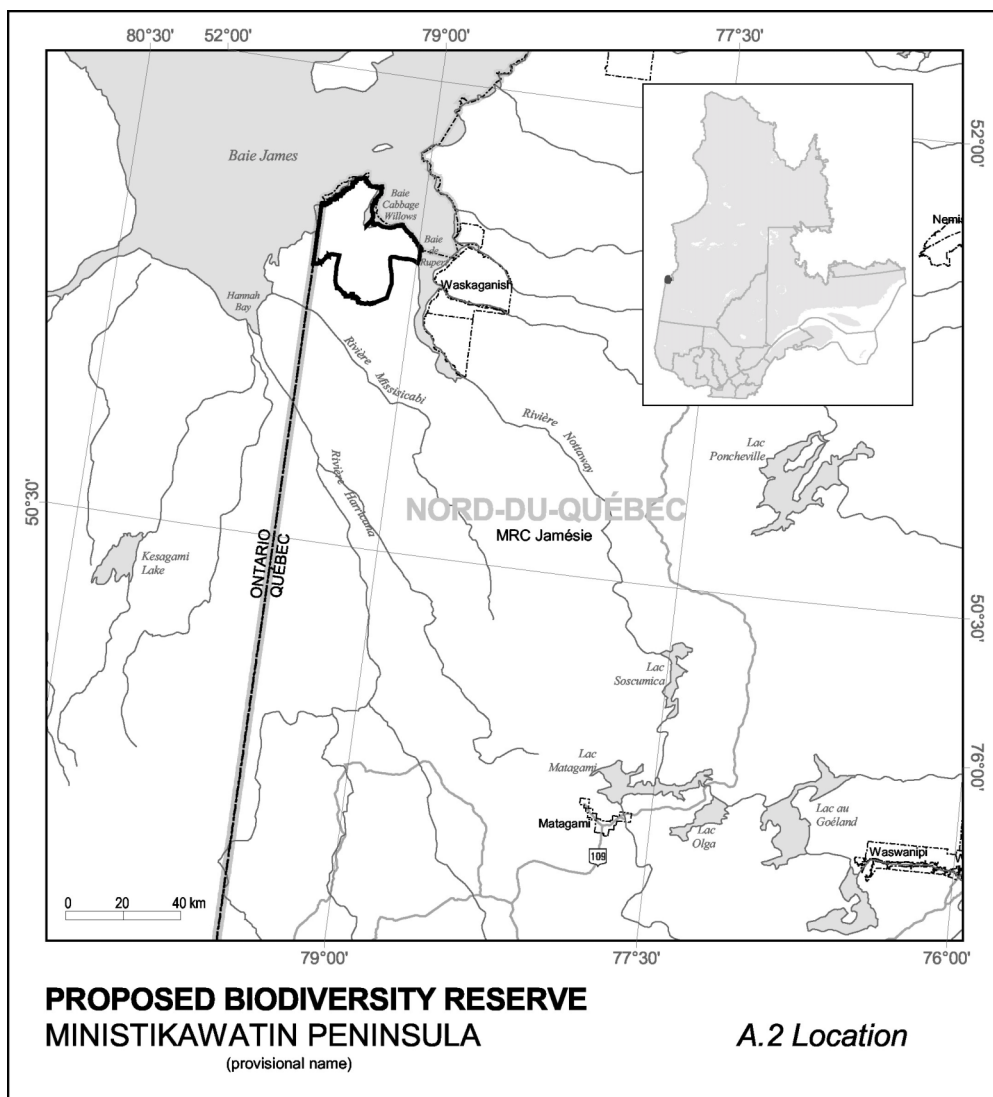
#### 4. Permanent protection status

The permanent protection status envisaged for the reserve is "biodiversity reserve" status under the Natural Heritage Conservation Act.

## SCHEDULES

### A.1. Plan of the proposed Ministikawatin peninsula biodiversity reserve (provisional name)



**A.2. Map showing the location of the proposed Ministikawatin peninsula biodiversity reserve (provisional name)**



### A.3 Occupation and uses



## CONSERVATION PLAN OF THE PROPOSED MISSISICABI PLAIN BIODIVERSITY RESERVE

### 1. Plan and description

#### 1.1. Geographic location, boundaries and dimensions

The plan of the proposed Missisicabi plain biodiversity reserve and its location are shown on the maps in Schedules A.1 and A.2.

The proposed Missisicabi plain biodiversity reserve is located in the Nord-du-Québec administrative region, between 50°28' and 50°44' latitude north and 78°29' and 79°54' longitude west. It is situated 125 km north-west of Ville de Matagami and 85 km south of the Cree village of Waskaganish.

It lies within the territory of Municipalité de Baie James.

The proposed biodiversity reserve covers an area of 668.8 km<sup>2</sup>. To the west, its boundary mainly follows the course of the Missisicabi river. To the north, it runs along the southern limit of existing mining rights to the Obamsca river, and then to the east follows the course of the river. To the south, the boundary of the proposed biodiversity reserve ends at Pimapuwesu and Tissot lakes.

#### 1.2. Ecological overview

The proposed biodiversity reserve is in the natural province of the Abitibi and James Bay Lowlands. It protects peaty zones representative of the natural regions of the Turgeon River Plain and the Lower Rupert River Plain.

##### 1.2.1. Representative elements

**Climate:** The land is characterized by a subpolar, subhumid continental climate, with a middle growing season. It belongs to the bioclimatic field of mossy spruce stands.

**Geology and geomorphology:** The land is part of the Superior geologic province, whose bedrock is archaic (> 2.5 billion years). The substratum is mainly formed by felsic rocks, covered mainly by organic deposits, but also by glacial and glaciofluvial sediments of sand, silt or clay. Cochrane till, a limestone deposit of glacial origin, covers 10% of the total area and is found almost exclusively in the natural region of the Turgeon River Plain. The proposed reserve is located on a broad plain whose altitude increases gradually from 115 m to 250 m along a northwest/southeast axis.

**Hydrography:** The protected area is a peaty wetland that is part of the watershed of Hannah and Rupert bays. The drainage system is well developed, comprising major watercourses whose sinuous, subparallel courses follow a general north-north-east – south-south-east orientation. Several lakes dot the area, the largest of which are Tissot and Pauli lakes in the south.

**Vegetation:** Almost three-quarters of the proposed biodiversity reserve is covered by oligotrophic and minerotrophic peat bogs. The vegetation includes stands of black spruce (*Picea mariana*), dry heathlands and groups of jack pine (*Pinus banksiana*). These vegetation groups, generally established on mineral deposits, cover 25.5% and 1% of the area, respectively.

#### 1.3. Land occupation and use

The land occupations and uses in the proposed Missisicabi plain biodiversity reserve are shown on the map in Schedule A.3.

No rights in land have been granted within the perimeter of the protected area.

60% of the land in the proposed biodiversity reserve is classified as Category II land, and the remaining 40% is Category III land under the James Bay and Northern Québec Agreement signed in 1975 and the Act respecting the land regime in the James Bay and New Québec territories (R.S.Q., c. R-13.1). In addition, the entire area is part of the Rupert beaver reserve. The Cree community of Waskaganish has special rights regarding hunting, fishing and trapping in the area, in particular with respect to fur-bearing animals.

### 2. Protection status

The proposed Missisicabi plain biodiversity reserve safeguards a wetland of great ecological and landscape interest.

Biodiversity reserve status would allow the pursuit of the following conservation objectives:

— the conservation of representative environments in the natural regions of the Turgeon River Plain and the Lower Rupert River Plain;

— the maintenance of biodiversity in peat-based and forest ecosystems;

— the ongoing sustainable management of fur-bearing animals;



— the acquisition of new knowledge concerning natural heritage.

### 3. Activities within the reserve

All activities carried on within the proposed Missisicabi plain biodiversity reserve are governed by the provisions of the Natural Heritage Conservation Act (2002, c. 74).

This conservation plan does not specify any prohibited activity other than those prohibited in biodiversity reserves by the Act; nor does it authorize any other activities, or set any additional constraints on the activities permitted by the Act.

#### 3.1. Prohibited activities

For reference purposes, it is important to note that under the Natural Heritage Conservation Act, the main activities prohibited in an area designated as a proposed biodiversity reserve are :

- mining, and gas or petroleum development ;
- mining, gas or petroleum exploration, brine and underground reservoir exploration, prospecting, and digging or boring, where such activities necessitate strip-ping, the digging of trenches, excavation or deforestation ;
- forest management activities within the meaning of section 3 of the Forest Act (R.S.Q., c. F-4.1) ;
- the development of hydraulic resources and any production of energy on a commercial or industrial basis ;
- any new allocation of a right to occupy land for vacation resort purposes ;
- earthwork, backfilling or construction work.

#### 3.2. Activities governed by other Acts

All activities carried on within the boundaries of the proposed Missisicabi plain biodiversity reserve remain governed by the other applicable legislative and regulatory provisions, including those that require the issue of a permit or authorization or the payment of fees. The carrying on of certain activities may also be prohibited or limited by other Acts or regulations applicable within the boundaries of the proposed biodiversity reserve.

In particular, within the boundaries of the proposed biodiversity reserve, special legal rules may govern permitted and prohibited activities in connection with :

— Archaeological research (especially the measures contained in the Cultural Property Act (R.S.Q., c. B-4)) ;

— Utilisation of wildlife resources (especially the measures contained in the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), the regulation on beaver reserves and the Act respecting hunting and fishing rights in the James Bay and New Québec territories (R.S.Q., c. D-13.1)) ;

— Access (especially the measures contained in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1)) ;

— Land rights (especially the measures contained in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and, where applicable, in leases issued by the Minister of Natural Resources).

#### 3.3. 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 proposed biodiversity 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.

All other government departments and bodies will retain their responsibilities as set out in all the legislative and regulatory texts that apply within a proposed biodiversity reserve.

The Minister of Natural Resources will supervise all activities subject to the Minister's authority within the territory of the proposed Missisicabi plain biodiversity reserve, in particular as regards permitted forms of land occupation.

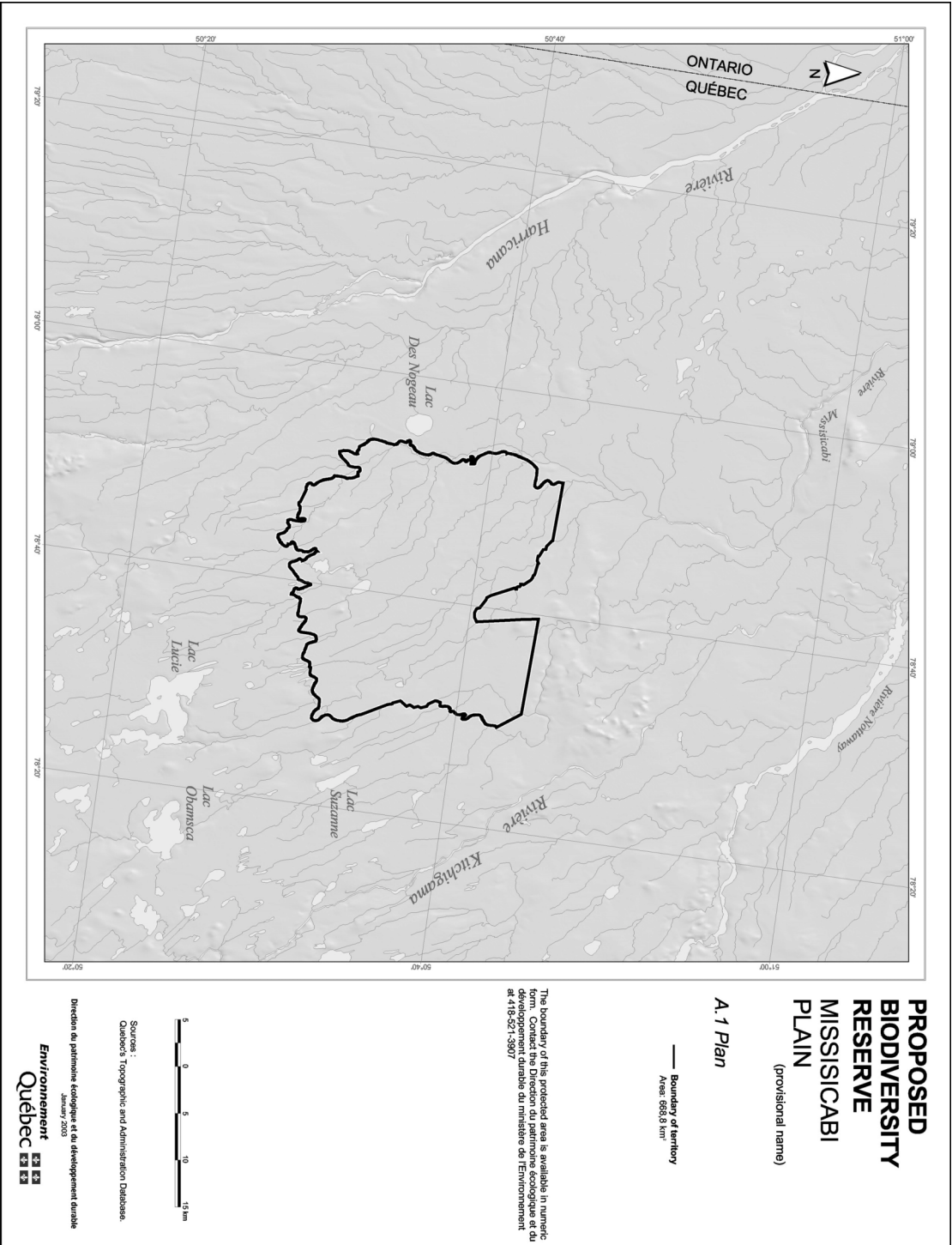
The Société de la faune et des parcs du Québec (FAPAQ) remains responsible for supervising the activities relating to wildlife protection and management that are under its responsibility.

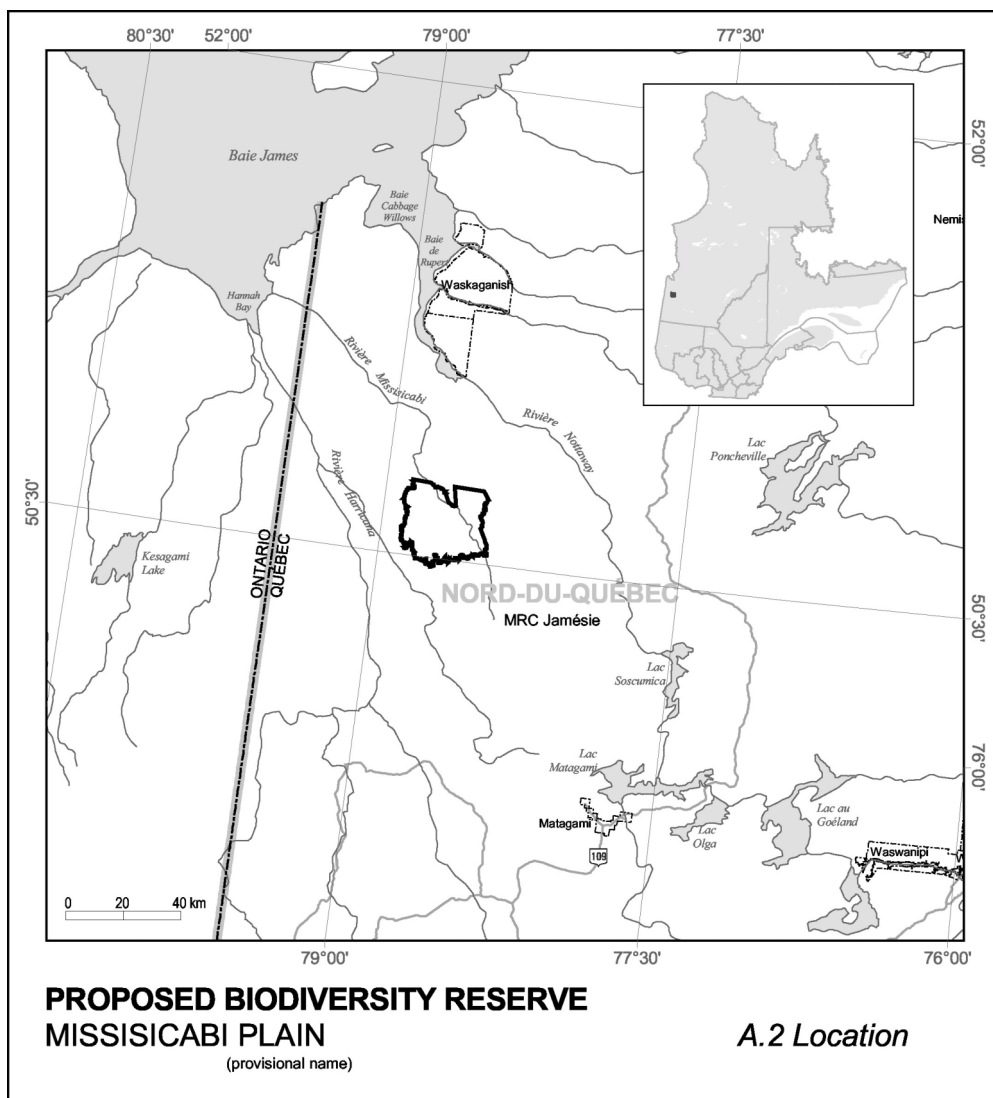
### 4. Permanent protection status

The permanent protection status envisaged for the reserve is "biodiversity reserve" status under the Natural Heritage Conservation Act.

