

Gazette
officielle
DU Québec

Part

2

No. 29

20 July 2005

Laws and Regulations

Volume 137

Summary

Table of Contents
Regulations and other acts
Draft Regulations
Index

Legal deposit – 1st Quarter 1968
Bibliothèque nationale du Québec
© Éditeur officiel du Québec, 2005

All rights reserved in all countries. No part of this publication may be translated, used or reproduced for commercial purposes by any means, whether electronic or mechanical, including micro-reproduction, without the written authorization of the Québec Official Publisher.

Table of Contents**Page**

Regulations and other acts

636-2005	Authorization to assign temporary protection status to certain lands in the domain of the State as a proposed aquatic reserve or a proposed biodiversity reserve and approval of their plans and conservation plans	2503
637-2005	Approval of an amendment to the plans of the proposed Parent lake marshlands, Pasteur lake, Missisicabi plain and Muskuuchii hills biodiversity reserves and to their conservation plans	2615
	Agreement respecting the implementation of the James Bay and Northern Québec agreement related to housing in Nunavik	2629
	Road signs (Amend.)	2635

Draft Regulations

Food Products Act	2637
-------------------------	------

Regulations and other acts

Gouvernement du Québec

O.C. 636-2005, 23 June 2005

Natural Heritage Conservation Act
(R.S.Q., c. C-61.01)

Authorization to assign temporary protection status to certain lands in the domain of the State as a proposed aquatic reserve or a proposed biodiversity reserve and approval of their plans and conservation plans

WHEREAS, under the first paragraph of section 27 of the Natural Heritage Conservation Act (R.S.Q., c. C-61.01), for the purpose of protecting land to be established as a new protected area, the Minister of Sustainable Development, Environment and Parks shall, with the approval of the Government, prepare the plan of that area, establish a conservation plan and assign temporary protection status to the area as a proposed aquatic reserve, biodiversity reserve, ecological reserve or man-made landscape;

WHEREAS by reason of the ecological value of the territories, it is expedient to assign to the Lac au Foin, Sainte-Marguerite river valley and Bonaventure river estuary the status of proposed aquatic reserve, to prepare the plan of the areas and establish a conservation plan for the duration of the temporary protection assigned to the areas, the plans being attached to this Order in Council;

WHEREAS in order maintain biodiversity, it is expedient to assign the status of proposed biodiversity reserve to fifteen other territories in Québec, namely those of the Niquet stream, Saint-Cyr lake, Wetetnagami lake, Plétipi lake, Onistagane lake, Berté lake, Paul-Provencher, the Godbout river valley, the Frégate lake burn area, the Pipmuacan east islands, Akumunan, Ménistouc lake, Racine de Bouleau river, the Clérac lake drumlins and the Saint-Elzéar karst, to prepare the plan of the areas and establish their conservation plan for the duration of the temporary protection assigned to the areas, the plans being attached to this Order in Council;

IT IS ORDERED, therefore, on the recommendation of the Minister of Sustainable Development, Environment and Parks:

THAT the Minister of Sustainable Development, Environment and Parks be authorized to assign the status of proposed aquatic reserve to the Lac au Foin, Sainte-Marguerite river valley and Bonaventure river estuary, and that the plans of those areas and the proposed conservation plan for each area be approved, the plans being attached to this Order in Council;

THAT the Minister of Sustainable Development, Environment and Parks be authorized to assign the status of proposed biodiversity reserve to the territories of the Niquet stream, Saint-Cyr lake, Wetetnagami lake, Plétipi lake, Onistagane lake, Berté lake, Paul-Provencher, the Godbout river valley, the Frégate lake burn area, the Pipmuacan east islands, Akumunan, Ménistouc lake, Racine de Bouleau river, the Clérac lake drumlins and the Saint-Elzéar karst, and that the plans of those areas and the proposed conservation plan for each area be approved, the plans being attached to this Order in Council.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

PROPOSED LAC AU FOIN AQUATIC RESERVE
(provisional name)

CONSERVATION PLAN

June 2005

1. Protection status and toponym

The legal status of the reserve described below is that of proposed aquatic reserve under the Natural Heritage Conservation Act (R.S.Q., c. C-61.01).

The proposed reserve is to have the name "Réserve aquatique projetée du lac au Foin". The official toponym will be determined at the time of the assignment of permanent protection status to the land.