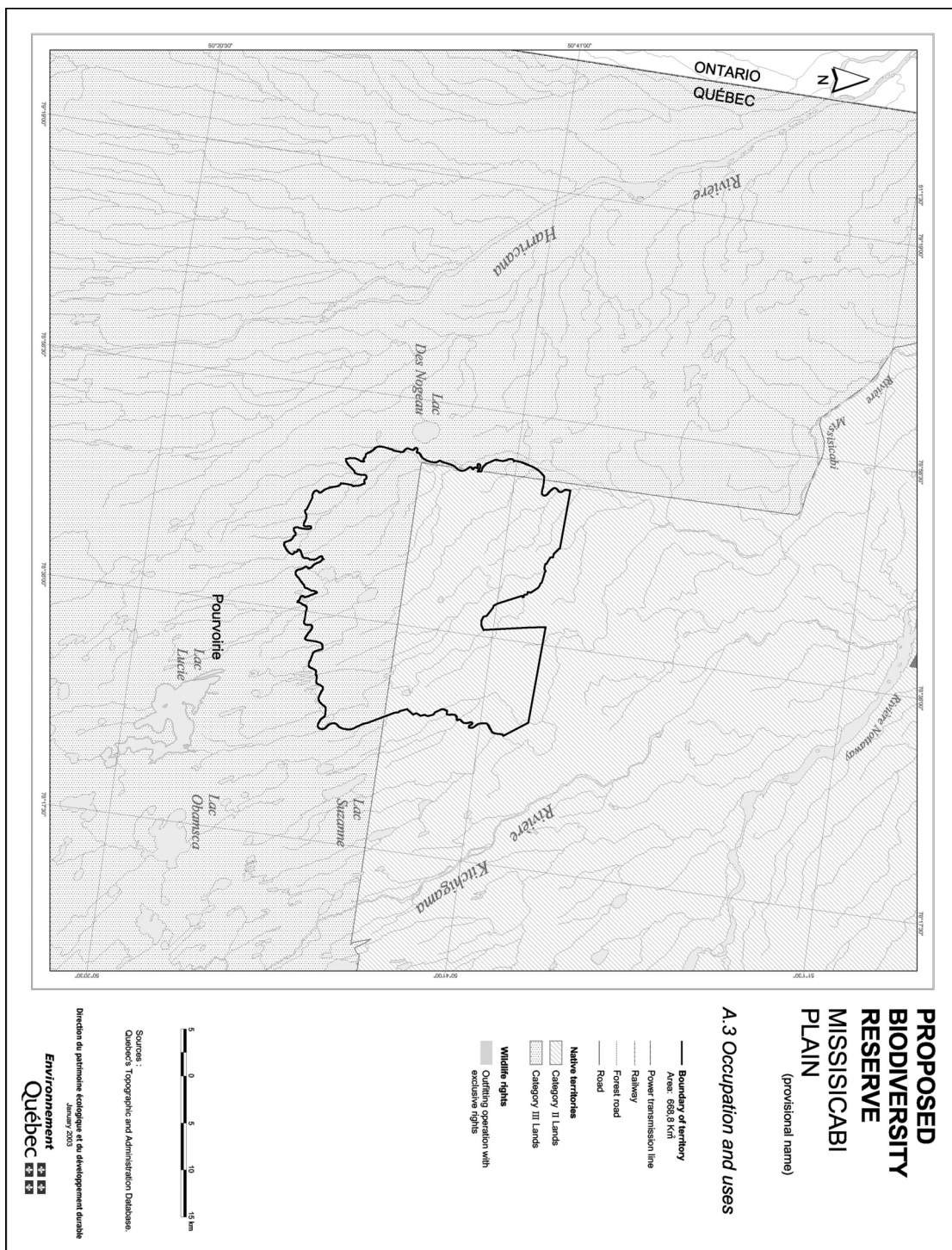
# SCHEDULES

## A.1. Plan of the proposed Missisicabi plain biodiversity reserve (provisional name)



**A.2. Map showing the location of the proposed Missisicabi plain biodiversity reserve (provisional name)**

A.3. Map showing land occupation and use in the proposed Mississicabi plain biodiversity reserve (provisional name)



## CONSERVATION PLAN OF THE PROPOSED MUSKUUCHII HILLS BIODIVERSITY RESERVE

### 1. Plan and description

#### 1.1. Geographic location, boundaries and dimensions

The plan of the proposed Muskuuchii hills biodiversity reserve and its location are shown on the maps in Schedules A.1 and A.2.

The proposed Muskuuchii hills biodiversity reserve is located in the Nord-du-Québec administrative region, between 50°04' and 50°26' latitude north and 78°22' and 78°56' longitude west. It is situated 90 km north-north-west of Ville de Matagami and 105 km south of the Cree village of Waskaganish.

It lies within the territory of Municipalité de Baie James.

The proposed biodiversity reserve covers an area of 735 km<sup>2</sup>. The western boundary runs along the Harricana river for two or three kilometres; to the north it ends at the junction of Des Aulnes river and Kaikuscheshich stream, at Gérard lake.

#### 1.2. Ecological overview

The proposed biodiversity reserve is in the natural province of the Abitibi and James Bay Lowlands. It protects peaty and clayey zones representative of the natural region of the Turgeon River Plain.

##### 1.2.1. Representative elements

**Climate:** The land is characterized by a cold subpolar, subhumid continental climate, with a middle growing season. It belongs to the bioclimatic field of mossy spruce stands.

**Geology and geomorphology:** The land of the proposed reserve is part of the Superior geologic province, whose bedrock is archaic (> 2.5 billion years). The substratum is formed almost exclusively of felsic rock. In the plain, the bedrock is covered with organic deposits and poorly drained Cochrane till. The terraces and hills are covered with well-drained Cochrane till, well-drained sand and fine sediments. The higher land constitutes one segment of the northern portion of the interlobate Harricana moraine. It forms a unique, remarkable feature in the surrounding clayey plain. Cochrane till is a clayey, limestone deposit of glacial origin that covers almost 40% of the area and is almost exclusively found in the natural region of the Turgeon River Plain.

The average altitude is 244 m, varying between 170 m and 340 m.

**Hydrography:** The protected area is a peaty wetland environment that is part of the watershed of the Hannah and Rupert bays. The drainage system comprises major watercourses. Four lakes spread along a north-south axis occupy the upper part of an esker.

**Vegetation:** Almost half of the area of the proposed reserve is covered by oligotrophic and minerotrophic peat bogs. They are established on organic deposits, which are also home to stands of black spruce with peat moss of varying density. On mesic sites and rocky outcrops, dry heathlands have developed with groups of black spruce (*Picea mariana*) and balsam fir (*Abies balsamea*). The presence of jack pine (*Pinus banksiana*), white birch (*Betula papyrifera*) and trembling aspen (*Populus tremuloides*) reveals that the area has experienced a forest fire, the main natural disturbance in the region.

##### 1.2.2. Outstanding elements

The Muskuuchii hills have great cultural and historical importance for the Crees, especially because of the role they played in times of famine, when they “generously” provided game for several families, allowing them to survive.

#### 1.3. Land occupation and use

The land occupations and uses in the proposed Muskuuchii hills biodiversity reserve are shown on the map in Schedule A.3.

The proposed reserve is covered by a network of forest roads.

Land rights have been granted on seven sites within the perimeter of the proposed reserve: 1 cottage lease, 5 leases for rough shelters, 1 telecommunications tower.

The proposed biodiversity reserve is classified as Category III land under the James Bay and Northern Québec Agreement signed in 1975 and the Act respecting the land regime in the James Bay and New Québec territories (R.S.Q., c. R-13.1). In addition, the entire area is part of a beaver reserve. The Cree community of Waskaganish has special rights regarding hunting, fishing and trapping, in particular for fur-bearing animals.



## 2. Protection status

The proposed biodiversity reserve safeguards peat bog and forest habitats of great ecological value. It is also home to forests of black spruce over 200 years in age, and stands of jack pine and trembling aspen that are three times more common than in the surrounding area. In addition, some features of the landscape have clear heritage value, such as the sandy hills of the Harricana moraine.

Biodiversity reserve status would allow the pursuit of the following conservation objectives :

- the conservation of environments representative of the natural province and natural region ;
- the preservation of biodiversity in peat-based ecosystems ;
- the ongoing sustainable management of fur-bearing animals ;
- the survival of Native heritage sites ;
- the acquisition of new knowledge concerning natural and cultural heritage.

## 3. Activities within the reserve

All activities carried on within the proposed Muskuuchii hills biodiversity reserve are governed by the provisions of the Natural Heritage Conservation Act (2002, c. 74).

This conservation plan does not specify any prohibited activity other than those prohibited in biodiversity reserves by the Act; nor does it authorize any other activities, or set any additional constraints on the activities permitted by the Act.

### 3.1. Prohibited activities

For reference purposes, it is important to note that under the Natural Heritage Conservation Act, the main activities prohibited in an area designated as a proposed biodiversity reserve are :

- mining, and gas or petroleum development ;
- mining, gas or petroleum exploration, brine and underground reservoir exploration, prospecting, and digging or boring, where such activities necessitate strip-ping, the digging of trenches, excavation or deforestation ;

— forest management activities within the meaning of section 3 of the Forest Act (R.S.Q., c. F-4.1) ;

— the development of hydraulic resources and any production of energy on a commercial or industrial basis ;

— any new allocation of a right to occupy land for vacation resort purposes ;

— earthwork, backfilling or construction work.

### 3.2. Activities governed by other Acts

All activities carried on within the boundaries of the proposed Muskuuchii hills biodiversity reserve remain governed by the other applicable legislative and regulatory provisions, including those that require the issue of a permit or authorization or the payment of fees. The carrying on of certain activities may also be prohibited or limited by other Acts or regulations applicable within the boundaries of the proposed biodiversity reserve.

In particular, within the boundaries of the proposed biodiversity reserve, special legal rules may govern permitted and prohibited activities in connection with :

— Archaeological research (especially the measures contained in the Cultural Property Act (R.S.Q., c. B-4)) ;

— Utilisation of wildlife resources (especially the measures contained in the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), the regulation on beaver reserves and the Act respecting hunting and fishing rights in the James Bay and New Québec territories (R.S.Q., c. D-13.1)) ;

— Access (especially the measures contained in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1)) ;

— Land rights (especially the measures contained in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and, where applicable, in leases issued by the Minister of Natural Resources).

### 3.3. 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 proposed biodiversity 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.

All other government departments and bodies will retain their responsibilities as set out in all the legislative and regulatory texts that apply within a proposed biodiversity reserve.

The Minister of Natural Resources will supervise all activities subject to the Minister's authority within the territory of the proposed Muskuuchii hills biodiversity reserve, in particular as regards permitted forms of land occupation.

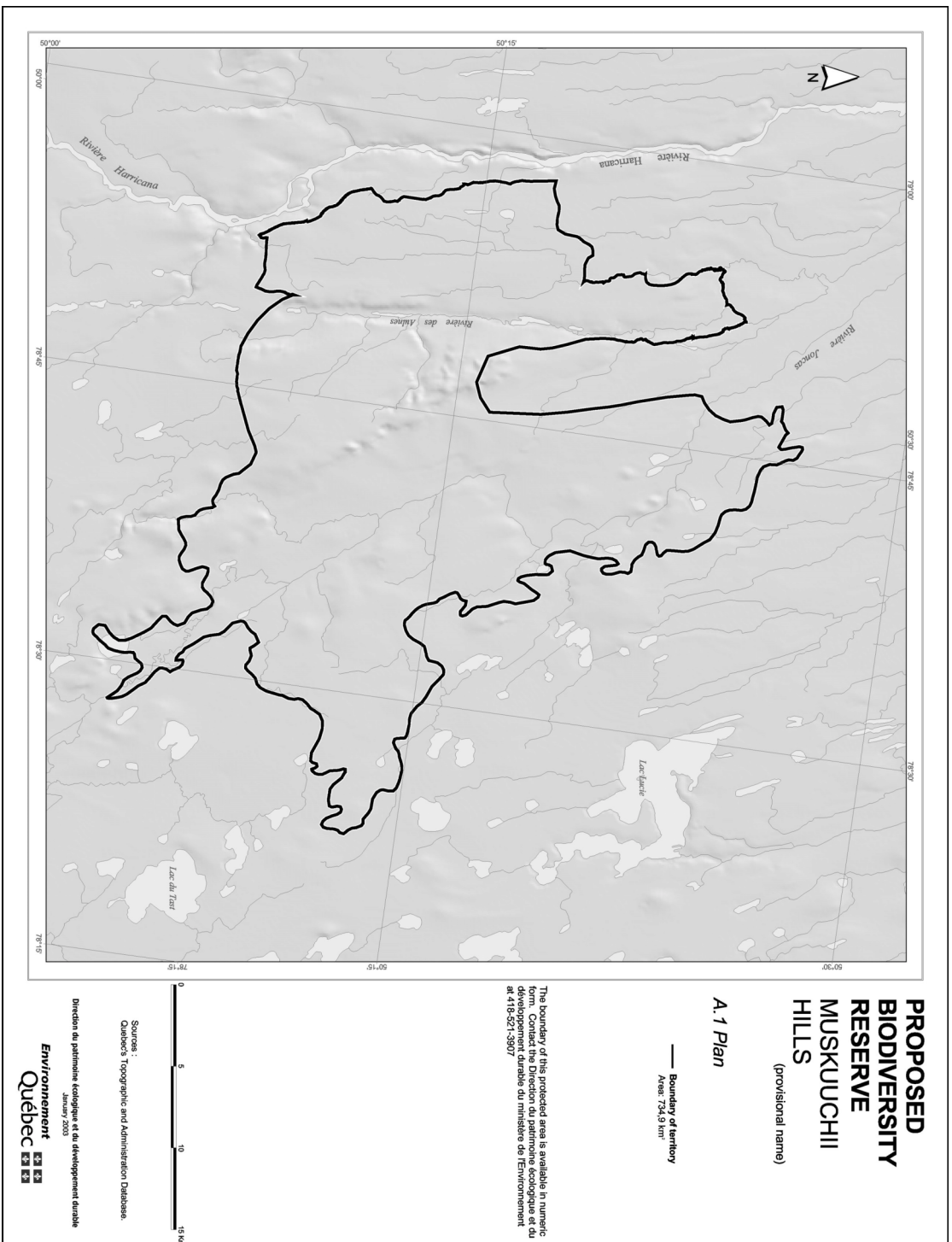
The Société de la faune et des parcs du Québec (FAPAQ) remains responsible for supervising the activities relating to wildlife protection and management that are under its responsibility.

#### 4. Permanent protection status

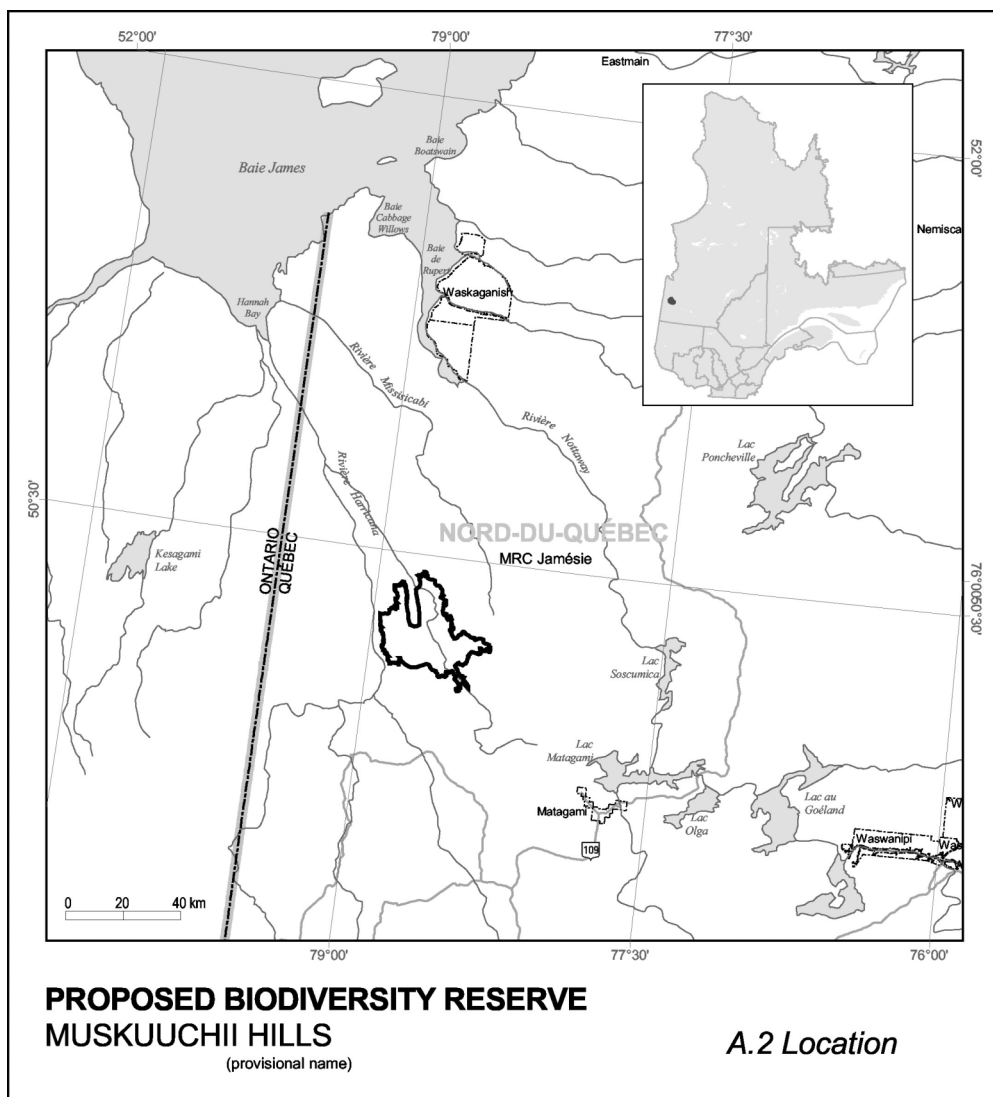
The permanent protection status envisaged for the reserve is "biodiversity reserve" status under the Natural Heritage Conservation Act.

# SCHEDULES

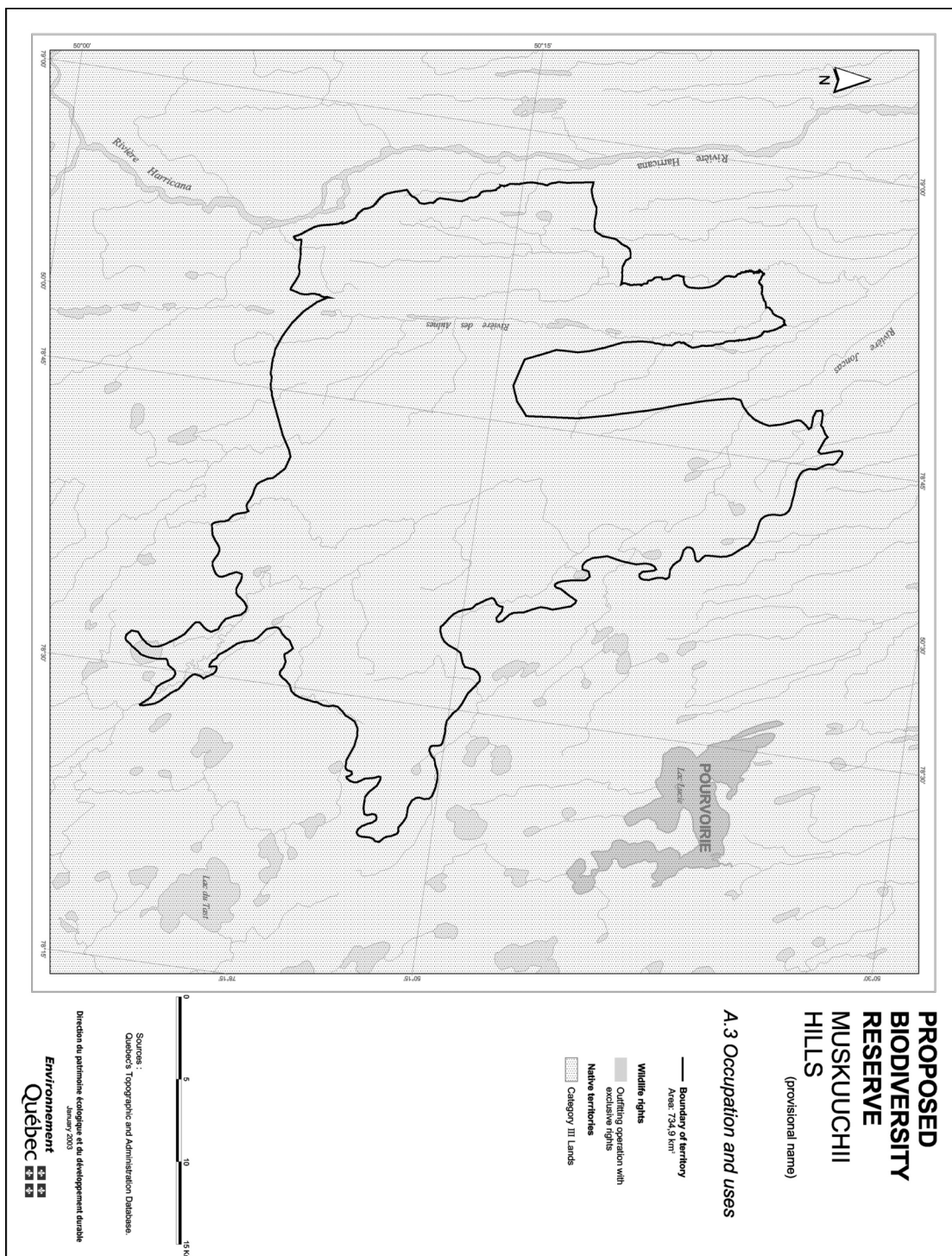
## A.1. Plan of the proposed Muskuchii hills biodiversity reserve (provisional name)





**A.2. Map showing the location of the proposed Muskuuchii hills biodiversity reserve (provisional name)**

A.3. Map showing land occupation and use in the proposed Muskunuchii hills biodiversity reserve (provisional name)



## CONSERVATION PLAN OF THE PROPOSED VAUDRAY AND JOANNÈS LAKES BIODIVERSITY RESERVE

### 1. Plan and description

#### 1.1. Geographic location, boundaries and dimensions

The plan of the proposed Vaudray and Joannès lakes biodiversity reserve and its location are shown on the maps in Schedules A.1 and A.2.

The proposed Vaudray and Joannès lakes biodiversity reserve is located in the Abitibi-Témiscamingue administrative region, between 48°1' and 48°13' latitude north and 78°36' and 78°45' longitude west. It is situated to the south of Highway 117, roughly 37 km east of Rouyn-Noranda.

It lies within the territory of Municipalité de Rouyn-Noranda, which is also the territory of the regional county municipality of the same name.

The proposed biodiversity reserve covers a total area of 181 km<sup>2</sup>. It includes the watersheds of both Vaudray and Joannès lakes, which represent respectively 33.5% and 24% of the total area. To the north, the proposed biodiversity reserve borders on the Canadian National railway linking Rouyn-Noranda to Val-d'Or.

#### 1.2. Ecological overview

The area is in the natural province of the Abitibi and James Bay Lowlands. It protects ecosystems representative of the natural region of the Lake Témiscamingue Lowlands.

##### 1.2.1. Representative elements

**Climate:** The watersheds of Vaudray and Joannès lakes are at the interface of two types of continental climate: the western sector is characterized by a mild subpolar, subhumid climate with a long growing season, while the eastern sector is characterized by a subpolar, subhumid climate with a medium growing season. The proposed reserve belongs to the bioclimatic field of fir stands with white birch.

**Geology and geomorphology:** The proposed reserve is part of the Abitibi geologic sub-province, attached to the Superior geologic province, whose bedrock is archaic (> 2.5 billion years). The substratum is mainly formed by silicic rock, with some felsic rock, such as tonalite. When the Ojibway-Barlow glacial lake melted, around 8,500 years ago, the bedrock was covered by a thick layer of glacial lacustrine sediments (silt and clay), poorly drained. An esker lies parallel to Vaudray and Joannès lakes.

A group of till hummocks, moderately well drained, encircles the depression where Vaudray and Joannès lakes are situated. The average altitude is 318 m, varying between 268 m and 402 m.

**Hydrography:** The proposed biodiversity reserve is part of the watershed of the Outaouais river. It includes 28 lakes, which occupy 7% of the total area. The lakes are kettle lakes, in other words they occupy pits of glaciofluvial origin. Vaudray and Joannès lakes are the two largest, covering a respective area of 7.6 and 4.5 km<sup>2</sup>. They lie along a generally north-south line. The drainage system is well developed, and is made up mainly of intermittent watercourses. The Vaudray river which runs through the area over a distance of around 12 km is the main watercourse. The impermeability of the lacustrine clay and the low relief have led to the development of wetlands on the lower-lying ground; they cover 8.6 km<sup>2</sup>, or roughly 5% of the area of the proposed reserve.

**Vegetation:** Over three-quarters of the proposed reserve is forest-covered, mainly by softwood stands on the high ground and mixed stands on the slopes. Black spruce (*Picea mariana*) is the dominant species, often accompanied by white spruce (*Picea glauca*), balsam fir (*Abies balsamea*), white birch (*Betula papyrifera*) and trembling aspen (*Populus tremuloides*). Stands over 90 years in age represent 12% of the forest cover. The depressions, poorly drained, are occupied by peat bogs and alder groves. One-tenth of the area has been logged.

##### 1.2.2. Outstanding elements

Joannès lake is a potentially favourable nesting site for the Red-necked Grebe (*Podiceps grisegena*). This web-footed species, common in central and western Canada, has recently begun nesting in Québec. Most of the nesting sites have been observed on lakes in the Abitibi-Témiscamingue region, including Joannès lake. Because of its rarity, the Red-necked Grebe is likely to be designated as a threatened or vulnerable species under the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01).

#### 1.3. Land occupation and use

The land occupations and uses in the proposed Vaudray and Joannès lakes biodiversity reserve are shown on the map in Schedule A.3.

The road network is the only human disturbance. It comprises 98% of unpaved roads suitable for road vehicles, and has a total length of 114 km.

Land rights have been granted on 101 sites:

- 25 private cottages;
- 37 cottage leases;
- 37 leases for rough shelters;
- 1 telecommunications tower;
- 1 holiday camp (Centre récréatif du Lac Joannès);

The Centre récréatif forestier du lac Joannès operates under the authority of a private charter.

The whole proposed biodiversity reserve lies within management unit 04 for fur-bearing animals (UGAF 04). It covers a total of twelve traplines.

The head of the Vaudray river is classified as a wild-life habitat, under “water fowl gathering area”. The zone concerned has an area of 0.3 km<sup>2</sup>.

## 2. Protection status

The proposed biodiversity reserve safeguards several lakes in the head of the watershed of the Ouataouais river, including Vaudray and Joannès lakes. The proposed reserve offers a forest landscape of great interest, both from an ecological perspective and for its beauty.

Biodiversity reserve status would allow the pursuit of the following conservation objectives:

- the preservation of kettle lakes and the esker at Vaudray and Joannès lakes, representative of the natural region of the Lake Témiscamingue Lowlands;
- ongoing biodiversity in lake and forest ecosystems;
- the promotion of remarkable landscapes;
- the acquisition of new knowledge concerning natural heritage.

## 3. Activities within the reserve

All activities carried on within the proposed Vaudray and Joannès lakes biodiversity reserve are governed by the provisions of the Natural Heritage Conservation Act (2002, c. 74).

This conservation plan does not specify any prohibited activity other than those prohibited in biodiversity reserves by the Act; nor does it authorize any other activities, or set any additional constraints on the activities permitted by the Act.

### 3.1. Prohibited activities

For reference purposes, it is important to note that under the Natural Heritage Conservation Act, the main activities prohibited in an area designated as a proposed biodiversity reserve are:

- mining, and gas or petroleum development;
- mining, gas or petroleum exploration, brine and underground reservoir exploration, prospecting, and digging or boring, where such activities necessitate strip-ping, the digging of trenches, excavation or deforestation;
- forest management activities within the meaning of section 3 of the Forest Act (R.S.Q., c. F-4.1);
- the development of hydraulic resources and any production of energy on a commercial or industrial basis;
- any new allocation of a right to occupy land for vacation resort purposes;
- earthwork, backfilling or construction work.

### 3.2. Activities governed by other Acts

All activities carried on within the boundaries of the proposed Vaudray and Joannès lakes biodiversity reserve remain governed by the other applicable legislative and regulatory provisions, including those that require the issue of a permit or authorization or the payment of fees. The carrying on of certain activities may also be prohibited or limited by other Acts or regulations applicable within the boundaries of the proposed biodiversity reserve.

In particular, within the boundaries of the proposed biodiversity reserve, special legal rules may govern permitted and prohibited activities in connection with:

- Archaeological research (especially the measures contained in the Cultural Property Act (R.S.Q., c. B-4);
- Utilisation of wildlife resources (especially the measures contained in the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), and, where applicable, the measures contained in any applicable federal legislation);
- Access (especially the measures contained in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1));

— Land rights (especially the measures contained in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and in leases issued by the Minister of Natural Resources).

### 3.3 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 proposed biodiversity 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.

All other government departments and bodies will retain their responsibilities as set out in all the legislative and regulatory texts that apply within a proposed biodiversity reserve.

The Minister of Natural Resources will supervise all activities subject to the Minister's authority within the territory of the proposed Vaudray and Joannès lakes biodiversity reserve, in particular as regards permitted forms of land occupation.

The Société de la faune et des parcs du Québec (FAPAQ) remains responsible for supervising the activities relating to wildlife protection and management that are under its responsibility.