2. Plan and description

2.1. Location, boundaries and dimensions

The boundaries and location of the proposed Lac au Foin aquatic reserve are shown on the plan.

The proposed Lac au Foin aquatic reserve is located in the Saguenay-Lac-Saint-Jean administrative region, between 49°50' and 50°18' north latitude and 72°03' and 72°13' west longitude. It is situated some 120 km north of Lac Saint-Jean. The proposed aquatic reserve covers an area of 172.4 km² and lies within the unorganized territories of Rivière-Mistassini and Chute-des-Passes in Municipalité régionale de comté de Maria-Chapdelaine.

2.2. Geography

The proposed Lac au Foin aquatic reserve is in the Girardville Hills, Manouane Lake Depression and Péribonka Lake Hills natural regions in the Central Laurentian natural province. The proposed aquatic reserve ensures the protection of exceptional landscapes of the Mistassibi river characterized by an encased valley where numerous meanders wind through the northern portion to then become Lac au Foin in the southern portion. Several waterfalls over 150 m high flow into the Lac au Foin canyon. The territory is covered mainly by black spruce stands and mixed stands dominated by white birch. There are also some balsam fir, jack pine and poplar stands and peat bogs. Some areas west of the river are regenerating after a fire.

2.3. Occupation, rights and land uses

Nine land rights have been granted in the proposed aquatic reserve: 7 for vacation resort purposes, 1 for a rough shelter and 1 authorization for the construction or reconstruction of a landing strip (heliport).

The Mistassibi river is a recognized canoe-kayak route. A local snowmobile trail runs through the territory over a distance of 3 km in the southern portion. Recent logging has created forest roads, including numerous winter roads.

The proposed Lac au Foin aquatic reserve lies within the Roberval beaver reserve, in which the Innu community of Mashteuiatsh has special rights regarding the hunting and trapping of fur-bearing animals. Lac au Foin is an important heritage site as a historic gathering place for Native populations.

The territory is part of the Nitassinan of Mashteuiatsh.

The Rivière-aux-Rats controlled zone is contiguous to the southwest boundaries of the proposed aquatic reserve over a distance of more than 4 km.

3. Activities within the reserve

§1. Introduction

The activities carried on within the proposed reserve are governed for the most part by the provisions of the Natural Heritage Conservation Act.

This Division prohibits activities in addition to those prohibited under the Act and provides a framework for the carrying on of certain permitted activities so as to better ensure the protection of the natural environment. Accordingly, certain activities require the prior authorization of the Minister and compliance with the conditions determined by the Minister.

As provided in the Natural Heritage Conservation Act, the main activities prohibited in an area to which status as a proposed biodiversity or aquatic reserve has been assigned are

- mining, and gas or petroleum development;
- forest management 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.

§2. Prohibitions, prior authorizations and conditions on which certain activities may be carried on in the proposed reserve

§2.1. Protection of resources and the natural environment

3.1. No person may introduce non-native species of flora or fauna into the proposed reserve.

3.2. No person may stock a watercourse or body of water

(1) for aquaculture, sports or commercial fishing or any other commercial purpose;

(2) for any other purpose, if the fish stocked are not from a genetic strain originating from the proposed reserve.

3.3. No person may bury, abandon or dispose of waste, snow or other residual materials other than in waste disposal containers, facilities or sites determined by the Minister or elsewhere, with the authorization of the Minister and in compliance with the conditions the Minister determines.

Despite the first paragraph, no authorization need be obtained by an outfitting operation to use a disposal facility or site in compliance with the Environment Quality Act and its regulations if the outfitting operation was already using the facility or site on the date on which the protection status as a proposed reserve takes effect.

3.4. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry on any activity likely to severely degrade the banks or shores or to otherwise seriously affect the integrity of a watercourse, body of water or other wetland area, in particular by discharging or dumping waste or other pollutant into the watercourse, body of water or wetland area; or

(2) dig, fill, obstruct or divert a watercourse or body of water.

§2.2. *Rules of conduct for users*

3.5. Every person staying, carrying on an activity or travelling about within the proposed reserve is required to maintain the premises in a satisfactory state and before leaving, return the premises to their natural state to the extent possible.