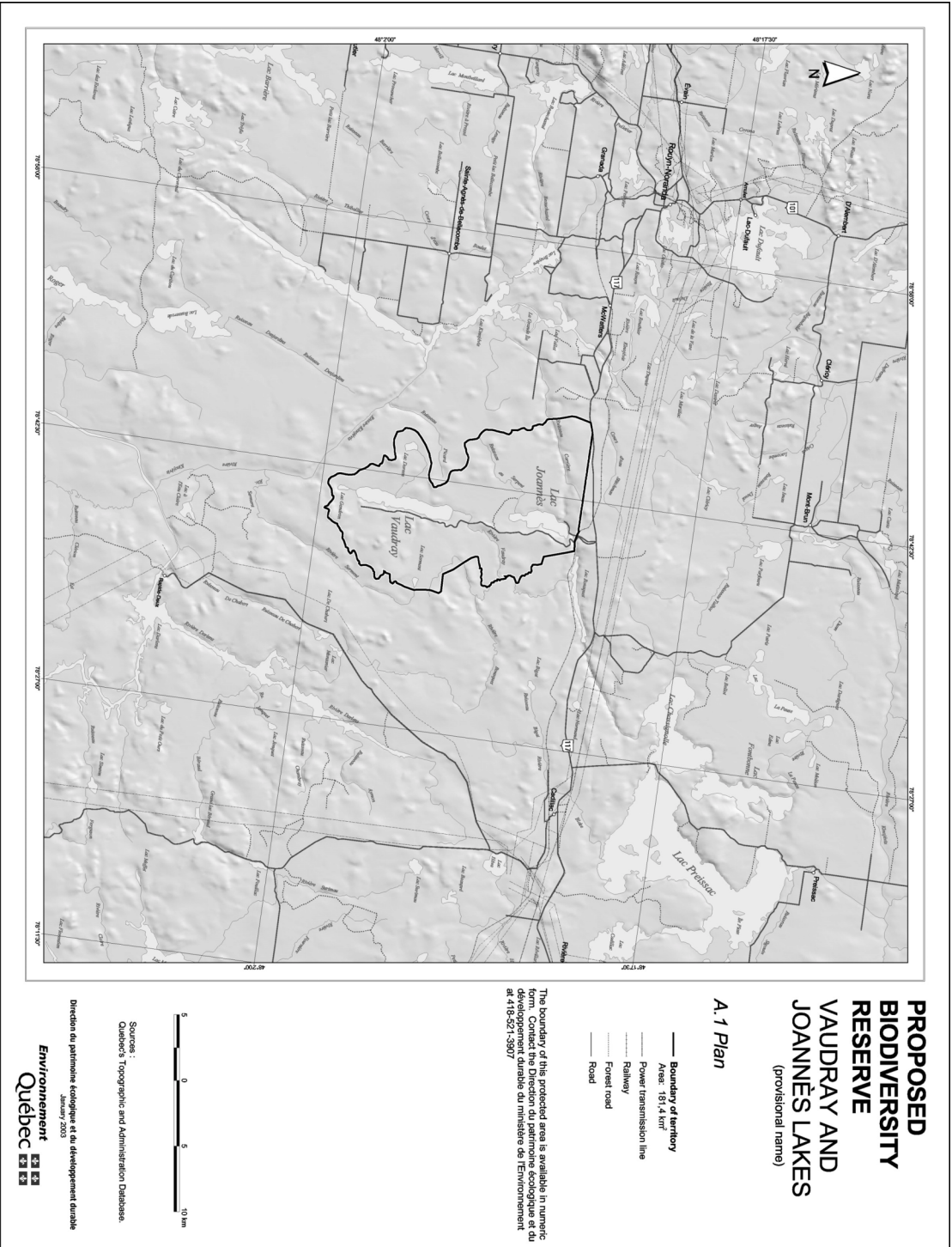
### 4. Permanent protection status

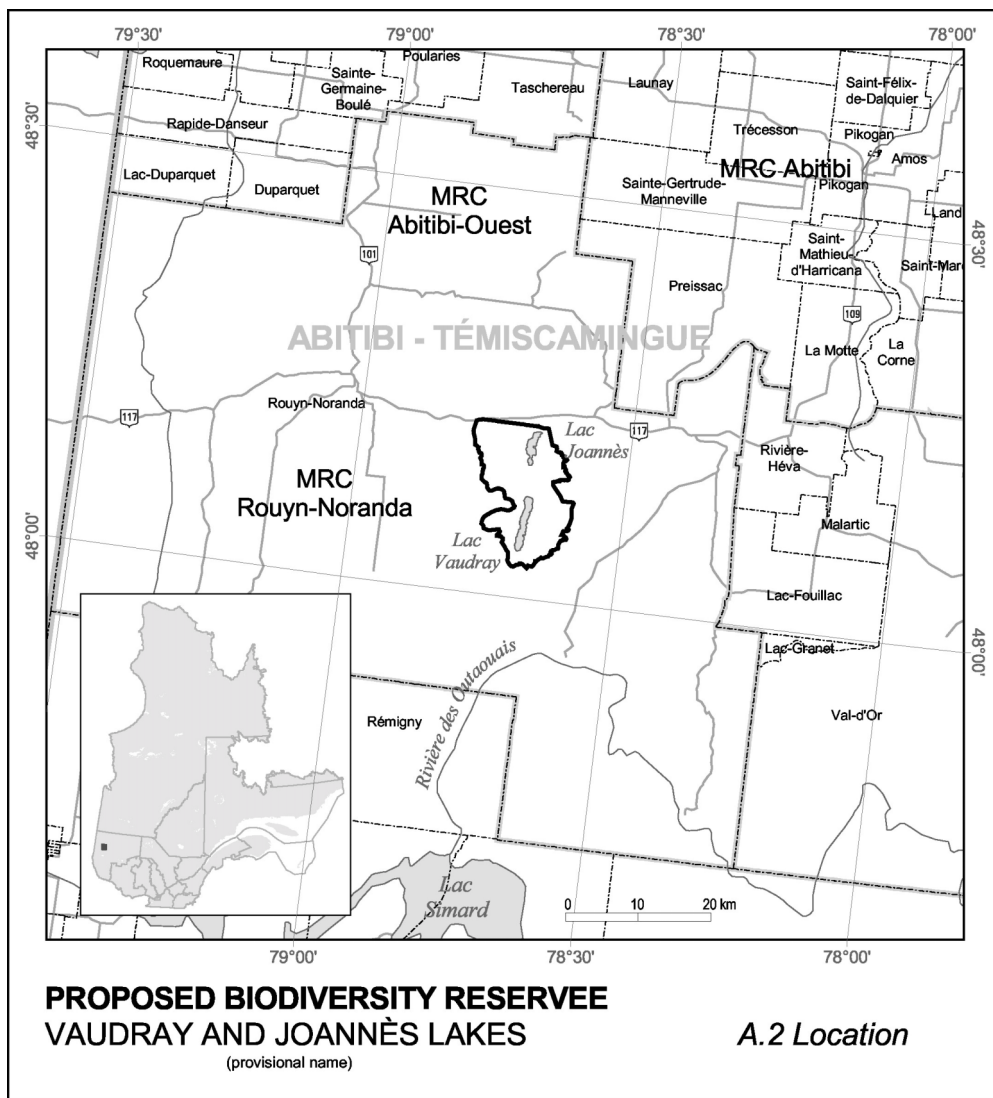
The permanent protection status envisaged for the reserve is "biodiversity reserve" status under the Natural Heritage Conservation Act.



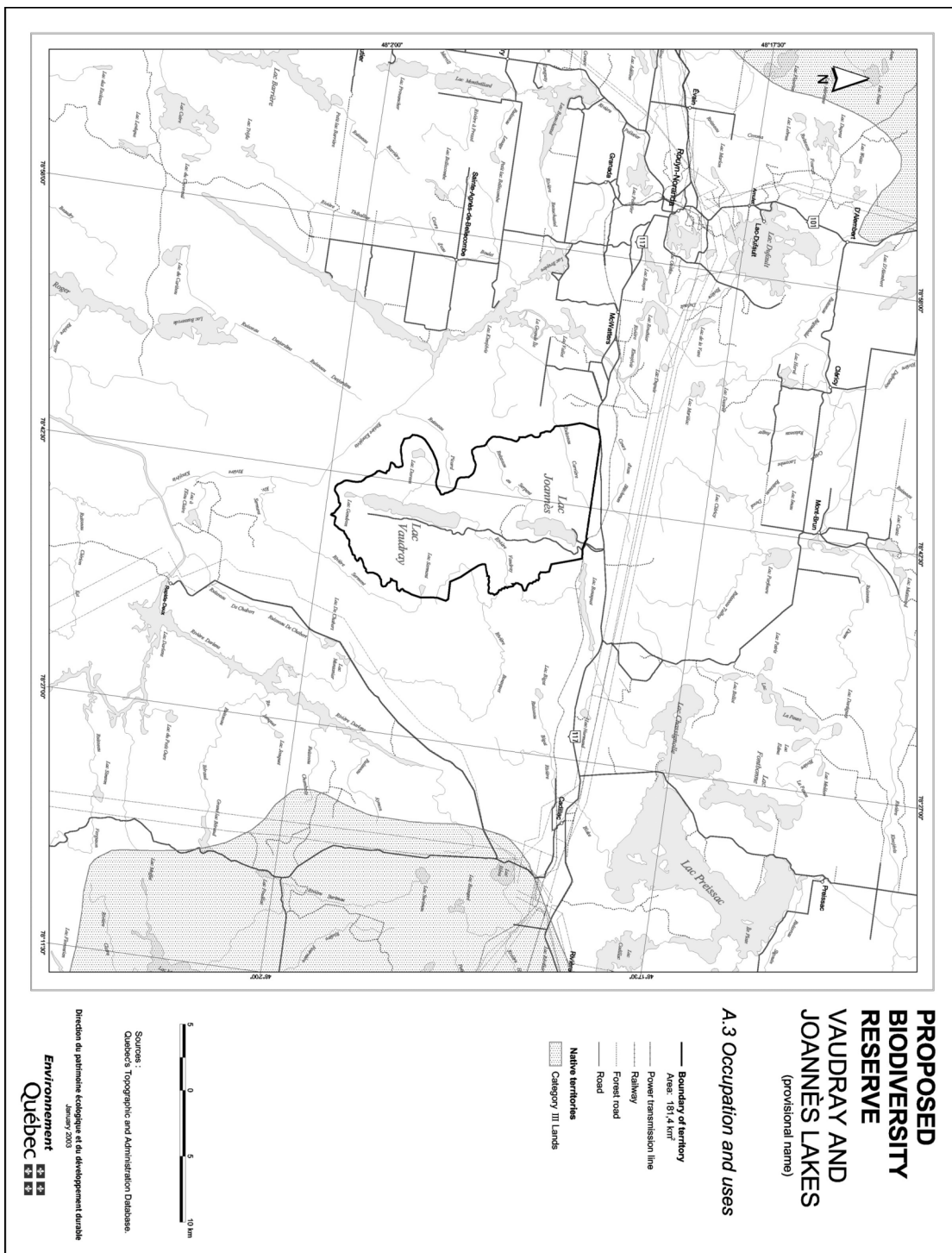
SCHEDULES

A.1. Plan of the proposed Vaudray and Joannès lakes biodiversity reserve (provisional name)



**A.2. Map showing the location of the proposed Vaudray and Joannès lakes biodiversity reserve (provisional name)**

**A.3. Map showing land occupation and use in the proposed Vaudray and Joannès lakes biodiversity reserve (provisional name)**





## CONSERVATION PLAN OF THE PROPOSED SABOURIN LAKE BIODIVERSITY RESERVE

### 1. Plan and description

#### 1.1. Geographic location, boundaries and dimensions

The plan of the proposed Sabourin lake biodiversity reserve and its location are shown on the maps in Schedules A.1 and A.2.

The proposed Sabourin lake biodiversity reserve is located in the Abitibi-Témiscamingue administrative region, between 47°44' and 48°2' latitude north and 77°22' and 77°56' longitude west. It is situated roughly 10 km to the south of Val-d'Or. The southwest boundary is adjacent to the Caribou-de-Jordan ecological reserve, and the Decelles reservoir.

The proposed biodiversity reserve is entirely within the territory of Ville de Val-d'Or, which is part of Municipalité régionale de comté de la Vallée-de-l'Or.

The proposed reserve has a network of forest roads accessible from the north and from the east, off Highway 117.

The proposed reserve covers a total area of 378 km<sup>2</sup>. The boundaries have been defined, as far as possible, using natural elements easily identified in the field, such as watercourses, lakes and the edges of peat bogs.

#### 1.2. Ecological overview

The proposed biodiversity reserve is in the natural province of the Abitibi and James Bay Lowlands. It protects habitats representative of the natural region of the Abitibi Plain.

##### 1.2.1. Representative elements

**Climate:** The proposed biodiversity reserve is at the interface of two major types of continental climate: two-thirds of the reserve, to the south, is characterized by a mild, subpolar and subhumid climate with a long growing season, while the northern third of the reserve is characterized by a subpolar, subhumid climate with a medium growing season. The proposed reserve belongs to the bioclimatic field of fir stands with white birch.

**Geology and geomorphology:** The reserve is part of the Superior geologic province, whose bedrock is archaic (> 2.5 billion years). To the east, the substratum is mainly formed by silicic rock, while to the west it is mainly formed by felsic rock. The bedrock rises to the surface in places and is covered by glacial lacustrine

sediments (clay, sand and gravel) deposited by the waters of the proglacial Barlow-Ojibway lake. The landscape forms a plain sloping slightly northwards with occasional hummocks. The average altitude is 348 m, varying between 331 m and 367 m.

**Hydrography:** The proposed reserve straddles the watersheds of the Outaouais river to the south and the Harricana river to the north. It has around sixty lakes, which occupy roughly 7% of the total area. The largest is Sabourin lake, covering an area of 26.5 km<sup>2</sup>. The proposed biodiversity reserve also includes a small part (4.5 km<sup>2</sup>) of the Decelles hydroelectric reservoir. The drainage system is fairly well developed, and is made up mainly of intermittent watercourses. It is subparallel, generally oriented north-south, and follows the main fractures in the bedrock.

**Vegetation:** Over half the proposed reserve is covered by forest, and two-thirds of the forest cover comprises groups of tolerant softwoods. Black spruce (*Picea mariana*), jack pine (*Pinus banksiana*) and larch (*Larix laricina*) are the dominant species. Mixed stands occupy 7% of the land. Stands aged 90 years or more constitute 15% of the forest cover. Many peat bogs have developed in the eastern section, because of the low relief and the impermeability of the surface deposits. One third of the proposed reserve is covered by peat bogs. Logging has been carried out in recent years in the sectors of Kâmackawâkâmagak, Okiwakamik and Crémazie lakes, and in the zone to the east of Médaillon lake. In addition, replanting work was carried out between 1994 and 1998 to the west of Okiwakamik lake and to the south of Kâockimâkidinak lake.

##### 1.2. Outstanding elements

The proposed reserve has great interest from an ecological point of view, since it is home to a residual population of Woodland Caribou (*Rangifer tarandus*) that were formerly more abundant in southern Québec. The herd is sedentary, in both summer and winter, a feature that distinguishes it from the population in northern Québec, which migrates. Another feature is that the Val-d'Or Woodland Caribou is a forest ecotype, whereas the northern species is tied to the tundra. The herd is found between Highway 117, to the north, and the northern boundary of the La Vérendrye wildlife sanctuary to the south; according to the census taken in 1999, it contains around fifty individuals. The decline of this species has been caused mainly by the changes to its habitat caused by logging. The size of the herd continues to fall, and the situation of this forest population is precarious. The Val-d'Or caribou has, since 1996, been on the list of the wild species likely to be designated as threatened or vulnerable (M.O. 2000-015 dated 16 May 2000).

The proposed Sabourin lake biodiversity reserve includes, to the north, part of the habitat used by the Woodland Caribou between April and November. Regularly, each year, a number of individuals disperse in this area to calve. The proposed biodiversity reserve also includes, to the south, stands of softwoods that are often used as a food source by the whole herd.

### 1.3. Land occupation and use

The land occupations and uses in the proposed Sabourin lake biodiversity reserve are shown on the map in Schedule A.3.

The road network is the only human disturbance. It has a total length of 111 km, and comprises 51% of unpaved roads and 45% of roads unsuitable for road vehicles. Paved roads suitable for road vehicles make up only 4% of the network.

Land rights have been granted on 47 sites :

- 3 private cottage sites ;
- 14 cottage leases ;
- 30 leases for rough shelters.

Almost all the proposed reserve lies within the Grand-Lac-Victoria beaver reserve, where the Algonquin community of Anishnabe residing on the west shore of Simon lake, 32 km to the southeast of Val-d'Or, has special rights regarding the hunting and trapping of fur-bearing animals.

Some parts of the land were logged before the reserve was created.

### 2. Protection status

The proposed Sabourin lake biodiversity reserve protects part of the vital habitat for one of only three herds of Woodland Caribou remaining in Québec south of the 49th parallel.

The conservation objectives are :

- the sustainability of the Val-d'Or population of Woodland Caribou through the protection of the habitats essential to its survival, especially calving, rutting and wintering areas ;
- the preservation of biodiversity in wetland and forest ecosystems ;
- the development of certain key elements in the landscape ;

- the maintenance of traditional Native subsistence activities ;

- the acquisition of new knowledge concerning the ecology of the Val-d'Or population of Woodland Caribou.

### 3. Activities within the reserve

All activities carried on within the proposed Sabourin lake biodiversity reserve are governed by the provisions of the Natural Heritage Conservation Act (2002, c. 74).

This conservation plan does not specify any prohibited activity other than those prohibited in biodiversity reserves by the Act ; nor does it authorize any other activities, or set any additional constraints on the activities permitted by the Act.

#### 3.1. Prohibited activities

For reference purposes, it is important to note that under the Natural Heritage Conservation Act, the main activities prohibited in an area designated as a proposed biodiversity reserve are :

- mining, and gas or petroleum development ;
- mining, gas or petroleum exploration, brine and underground reservoir exploration, prospecting, and digging or boring, where such activities necessitate strip-ping, the digging of trenches, excavation or deforestation ;
- forest management activities within the meaning of section 3 of the Forest Act (R.S.Q., c. F-4.1) ;
- the development of hydraulic resources and any production of energy on a commercial or industrial basis ;
- any new allocation of a right to occupy land for vacation resort purposes ;
- earthwork, backfilling or construction work.

#### 3.2. Activities governed by other Acts

All activities carried on within the boundaries of the proposed Sabourin lake biodiversity reserve remain governed by the other applicable legislative and regulatory provisions, including those that require the issue of a permit or authorization or the payment of fees. The carrying on of certain activities may also be prohibited or limited by other Acts or regulations applicable within the boundaries of the proposed biodiversity reserve.

In particular, within the boundaries of the proposed biodiversity reserve, special legal rules may govern permitted and prohibited activities in connection with:

— Archaeological research (especially the measures contained in the Cultural Property Act (R.S.Q., c. B-4);

— Utilisation of wildlife resources (especially the measures contained in the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1) and the regulation on beaver reserves, and, where applicable, the measures contained in any applicable federal legislation);

— Access (especially the measures contained in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1));

— Land rights (especially the measures contained in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and in leases issued by the Minister of Natural Resources).

### 3.3. 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 proposed biodiversity 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.

All other government departments and bodies will retain their responsibilities as set out in all the legislative and regulatory texts that apply within a proposed biodiversity reserve.

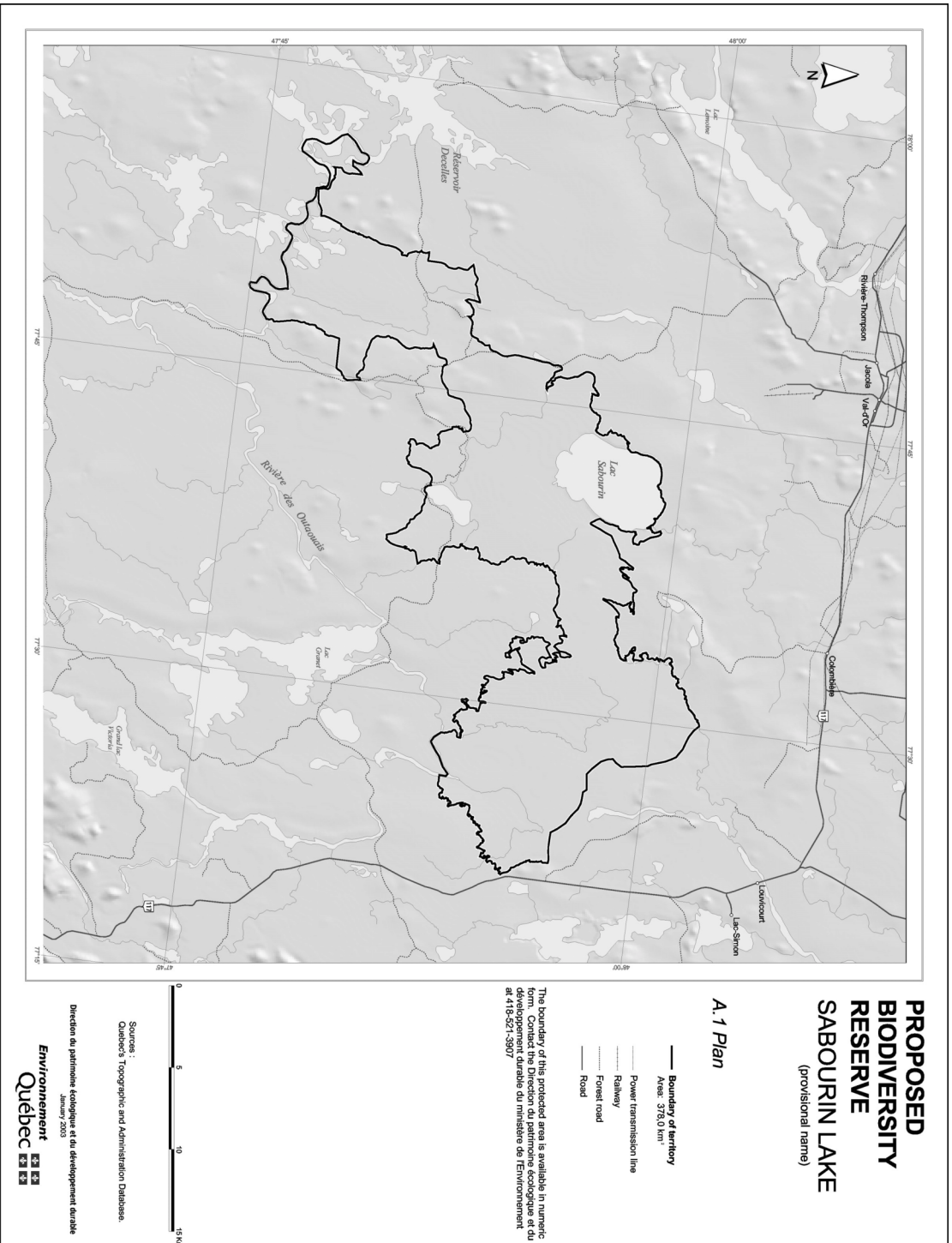
The Minister of Natural Resources will supervise all activities subject to the Minister's authority within the territory of the proposed Sabourin lake biodiversity reserve, in particular as regards permitted forms of land occupation.

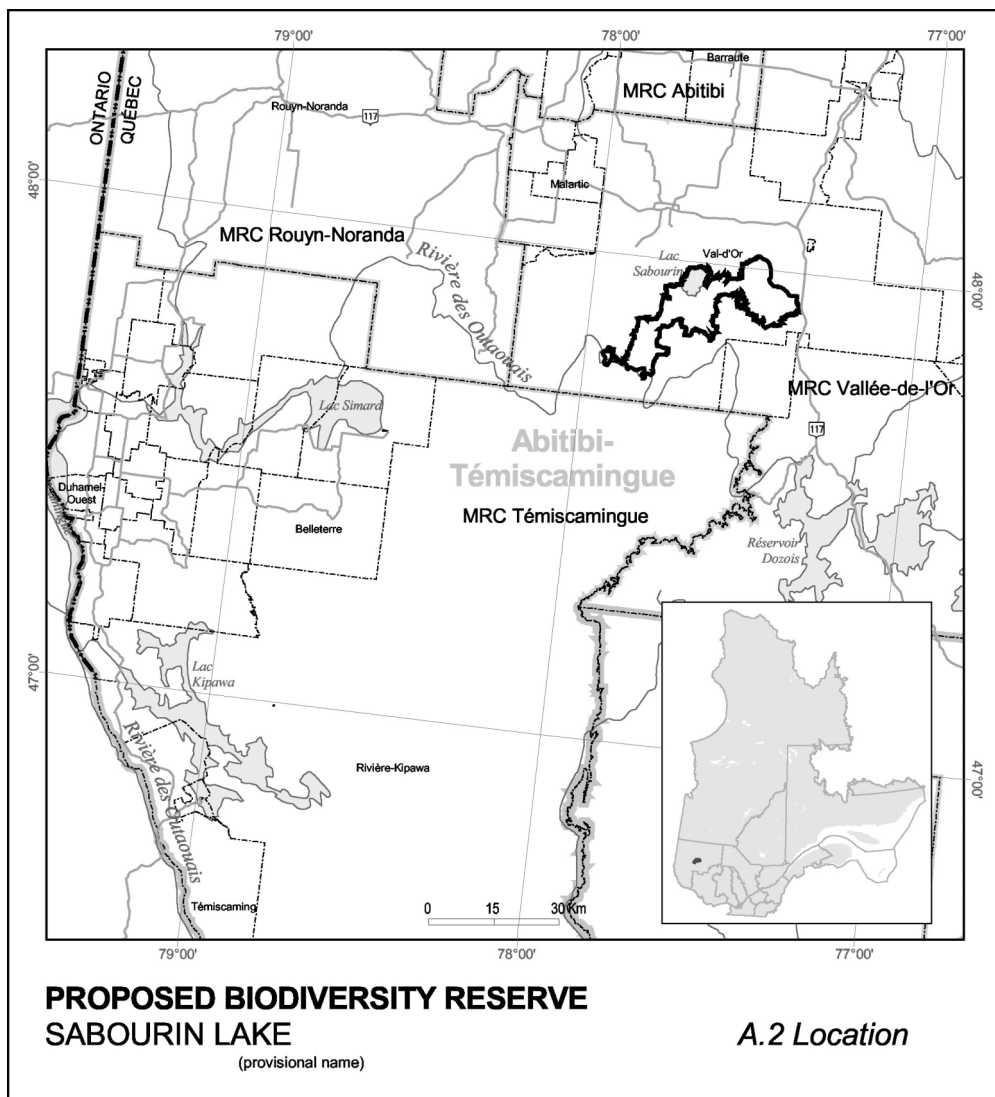
The Société de la faune et des parcs du Québec (FAPAQ) remains responsible for supervising the activities relating to wildlife protection and management that are under its responsibility.

### 4. Permanent protection status

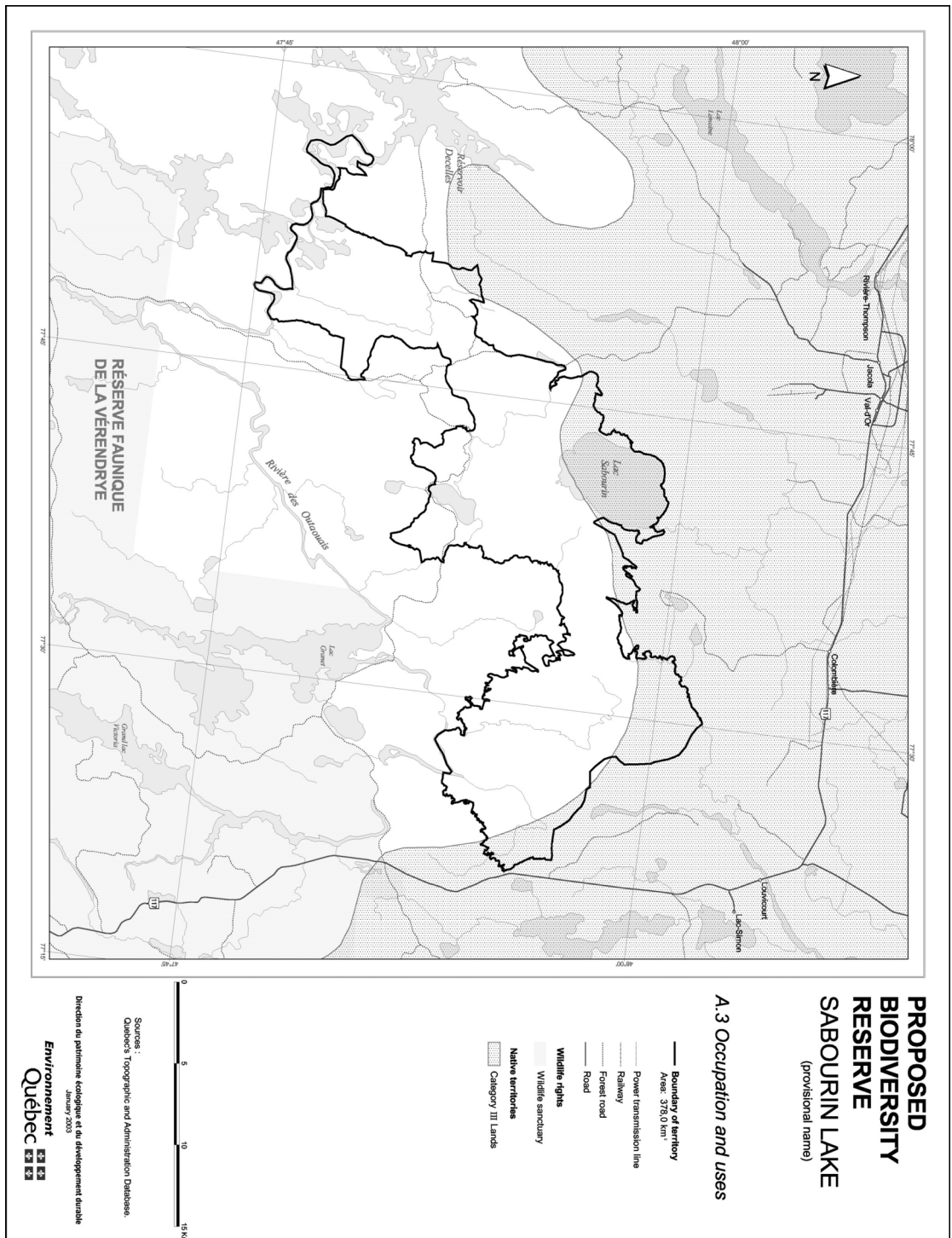
The permanent protection status envisaged for the reserve is "biodiversity reserve" status under the Natural Heritage Conservation Act.

### A.1. Plan of the proposed Sabourin lake biodiversity reserve (provisional name)



**A.2. Map showing the location of the proposed Sabourin lake biodiversity reserve (provisional name)**

A.3. Map showing land occupation and use in the proposed Sabourin lake biodiversity reserve (provisional name)



## CONSERVATION PLAN OF THE PROPOSED ASHUAPMUSHUAN RIVER AQUATIC RESERVE

### 1. Plan and description

#### 1.1. Geographic location, boundaries and dimensions

The plan of the proposed Ashuapmushuan river aquatic reserve and its location are shown on the maps in Schedules A.1 and A.2.

The proposed Ashuapmushuan river aquatic reserve is located in the Saguenay–Lac Saint-Jean region, between 48°40' and 50°45' latitude north and 73°42' and 72°44' longitude west. It is at the northwestern end of Lac Saint-Jean, roughly thirty kilometres from Ville de Saint-Félicien.

It lies within the territory of the regional municipal counties of Le Domaine-du-Roy (to the south of the river and to the west of Du Chef river) and Maria-Chapdelaine (to the north of the river and to the east of Du Chef river).

From upstream to downstream, the reserve covers the non-municipalized territories of Lac-Ashuapmushuan and Rivière-Mistassini, and extends to the southwestern boundary of Municipalité de Saint-Thomas-Didyme.

The proposed aquatic reserve covers an area of 276.6 km<sup>2</sup>. Its boundaries were defined using a visibility model to simulate what can be perceived from a canoe on the Ashuapmushuan river. It comprises a corridor between 600 m and 6 km wide, taking in the main bed of the Ashuapmushuan river and the slopes of its valley from km 177 to km 51 from its mouth.

#### 1.2. Ecological overview

The area is in the Central Laurentian natural province. It protects a river that is characteristic of the natural region of the Manouane lake depression.

##### 1.2.1. Representative elements

**Climate:** The Ashuapmushuan river watershed is characterized by a subpolar, subhumid continental climate, with a middle growing season. Its upstream portion belongs to the bioclimatic field of mossy spruce stands, and its downstream portion to the bioclimatic field of fir stands with white birch.

**Geology and geomorphology:** The territory is part of the Laurentian highlands, attached to the Canadian Shield. Its average altitude is 335 m, varying between 155 m and 509 m. The substratum mainly comprises felsic rock. The valley slopes are covered by moderately drained till. The valley bottom is covered with glaciofluvial deposits (sand and gravel), except where there are rapids, where rock and washed till are found.

**Hydrography:** The Ashuapmushuan river is a Strahler 7 river. It is, after the Mistassini and the Péribonka, the largest of the 45 tributaries flowing into Lac Saint-Jean. It carries a little over one-fifth of the inflow into the lake. Its source is in the lake of the same name at an altitude of 360 m. Over most of its length it flows in narrow valleys. It is fed by some thirty permanent tributaries, the most important of which are the Du Chef, Normandin, Chigoubiche, Marquette, Aux Saumons and Du Cran rivers. It has around twelve waterfalls, the most spectacular being the De la Chaudière waterfall at km 82. The extensive hydrographic features cover 10% of the territory. The protected area also includes 92 islands covering a total area of 0.8 km<sup>2</sup>, or 0.3% of its total area.

**Vegetation:** The land in the proposed Ashuapmushuan river aquatic reserve is forest-covered, with trees growing on nine-tenths of the protected area. Half of the land is covered by young, mainly softwood stands, and one-third by mixed stands. Black spruce (*Picea mariana*) and balsam fir (*Abies balsamea*) are the main species on high ground, while jack pine (*Pinus banksiana*) is found on sandy terraces. Hardwood stands and wetlands (peat bogs and alder groves) are generally found in valley bottoms. One-quarter of the reserve was recently logged.

##### 1.2.2. Outstanding elements

The Ashuapmushuan is a major habitat for landlocked salmon (*Salmo salar* ouananiche), a freshwater form of the Atlantic salmon, which is found as a native northern species in the northern hemisphere. The Ashuapmushuan river is accessible to salmon up to the De la Chaudière falls. It contains several spawning and parr raising sites, and makes a substantial contribution (70% to 90%) to the salmon production in Lac Saint-Jean. It is also a key biological corridor between Lac Saint-Jean and other salmon rivers (such as the Aux Saumons, À l'Ours, Pémonca and Du Cran rivers). The landlocked salmon population has been in a worrying decline since the 1900s. The implementation of regulatory measures and a stocking program have helped re-establish the salmon, but over the last two years the situation has once again become a cause for concern.

The Ashuapmushuan river is also important in terms of heritage. The Ashuapmushuan basin contains several archaeological sites that bear witness to occupation at an early date (6,500 to 7,000 B.C.), especially old Amerindian cemeteries and celebration sites used by the first inhabitants of North America. The river also played a major role in expeditions along the fur route between Tadoussac and Hudson Bay. The remains of the religious and commercial settlement built in 1686 on the eastern shore of Ashuapmushuan lake, at the western edge of the protected area, are one of the most outstanding and best-preserved remnants of the fur-trading period in



Québec. In later times, the Ashuapmushuan was used for timber driving. The heritage value of the river is also confirmed by the presence in its waters of over twenty species of fish, including the landlocked salmon that, in 1988, became the regional emblem of the Saguenay–Lac Saint-Jean region.

### 1.3. Land occupation and use

The land occupations and uses in the proposed Ashuapmushuan river aquatic reserve are shown on the map in Schedule A.3.

Four power transmission lines, 19 km in total length, cross the zone from the west to the south. To the west, the area is bounded over a distance of 4.5 km by paved Highway 167.

The road network comprises 78% of roads unsuitable for road vehicles (220 km) and 20% of unpaved roads (58 km). The longest unpaved road follows the southern bank of the Ashuapmushuan for 30 km, from km 120.

Land rights have been granted on four sites on the perimeter of the protected area (3 Native camps and 1 commercial tourism lease).

The entire area is also an integral part of the Roberval beaver reserve, where the Inuit community of Mashteuiatsh residing at Pointe-Bleue has special rights regarding the hunting and trapping of fur-bearing animals.