3.6. Every person who makes a campfire must

(1) clear an area around the fire site sufficient to prevent the fire from spreading by removing all branches, scrub, dry leaves and other combustible materials;

(2) see that there is always a person on the premises to attend the fire; and

(3) ensure that the fire is completely extinguished before leaving the premises.

3.7. In the proposed reserve, no person may

(1) cause any excessive noise; or

(2) behave in a manner that unduly disturbs other persons in the reserve or interferes with their enjoyment of the reserve.

3.8. No person may destroy, remove, move or damage any poster, sign, notice or other type of signage posted by the Minister within the proposed reserve.

3.9. No person may enter, carry on an activity in or operate a vehicle in a given sector of the proposed reserve unless the person has been authorized by the Minister and complies with the conditions determined, if the signage erected by the Minister restricts access, traffic or certain activities in order to protect the public from a danger or to avoid placing the fauna, flora or other components of the natural environment at risk.

§2.3. *Activities requiring an authorization*

3.10. No person may, unless the person has been authorized by the Minister and complies with the conditions the Minister determines, stay or reside on or otherwise occupy the same site within the proposed reserve for a period of more than three months in the same year. No authorization need be obtained by a person who,

(1) on the date on which the protection status as a proposed reserve takes effect, was a party to a lease or had already obtained another form of permit or authorization allowing the person to occupy the land under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) or, if applicable, the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), and whose right to occupy the land is renewed or extended;

(2) in accordance with the applicable provisions of law, has entitlement under a sublease, an assignment of a lease or a transfer of an authorization, as referred to in paragraph 1, and whose right to occupy the land is renewed or extended;

(3) avails himself or herself of the possibility of acquiring the land the person legally occupies on the date on which the protection status as a proposed reserve takes effect, pursuant to the Act respecting the lands in the domain of the State.

3.11. (1) No person may carry on forest management activities to meet domestic needs or for the purpose of maintaining biodiversity, unless the person has been authorized by the Minister and carries on the activities in compliance with the conditions the Minister determines.

The conditions of that authorization may pertain, among other things, to species of trees or shrubs, the size of the stems that may be cut, the quantities authorized and the places where the activities may be carried on.

(2) Despite subsection 1, the authorization of the Minister under this plan need not be obtained by a person staying or residing in the proposed reserve who collects wood to make a campfire.

No such authorization need be obtained by a person to collect wood to meet domestic needs

(a) if the wood is collected within a sector reserved by the Minister of Natural Resources and Wildlife as a sector for which a permit for the harvest of firewood for domestic purposes under the Forest Act (R.S.Q., c. F-4.1) may be issued and which has already been reserved as such by the Minister on the date on which the protection status as a proposed reserve takes effect ;

(b) if the wood is collected by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the proposed reserve ; or

(c) if the wood is collected by a person in accordance with the conditions set out in the permit for the harvest of firewood for domestic purposes issued by the Minister of Natural Resources and Wildlife under the Forest Act.

(3) Despite subsection 1, no authorization need be obtained by a person authorized by lease to occupy land within the proposed reserve, pursuant to this plan, to carry on a forest management activity for the purpose of

(a) clearing permitted harvested areas, maintaining them or creating visual openings, and any other similar removal purposes permitted under the regulation that applies to the sale, lease and granting of immovable rights made under the Act respecting the lands in the domain of the State ;

(b) creating and maintaining access roads, stairways or other trails permitted under that regulation ; or

(c) clearing the necessary area for the installation, connection, maintenance and repair of power, water, sewer or telecommunication lines, facilities and mains.

When the work referred to in subparagraph c of subsection 3 is carried out for or under the responsibility of an enterprise providing any of those services, the work requires the prior authorization of the Minister, other than in the case of the exemptions provided for in sections 3.13 and 3.14.

(4) Despite subsection 1, no authorization need be obtained by a person to carry on a forest management activity to maintain a sugar bush and harvest maple products for domestic purposes

(a) if the activity is carried on by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act allowing the person to carry on the activities of a sugar bush operator within the proposed reserve ;

(b) if the activity is carried on within a zone for which the permit obtained allowed the carrying on of sugar bush operations on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years ; or

(c) if the activity is carried on by a person in compliance with the conditions set out in the sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act.