The land located to the south of the Ashuapmushuan river, and a 200m wide band along the northern bank, is in the Ashuapmushuan wildlife sanctuary. The sector managed by the Société des établissements de plein air du Québec (SÉPAQ) covers 190 km<sup>2</sup>, or a little over two-thirds of the total area (68.7%). Recreational activities (small and big game hunting, fishing, blueberry picking, wildlife observation, hiking, canoeing, canoe-camping, etc.) are subject to the regulations in force (such as visitor registration and payment of the applicable fees).

The land located on the eastern bank of the Ashuapmushuan river, from Damville lake to Bouchain lake, is subject to the exclusive rights of the Damville outfitting operation. The wildlife management zone covers 11.2 km<sup>2</sup>, or 4% of the total area.

Some river banks are part of the Lac Saint-Jean community wildlife area, covering an area of 11.2 km<sup>2</sup>, or 1.9% of the proposed area.

Some sections of the territory were logged before the reserve was created.

## 2. Protection status

The proposed aquatic reserve safeguards the main bed of the Ashuapmushuan river and some of the slopes of its valley. The area includes landscapes of high quality and an outstanding cultural heritage. The river offers, in addition, habitats that are essential to the maintenance of the landlocked salmon population, the regional emblem.

Aquatic reserve status would allow the pursuit of the following conservation objectives :

- the conservation of a representative river in the natural region of the Manouane lake depression ;

- the protection of essential landlocked salmon habitats ;

- the preservation of biodiversity in aquatic and land-based ecosystems ;

- the ongoing sustainable management of fur-bearing animals ;

- the development of certain key elements in the landscape (such as the De la Chaudière waterfall) ;

- the preservation of sites of recognized or potential archaeological interest, and of the landscape visible from the bottom of the Ashuapmushuan valley ;

- the acquisition of new knowledge concerning natural and cultural heritage.

## 3. Activities within the reserve

All activities carried on within the proposed Ashuapmushuan river aquatic reserve are governed by the provisions of the Natural Heritage Conservation Act (2002, c. 74).

Except for the prohibition mentioned in item 3.1.2, this conservation plan does not specify any prohibited activity other than those prohibited in proposed aquatic reserves by the Act ; nor does it authorize any other activities, or set any additional constraints on the activities permitted by the Act.

### 3.1. Prohibited activities

#### 3.1.1. General prohibitions enacted by law

For reference purposes, it is important to note that under the Natural Heritage Conservation Act, the main activities prohibited in an area designated as a proposed aquatic reserve are :



- mining, and gas or petroleum development;

- mining, gas or petroleum exploration, brine and underground reservoir exploration, prospecting, and digging or boring, where such activities necessitate stripping, the digging of trenches, excavation or deforestation;

- forest management activities within the meaning of section 3 of the Forest Act (R.S.Q., c. F-4.1);

- the development of hydraulic resources and any production of energy on a commercial or industrial basis;

- any new allocation of a right to occupy land for vacation resort purposes;

- earthwork, backfilling or construction work.

### 3.1.2. Additional prohibitions

In the proposed Ashuapmushuan river aquatic reserve, any type of activity likely to degrade the bed, banks or shores or to otherwise affect the integrity of any body of water or watercourse in the reserve is also prohibited.

### 3.2. Activities governed by other Acts

All activities carried on within the boundaries of the proposed Ashuapmushuan river aquatic reserve remain governed by the other applicable legislative and regulatory provisions, including those that require the issue of a permit or authorization or the payment of fees. The carrying on of certain activities may also be prohibited or limited by other Acts or regulations applicable within the boundaries of the proposed aquatic reserve.

In particular, within the boundaries of the proposed aquatic reserve, special legal rules may govern permitted and prohibited activities in connection with:

- Archaeological research (especially the measures contained in the Cultural Property Act (R.S.Q., c. B-4));

- Utilisation of wildlife resources (especially the measures contained in the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), the regulation on beaver reserves and the management plan for the Ashuapmushuan wildlife reserve and, where applicable, the measures contained in the applicable federal legislation);

- Access (especially the measures contained in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1));

- Land rights (especially the measures contained in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and in leases issued by the Minister of Natural Resources).

### 3.3. 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 proposed aquatic 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.

All other government departments and bodies will retain their responsibilities as set out in all the legislative and regulatory texts that apply within a proposed aquatic reserve.

The Minister of Natural Resources will supervise all activities subject to the Minister's authority within the territory of the proposed Ashuapmushuan river aquatic reserve, in particular as regards permitted forms of land occupation.

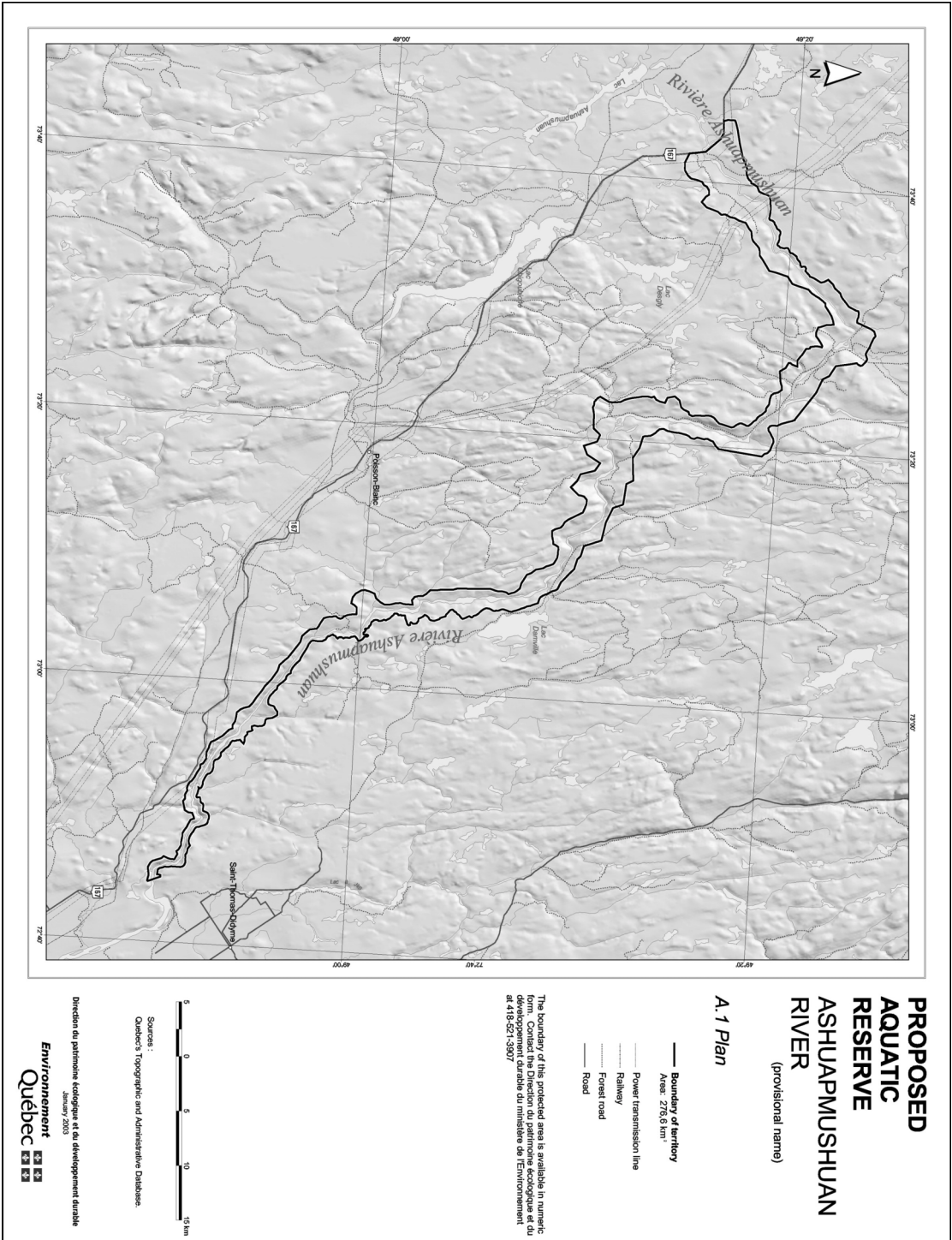
The Société de la faune et des parcs du Québec (FAPAQ) remains responsible for supervising the activities relating to wildlife protection and management that are under its responsibility, and the Société des établissements de plein air du Québec (SÉPAQ) remains responsible for the Ashuapmushuan wildlife sanctuary.

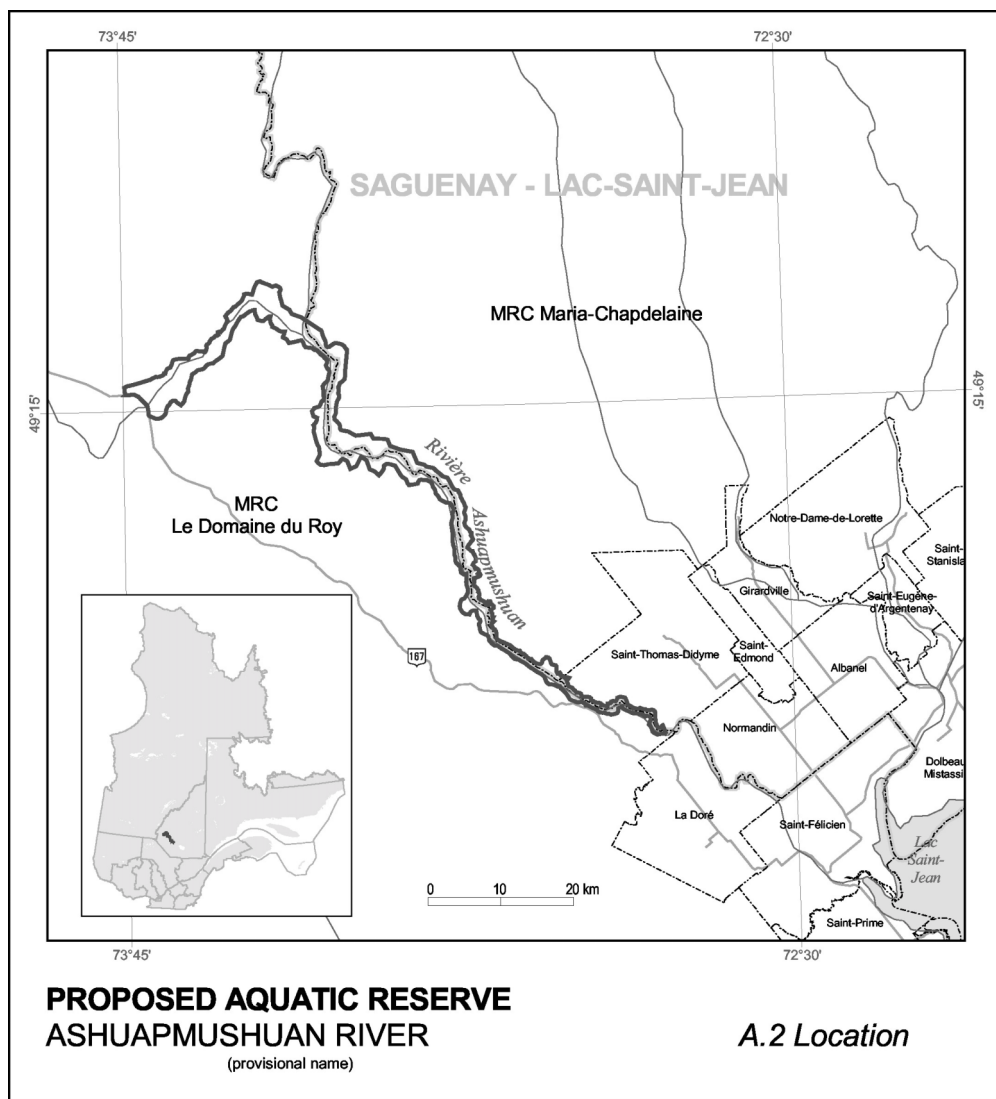
### 4. Permanent protection status

The permanent protection status envisaged for the reserve is "aquatic reserve" status under the Natural Heritage Conservation Act.

# SCHEDULES

## A.1. Plan of the proposed Ashuapmushuan river aquatic reserve (provisional name)



**A.2. Map showing the location of the proposed Ashuapmushuan river aquatic reserve (provisional name)**

**PROPOSED  
AQUATIC  
RESERVE  
ASHUAPMUSHUAN  
RIVER**  
(provisional name)

**A.3 Occupation and uses**

— Boundary of territory  
Area: 276.6 Km<sup>2</sup>  
--- Power transmission line  
--- Railway  
--- Forest road  
--- Road  
Wildlife rights  
Outfitter operation with exclusive rights  
Wildlife sanctuary

Scale: 0 5 10 15 km

Sources:  
Québec's Topographic and Administrative Database

Direction du patrimoine écologique et du développement durable  
Environnement  
Québec  
January 2003

## CONSERVATION PLAN OF THE PROPOSED MOISIE RIVER AQUATIC RESERVE

### 1. Plan and description

#### 1.1. Geographic location, boundaries and dimensions

The plan of the proposed Moisie river aquatic reserve and its location are shown on the maps in Schedules A.1 and A.2.

The proposed Moisie river aquatic reserve is located in the Côte-Nord administrative region, between 50°19' and 52°29' latitude north and 65°58' and 67°33' longitude west. It is situated on the north shore of the Gulf of St. Lawrence, roughly 25 km from Ville de Sept-Îles. It has a network of roads suitable for road vehicles that are accessible from Highway 138.

It lies within the territory of the regional county municipalities of Caniapiscau, upstream, and Sept-Rivières, downstream.

From upstream to downstream, the river runs through the non-municipalized territories of Rivière-Mouchalagane, Rivière-Nipissis and Lac-Walker, and through the territory of Ville de Moisie.

The proposed aquatic reserve covers an area of 3 897,5.8 km<sup>2</sup>. It comprises a corridor between 6 km and 30 km wide, taking in the main bed of the Moisie river from km 37 to km 358 from its mouth, along with a broad strip of its adjacent watershed among which 115 km of Aux Pékans river.

#### 1.2. Ecological overview

The area is in the Central Laurentian natural province. It protects a river that is characteristic of the natural regions of the Manicouagan Reservoir Basin and the Sainte-Marguerite River Plateau.

##### 1.2.1. Representative elements

Climate: The watershed of the Moisie river straddles three distinct climate zones. From upstream to downstream, it is characterized by a cold, subpolar and subhumid climate with a short growing season, a subpolar, humid climate with a middle growing season, and a subpolar, subhumid climate with a middle growing season. The entire proposed aquatic reserve belongs to the bioclimatic field of mossy spruce stands.

Geology and geomorphology: The reserve is in the Grenville geologic province. It is part of the Canadian Shield, and constitutes the foothills of a powerful mountain range created almost one billion years ago. The substratum is mainly formed by crystalline rocks, in this instance gneiss and paragneiss. Upstream, the bedrock contains occasional carbonate rock, in this instance marble. In the downstream sector of the proposed aquatic reserve, the bedrock contains occasional mafic (anorthosite) and felsic (charnockitic) rocks. Upstream, the bedrock is covered by a thin till, and downstream surface deposits mainly comprise rock and peat. The valley bottom of the Moisie river is covered by glaciofluvial sand and gravel. The overall landscape presents a complex assembly of high and low hills, mounds and hummocks. The average altitude is 437 m, varying between 8 m and 991 m.

Hydrography: The Moisie river is a Strahler 6 river. Its source is in Ménistouc lake at an altitude of 520 m. It flows into the St. Lawrence estuary, and has a total length of 363 km. Its mouth is situated about 25 km to the east of Sept-Îles. The drainage system of the Moisie river drains a vast area of 19,196 km<sup>2</sup>. The river is fed by nine tributaries draining an area of over 300 km<sup>2</sup>. The two largest are Aux Pékans river to the north (3,419 km<sup>2</sup>) and Nipisso river to the south (4,196 km<sup>2</sup>). The river bed drops by an average of 1.4m per kilometre. It zigzags through inset gorges over much of its length, with scattered waterfalls and rapids. The annual average flow is 401 m<sup>3</sup>/s. The Moisie river has water of an exceptional quality compared to the other Québec rivers flowing off the Canadian Shield.

Vegetation: One-third of the proposed reserve is forest-covered, mainly by mature softwood stands. Black spruce (*Picea mariana*) predominates, often with balsam fir (*Abies balsamea*). Jack pine (*Pinus banksiana*) is restricted to sandy terraces. White birch (*Betula papyrifera*) is the mostly frequently encountered hardwood in the small number of mixed stands. Upstream, the steeper valley slopes are covered by heathland.

##### 1.2.2. Outstanding elements

The Moisie river is clearly the most renowned salmon river (for *Salmo salar*) on the North Shore, because of the high average weight (roughly 7kg) of the individual catches. The spawning run on the Moisie river involves a high proportion of salmon that have spent several seasons at sea, and some fish return to spawn several seasons running. The Atlantic salmon population is currently in an alarming decline throughout its distribution area. On the Moisie river, salmon is fished on the lower 170 km and on the southern part of the Nipisso river. The annual harvest is between 1,000 and 1,500 fish, for roughly 6,500 fishing days. The economic spin-offs generated amount to around \$2 million.

Lastly, the Moisie river has high heritage value: it runs through grandiose, well-preserved scenery, and has not been harnessed to produce hydroelectric power. Its waterfalls, rapids and source, and the absence of any industrial or residential development, make it one of the last wild rivers on the North Shore.

### 1.3. Land occupation and use

The land occupations and uses in the proposed Moisie river aquatic reserve are shown on the map in Schedule A.3.

Two power transmission lines, 16 km in total length, cross the southern end of the proposed aquatic reserve.

Land rights have been granted on 57 sites within the perimeter of the proposed aquatic reserve. They involve

- 37 cottage leases;
- 15 leases for the construction of temporary forest shelters;
- 2 leases for trapping camps;
- 1 lease for community purpose;
- 1 lease for the construction and/or reconstruction of a trail.

Almost all of the proposed reserve lies within the Saguenay beaver reserve, where the Sept-Îles Inuit community residing at Uashat and Malioténam has special rights regarding the hunting and trapping of fur-bearing animals.

The part of the proposed aquatic reserve situated outside the beaver reserve includes traplines that are part of management unit 60 for fur-bearing animals (UGAF 60).

The proposed aquatic reserve includes the territory of four exclusive-right outfitting operations, covering 58.6 km<sup>2</sup>, or 2% of the total area.

An agreement to manage fishing on the Moisie river is currently being negotiated by the Société de la faune et des parcs du Québec and the Uashat Malioténam Nation in order to

- ensure that action is taken to protect the wildlife resources of the river and its tributaries;

- plan and implement research activities on the biology of the Atlantic salmon and the anadromic speckled trout;

- define the parameters for the establishment of a management council for the Moisie river.

### 2. Protection status

The Moisie river is one of the most important salmon rivers in Québec. It flows through a natural, wild landscape and offers remarkable scenery.

Aquatic reserve status would allow the pursuit of the following conservation objectives:

- the conservation of a representative river in the natural region of the Manicouagan Reservoir Basin and the Sainte-Marguerite River Plateau;
- the protection of the Atlantic salmon population;
- ongoing biodiversity in aquatic and riverbank ecosystems;
- the development of certain key elements in the landscape;
- the preservation of the landscape visible from the bottom of the Moisie river valley;
- the acquisition of new knowledge on salmon ecology and on the natural heritage of the Moisie river.

### 3. Activities within the reserve

All activities carried on within the proposed Moisie river aquatic reserve are governed by the provisions of the Natural Heritage Conservation Act (2002, c. 74).

Except for the prohibition mentioned in item 3.1.2, this conservation plan does not specify any prohibited activity other than those prohibited in proposed aquatic reserves by the Act; nor does it authorize any other activities, or set any additional constraints on the activities permitted by the Act.

#### 3.1. Prohibited activities

##### 3.1.1. General prohibitions enacted by law

For reference purposes, it is important to note that under the Natural Heritage Conservation Act, the main activities prohibited in an area designated as a proposed aquatic reserve are:

- mining, and gas or petroleum development;

- mining, gas or petroleum exploration, brine and underground reservoir exploration, prospecting, and digging or boring, where such activities necessitate stripping, the digging of trenches, excavation or deforestation;

- forest management activities within the meaning of section 3 of the Forest Act (R.S.Q., c. F-4.1);

- the development of hydraulic resources and any production of energy on a commercial or industrial basis;

- any new allocation of a right to occupy land for vacation resort purposes;

- earthwork, backfilling or construction work.

### 3.1.2. Additional prohibitions

In the proposed Moisie river aquatic reserve any type of activity likely to degrade the bed, banks or shores or to otherwise affect the integrity of any body of water or watercourse in the reserve is also prohibited.

### 3.2. Activities governed by other Acts

All activities carried on within the boundaries of the proposed Moisie river aquatic reserve remain governed by the other applicable legislative and regulatory provisions, including those that require the issue of a permit or authorization or the payment of fees. The carrying on of certain activities may also be prohibited or limited by other Acts or regulations applicable within the boundaries of the proposed aquatic reserve.

In particular, within the boundaries of the proposed aquatic reserve, special legal rules may govern permitted and prohibited activities in connection with:

- Archaeological research (especially the measures contained in the Cultural Property Act (R.S.Q., c. B-4);

- Utilisation of wildlife resources (especially the measures contained in the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1) and the regulation on beaver reserves and, where applicable, the measures contained in the applicable federal legislation);

- Access (especially the measures contained in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1));

- Land rights (especially the measures contained in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and in leases issued by the Minister of Natural Resources).

### 3.3. 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 proposed aquatic 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.

All other government departments and bodies will retain their responsibilities as set out in all the legislative and regulatory texts that apply within a proposed aquatic reserve.

The Minister of Natural Resources will supervise all activities subject to the Minister's authority within the territory of the Moisie river, in particular as regards permitted forms of land occupation.

The Société de la faune et des parcs du Québec (FAPAQ) remains responsible for supervising the activities relating to wildlife protection and management that are under its responsibility.

### 4. Permanent protection status

The permanent protection status envisaged for the reserve is "aquatic reserve" status under the Natural Heritage Conservation Act.

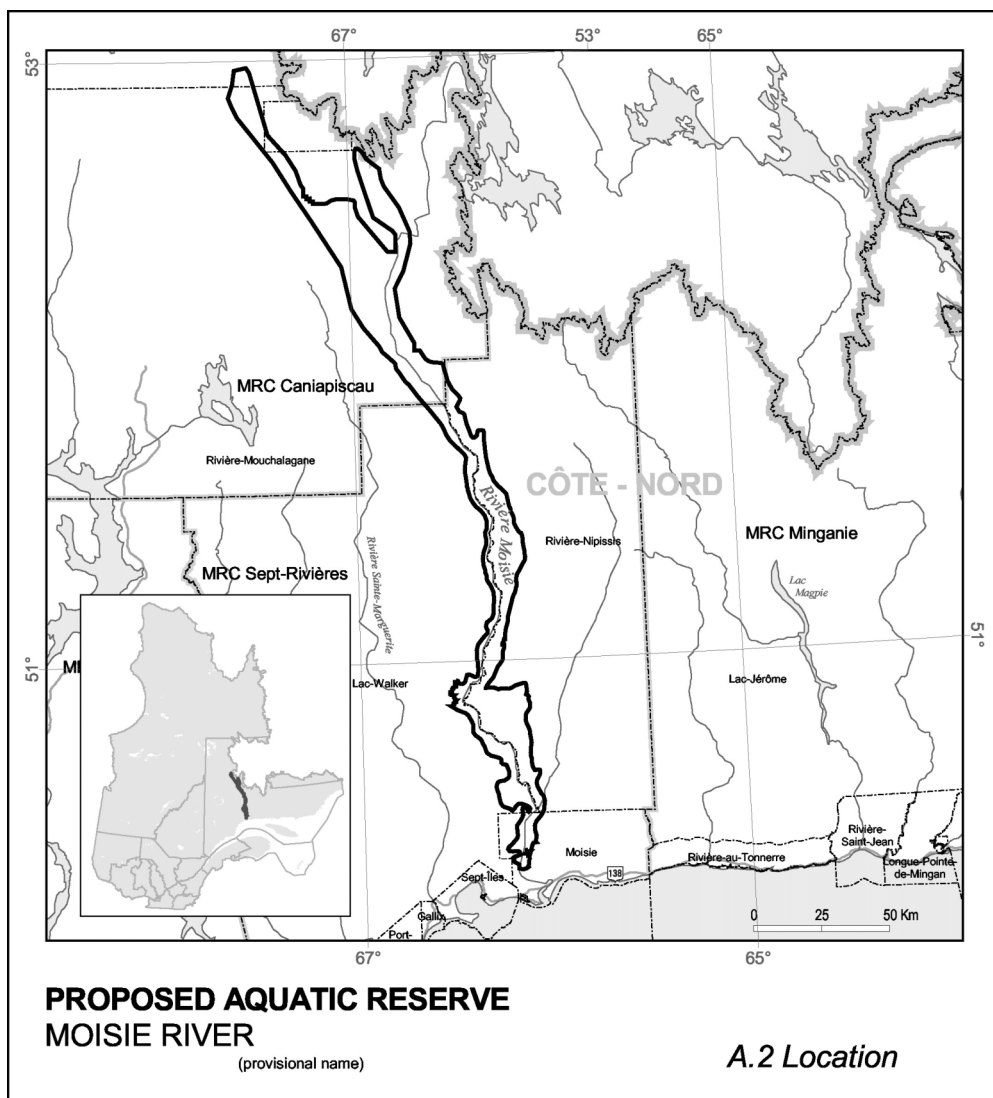


SCHEDULES

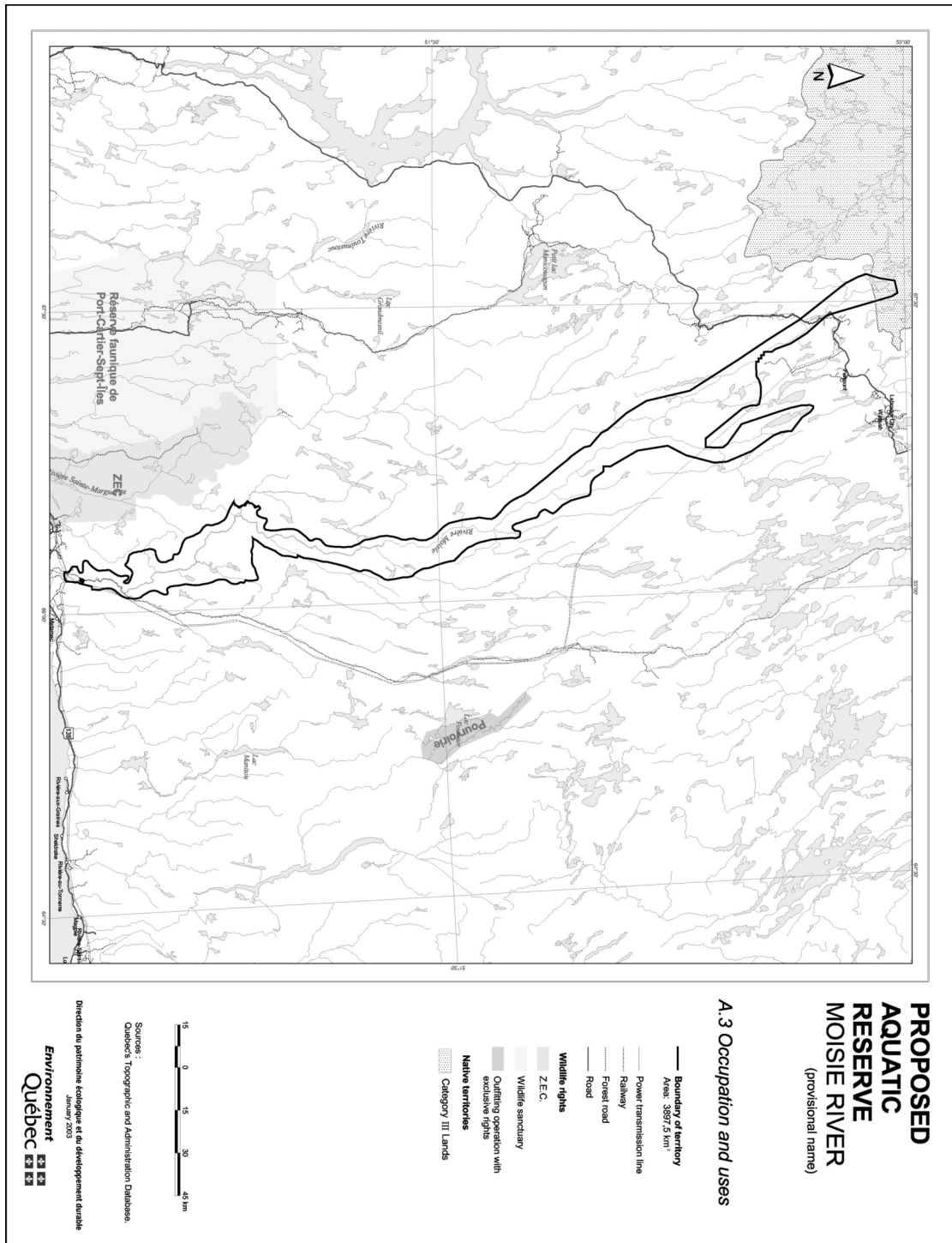
A.1. Plan of the proposed Moisie river aquatic reserve (provisional name)





**A.2. Map showing the location of the proposed Moisie river aquatic reserve (provisional name)**

A.3. Map showing land occupation and use in the proposed Moisie river aquatic reserve (provisional name)



## CONSERVATION PLAN OF THE PROPOSED NORTH HARRICANA RIVER AQUATIC RESERVE

### 1. Plan and description

#### 1.1. Geographic location, boundaries and dimensions

The plan of the proposed Harricana river aquatic reserve and its location are shown on the maps in Schedules A.1 and A.2.

The proposed north Harricana river aquatic reserve is located in the Nord-du-Québec region, between 50°0' and 50°11' latitude north and 79°7' and 79°20' longitude west. It is situated to the south of James Bay, roughly 110 km north-north-west of Ville de Matagami.

It lies within the territory of Municipalité de Baie James.

The proposed aquatic reserve covers an area of 250.8 km<sup>2</sup>. Its boundaries coincide roughly with what is visible to an observer from the centre of the river. It comprises a corridor between 1.5 km and 4.5 km wide, taking in the main bed of the Harricana river and the slopes of its valley, from km 125 to km 32 from its mouth, in other words the northern section of the river. The proposed aquatic reserve stops at the Ontario boundary, at roughly 30 km from the river mouth.

#### 1.2. Ecological overview

The area is in the natural province of the Abitibi and James Bay Lowlands. It protects part of a river that is characteristic of the natural region of the James Bay Coastal Plain and the natural region of the Turgeon River Plain.

##### 1.2.1. Representative elements

**Climate:** The watershed of the Harricana river is characterized by a cold subpolar, subhumid continental climate, with a middle growing season. It belongs to the bioclimatic field of mossy spruce stands.

**Geology and geomorphology:** The land in the proposed aquatic reserve is part of the Superior geologic province, whose bedrock is archaic (> 2.5 billion years). The substratum is formed, in the upstream portion, by felsic rock, with an intrusion of mafic rock, namely basalt. The river then runs over a base of mudrock, and then over carbonate rock (limestone and dolomite). During the various phases of the Quaternary, this geological

base was covered by thick deposits of silt and clay. The geomorphological formations are of glacial origin in the upstream portion, and of organic origin in the downstream portion. The surrounding landscape is a plain, sloping slightly to the north. The average altitude is 85 m, varying between sea level and 233 m.

**Hydrography:** The Harricana river is a Strahler 7 river. Along with the Nottaway, Broadback, Rupert and Eastmain rivers, is one of the main watercourses in the natural province. Its source lies in the Blouin, De Montigny, Lemoine and Mourier lakes, close to Val d'Or. It flows northward, crosses the Ontario border and empties into James Bay, with a total length of around 553 km. Its course through the proposed aquatic reserve is relatively straight. Its total navigable length of around 170 km makes the Harricana river the second longest navigable river in Canada.

**Vegetation:** Over one-third of the area of the proposed aquatic reserve is composed of peat bogs, most of which have developed on clays and silt and sometimes cover a large area in a single sweep, especially in the downstream portion of the river. Trees grow sparsely on another third of the reserve; the stands are mostly softwoods, with occasional mixed stands. Black spruce (*Picea mariana*) predominates, usually growing alongside balsam fir (*Abies balsamea*). Jack pine (*Pinus banksiana*) is the dominant species in sectors that have been disturbed by fire, especially on the dry sandy terraces. Around one-third of the forest cover is composed of trees over 90 years old.

##### 1.2.2. Outstanding elements

The proposed aquatic reserve is home to two stations of vascular plants living in palustrine habitats that are likely to be designated as threatened or vulnerable because of their limited distribution and the loss of their habitat. They are the Prairie Aster (*Solidago ptarmicoides*) and Richardson's Sedge (*Carex richardsonii*).

#### 1.3. Land occupation and use

The land occupations and uses in the proposed north Harricana river aquatic reserve are shown on the map in Schedule A.3.

The road network comprises only roads unsuitable for road vehicles.

No rights in land have been granted within the perimeter of the proposed aquatic reserve.

The proposed aquatic reserve is classified as Category III land under the James Bay and Northern Québec Agreement signed in 1975 and the Act respecting the land regime in the James Bay and New Québec territories (R.S.Q., c. R-13.1). Native and non-Native people are entitled to hunt and fish in the reserve, subject to the legislative and regulatory provisions governing wildlife development, including those implemented under the James Bay and Northern Québec Agreement. Native people have special rights regarding the utilisation of certain aquatic species and certain fur-bearing animals. The entire area is part of the Nottaway beaver reserve, in which the Cree community of Waskaganish has special rights concerning the hunting and trapping of fur-bearing animals.

## 2. Protection status

The proposed aquatic reserve safeguards the main bed of the Harricana river and some of the slopes of its valley. The area includes landscapes of high quality. The watercourse is, in addition, a high-quality habitat for the Atlantic salmon (*Salmo salar*).

Aquatic reserve status would allow the pursuit of the following conservation objectives:

- the conservation of a representative river in the natural region of the James Bay Coastal Plain;
- the preservation of biodiversity in aquatic and peat-based ecosystems;
- the preservation of the landscape visible from the bottom of the Harricana valley;
- the acquisition of new knowledge concerning natural and cultural heritage.

## 3. Activities within the reserve

All activities carried on within the proposed Harricana river aquatic reserve are governed by the provisions of the Natural Heritage Conservation Act (2002, c. 74).

Except for the prohibition mentioned in item 3.1.2, this conservation plan does not specify any prohibited activity other than those prohibited in proposed aquatic reserves by the Act; nor does it authorize any other activities, or set any additional constraints on the activities permitted by the Act.

### 3.1. Prohibited activities

#### 3.1.1. General prohibitions enacted by law

For reference purposes, it is important to note that under the Natural Heritage Conservation Act, the main activities prohibited in an area designated as a proposed aquatic reserve are:

- mining, and gas or petroleum development;
- mining, gas or petroleum exploration, brine and underground reservoir exploration, prospecting, and digging or boring, where such activities necessitate strip-ping, the digging of trenches, excavation or deforestation;
- forest management activities within the meaning of section 3 of the Forest Act (R.S.Q., c. F-4.1);
- the development of hydraulic resources and any production of energy on a commercial or industrial basis;
- any new allocation of a right to occupy land for vacation resort purposes;
- earthwork, backfilling or construction work.

#### 3.1.2. Additional prohibitions

In the proposed Harricana river aquatic reserve any type of activity likely to degrade the bed, banks or shores or to otherwise affect the integrity of any body of water or watercourse in the reserve is also prohibited.

### 3.2. Activities governed by other Acts

All activities carried on within the boundaries of the proposed Harricana river aquatic reserve remain governed by the other applicable legislative and regulatory provisions, including those that require the issue of a permit or authorization or the payment of fees. The carrying on of certain activities may also be prohibited or limited by other Acts or regulations applicable within the boundaries of the proposed aquatic reserve.

In particular, within the boundaries of the proposed aquatic reserve, special legal rules may govern permitted and prohibited activities in connection with:

- Archaeological research (especially the measures contained in the Cultural Property Act (R.S.Q., c. B-4));

— Utilisation of wildlife resources (especially the measures contained in the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), the regulation on beaver reserves and the Act respecting hunting and fishing rights in the James Bay and New Québec territories (R.S.Q., c. D-13.1));

— Access (especially the measures contained in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1));

— Land rights (especially the measures contained in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and in leases issued by the Minister of Natural Resources).

### 3.3. 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 proposed aquatic 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.

All other government departments and bodies will retain their responsibilities as set out in all the legislative and regulatory texts that apply within a proposed aquatic reserve.

The Minister of Natural Resources will supervise all activities subject to the Minister's authority within the proposed Harricana river aquatic reserve, in particular as regards permitted forms of land occupation.

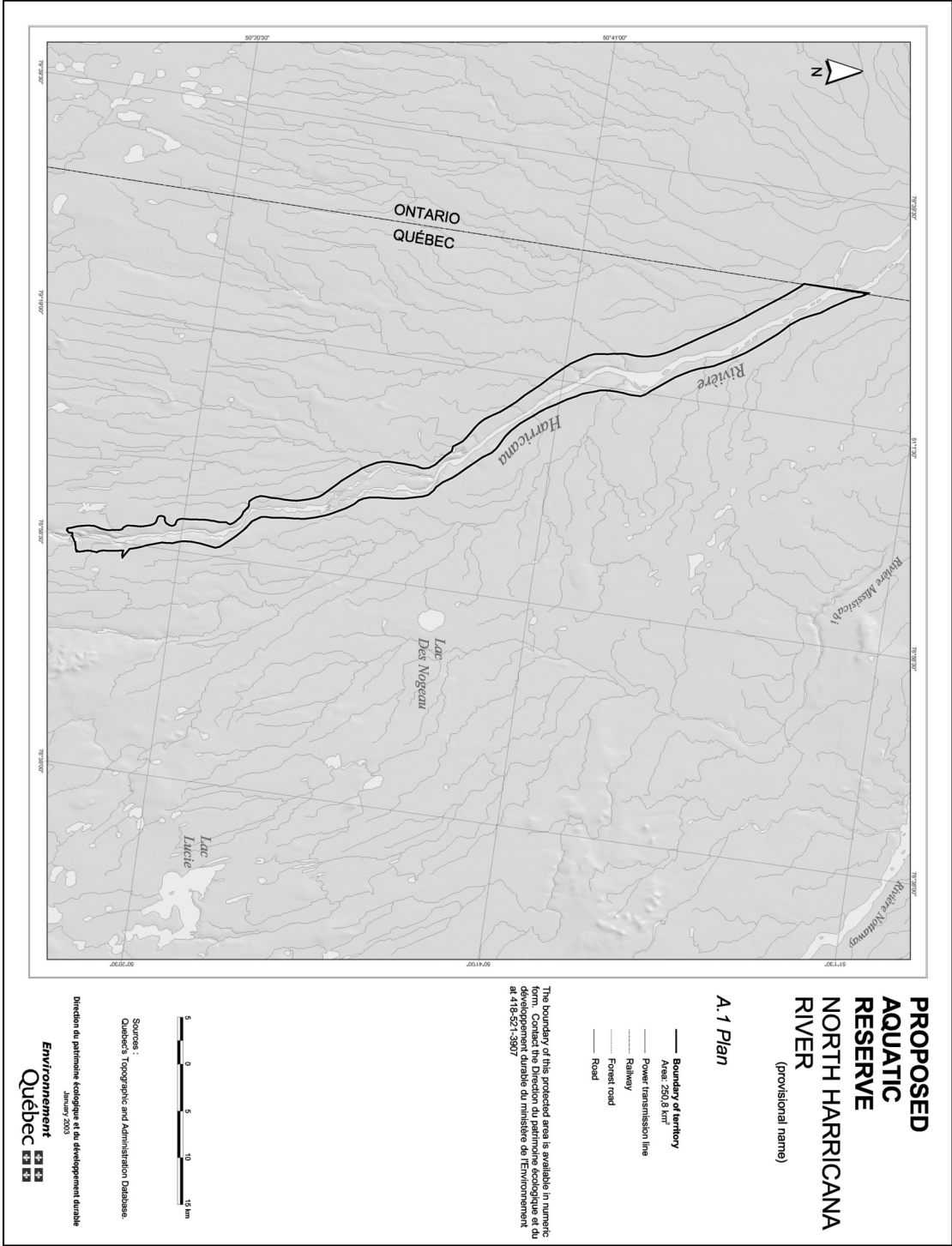
The Société de la faune et des parcs du Québec (FAPAQ) remains responsible for supervising the activities relating to wildlife protection and management that are under its responsibility.

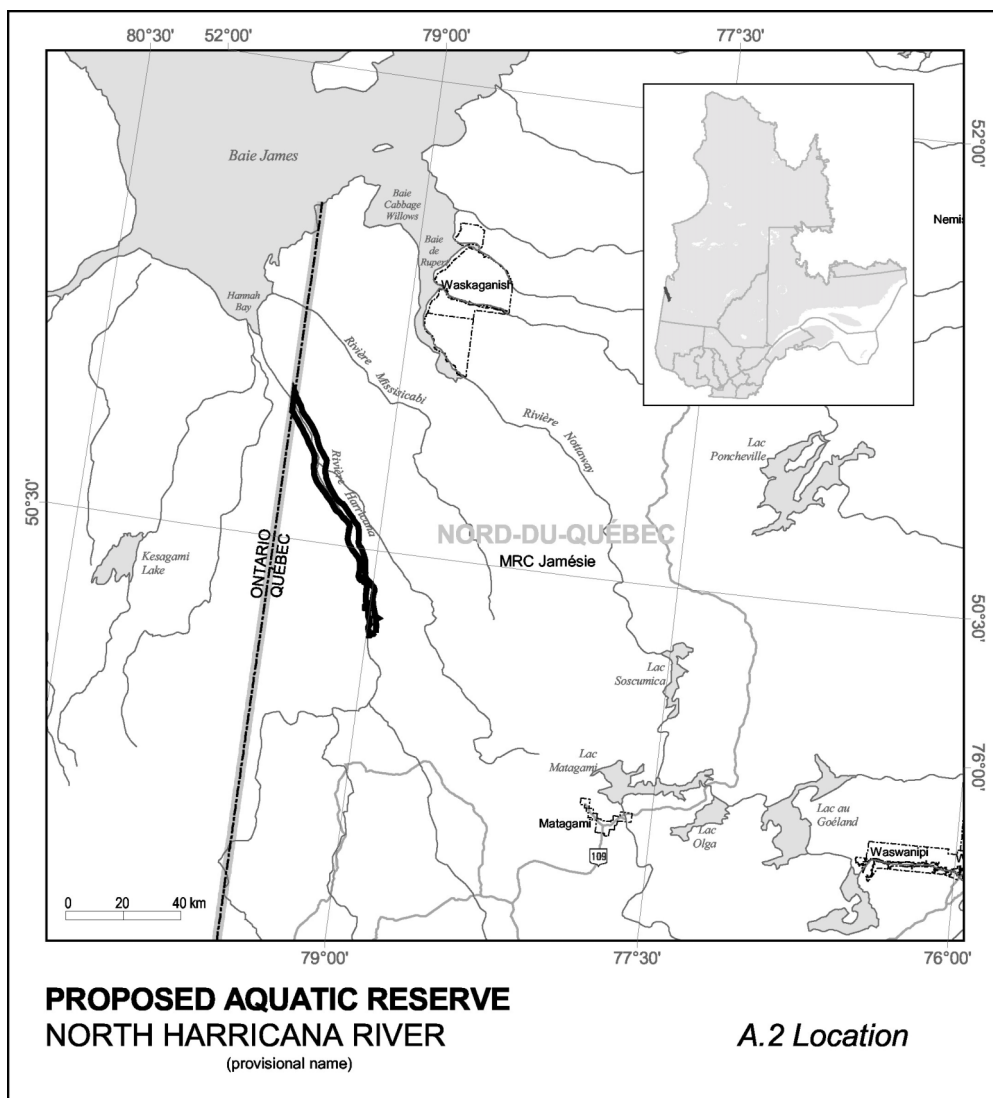
### 4. Permanent protection status

The permanent protection status envisaged for the reserve is "aquatic reserve" status under the Natural Heritage Conservation Act.

SCHEDULES

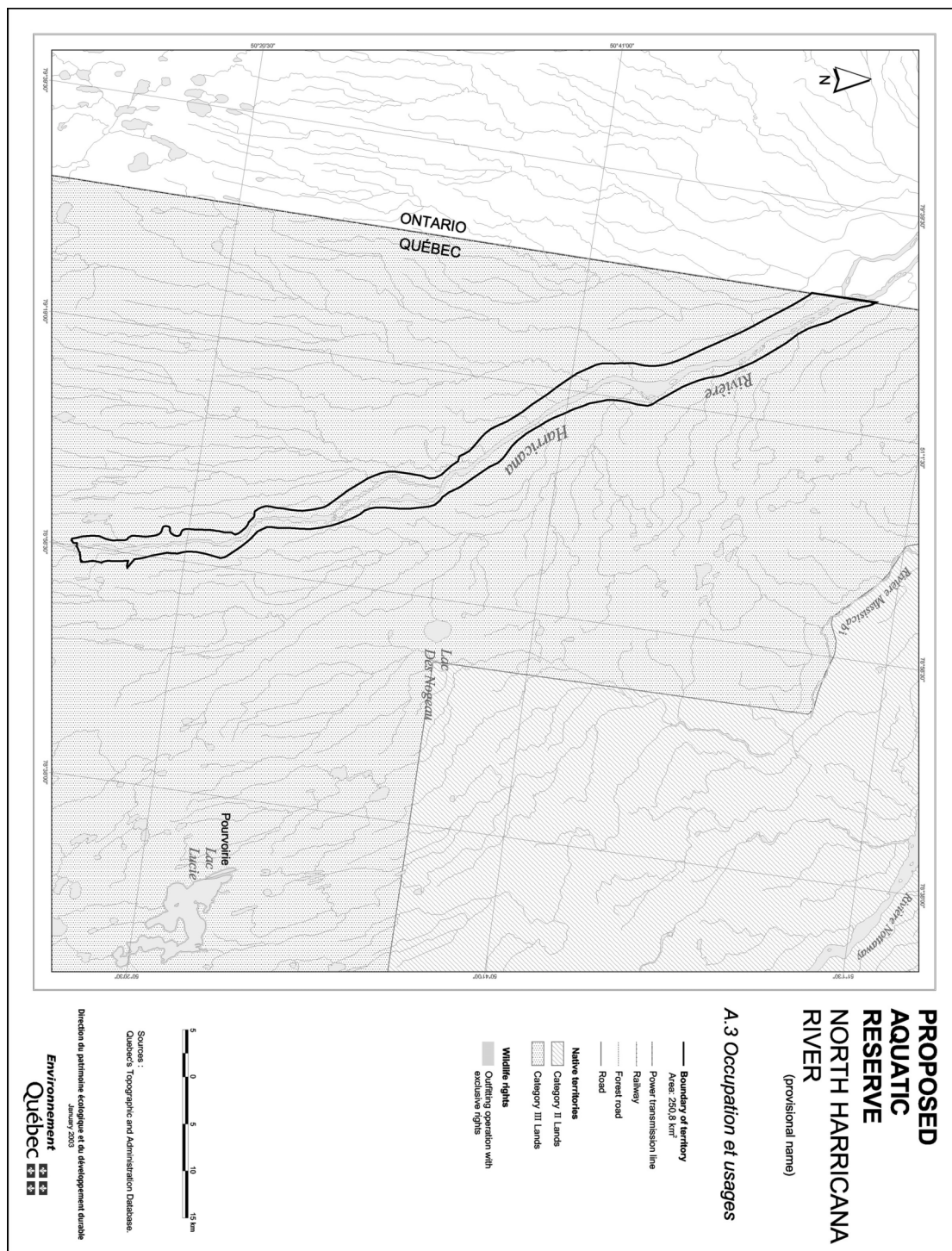
A.1. Plan of the proposed North Harricana river aquatic reserve (provisional name)



**A.2. Map showing the location of the proposed North Harricana river aquatic reserve (provisional name)**



A.3. Map showing land occupation and use in the proposed North Harricana river aquatic reserve (provisional name)





## Index Statutory Instruments

Abbreviations : **A**: Abrogated, **N**: New, **M**: Modified

Regulations — Statutes	Page	Comments
Agreement concerning new methods of voting using “PERFAS-MV” ballot boxes — Municipality of Piedmont . . . . . (An Act respecting elections and referendums in municipalities, R.S.Q., c. E-2.2)	1535	
Chemists — Code of ethics . . . . . (Professional Code, R.S.Q., c. C-26; 2001, c. 78)	1549	Draft
Chief electoral officer — Decision pursuant to the powers conferred upon him by section 490 of the Election Act, concerning the exercise of voting rights by election officers on polling day . . . . . (Election Act, R.S.Q., c. E-3.3)	1551	Decision
Chief electoral officer — Decision pursuant to the powers conferred upon him by section 490 of the Election Act, concerning the remuneration of poll clerks . . . (Election Act, R.S.Q., c. E-3.3)	1552	Decision
Election Act — Chief electoral officer — Decision pursuant to the powers conferred upon him by section 490 of the Election Act, concerning the exercise of voting rights by election officers on polling day . . . . . (R.S.Q., c. E-3.3)	1551	Decision
Election Act — Chief electoral officer — Decision pursuant to the powers conferred upon him by section 490 of the Election Act, concerning the remuneration of poll clerks . . . . . (R.S.Q., c. E-3.3)	1552	Decision
Elections and referendums in municipalities, An Act respecting... — Agreement concerning new methods of voting using “PERFAS-MV” ballot boxes — Municipality of Piedmont . . . . . (R.S.Q., c. E-2.2)	1535	
Natural Heritage Conservation Act — Temporary protection status assigned to various territories as a proposed biodiversity reserve or aquatic reserve . . . . . (2002, c. 74)	1553	Notice
Professional Code — Chemists — Code of ethics . . . . . (R.S.Q., c. C-26; 2001, c. 78)	1549	Draft
Temporary protection status assigned to various territories as a proposed biodiversity reserve or aquatic reserve . . . . . (Natural Heritage Conservation Act, 2002, c. 74)	1553	Notice