3.12. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry out soil development work, including any fill, burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose including recreational and tourism purposes such as the development of trails ;

(2) install or construct a new structure, infrastructure or works ;

(3) reconstruct or demolish an existing structure, infrastructure or works ;

(4) use a pesticide, although no authorization is required for the use of insect repellent for personal purposes ;

(5) carry on an activity that is likely to severely degrade the soil or a geological formation or damage the vegetation cover, such as stripping, the digging of trenches or excavation work ; or

(6) carry on educational or research-related activities if the activities are likely to significantly damage or disturb the natural environment, in particular by the extent of the moving or removal of natural resources or by the use of explosives.

The conditions of the Minister's authorization for the work may pertain to the location of the authorized activity, the methods used, the areas that may be cleared or deforested, the types of material that may be used including the material taken from the site, and the presence of ancillary works or facilities. The conditions may also include a requirement to ensure periodic follow-up or to report to the Minister, in particular as regards the results obtained from the research to which subparagraph 6 of the first paragraph refers.

Subject to the conditions determined in the authorization, work to repair or maintain trails authorized by the Minister or trails existing on the date on which the protection status as a proposed reserve takes effect may be carried on without an authorization under subparagraph 1 of the first paragraph.

Work to repair or maintain forest roads or roads authorized under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) carried on in accordance with the Forest Act and its regulations that concern standards of forest management may be carried on without an authorization under subparagraph 1 of the first paragraph.

§2.4. *Authorization exemptions*

3.13. Despite the preceding provisions, no authorization need be obtained by a person to carry on an activity or for any other form of intervention within the proposed reserve if urgent action is required to prevent harm to the health or safety of persons, or to repair or prevent damage caused by a real or apprehended catastrophe. The person concerned must, however, immediately inform the Minister of the activity or intervention that has taken place.

3.14. Despite the preceding provisions, the following activities and interventions involving the production, transmission and distribution of electricity carried out by Hydro-Québec (Société) or by any other person for Hydro-Québec do not require the prior authorization of the Minister under this plan:

(1) any activity or intervention required within the proposed reserve to complete a project which was previously expressly authorized by the Government and the Minister, or only by the latter, in accordance with the requirements of the Environment Quality Act (R.S.Q., c. Q-2), if the activity or intervention is carried out in compliance with the authorizations issued;

(2) any activity or intervention necessary for the preparation and presentation of a pre-project report for a project requiring an authorization under the Environment Quality Act;

(3) any activity or intervention relating to a project requiring the prior authorization of the Minister under the Environment Quality Act, if the activity or intervention is in response to a request for a clarification or for additional information made by the Minister to the Société and it is carried out in accordance with the request;

(4) any activity or intervention by the Société, if the conditions for the carrying out of the activity or intervention have been determined in an agreement between the Minister and the Société and the activity or intervention is carried out in compliance with those conditions.

For the purposes of this section, the activities and interventions of the Société include pre-project studies, analysis work or field research, work required to study and monitor the impact of power transmission and distribution line corridors and rights-of-way, geological or geophysical surveys and survey lines, and the opening and maintenance of roads required for the purpose of access, construction or equipment movement necessary for the carrying on of such work.

§2.5. *General provisions*

3.15. Every person who applies to the Minister for an individual authorization or for an authorization for a group or for a number of persons must provide any information or document requested by the Minister for the examination of the application.

3.16. The Minister's authorization, which is general and can be used by more than one person, may be communicated to the persons concerned by any appropriate means including by a posted notice or appropriate signage at the reception centre or any other location within the proposed reserve that is readily accessible to the public. The Minister is to provide a copy to any person requesting a copy.

§3. *Activities governed by other statutes*

Certain activities likely to be carried on within the proposed reserve are also governed by 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 reserve.

A special legal framework may govern permitted and prohibited activities within the proposed reserve in connection with the following matters :

— Environmental protection : measures set out in particular in the Environment Quality Act (R.S.Q., c. Q-2) ;

— Archaeological research : measures set out in particular in the Cultural Property Act (R.S.Q., c. B-4) ;

— Development of wildlife resources : measures set out in particular in the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), including the provisions pertaining to outfitting operations and beaver reserves and the measures contained in applicable federal legislation, including the fishery regulations ;

— Removal of species of fauna or flora that are threatened or vulnerable or are likely to be designated as such : measures prohibiting the removal of the species under the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01) ;

— Access and land rights : measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) ;

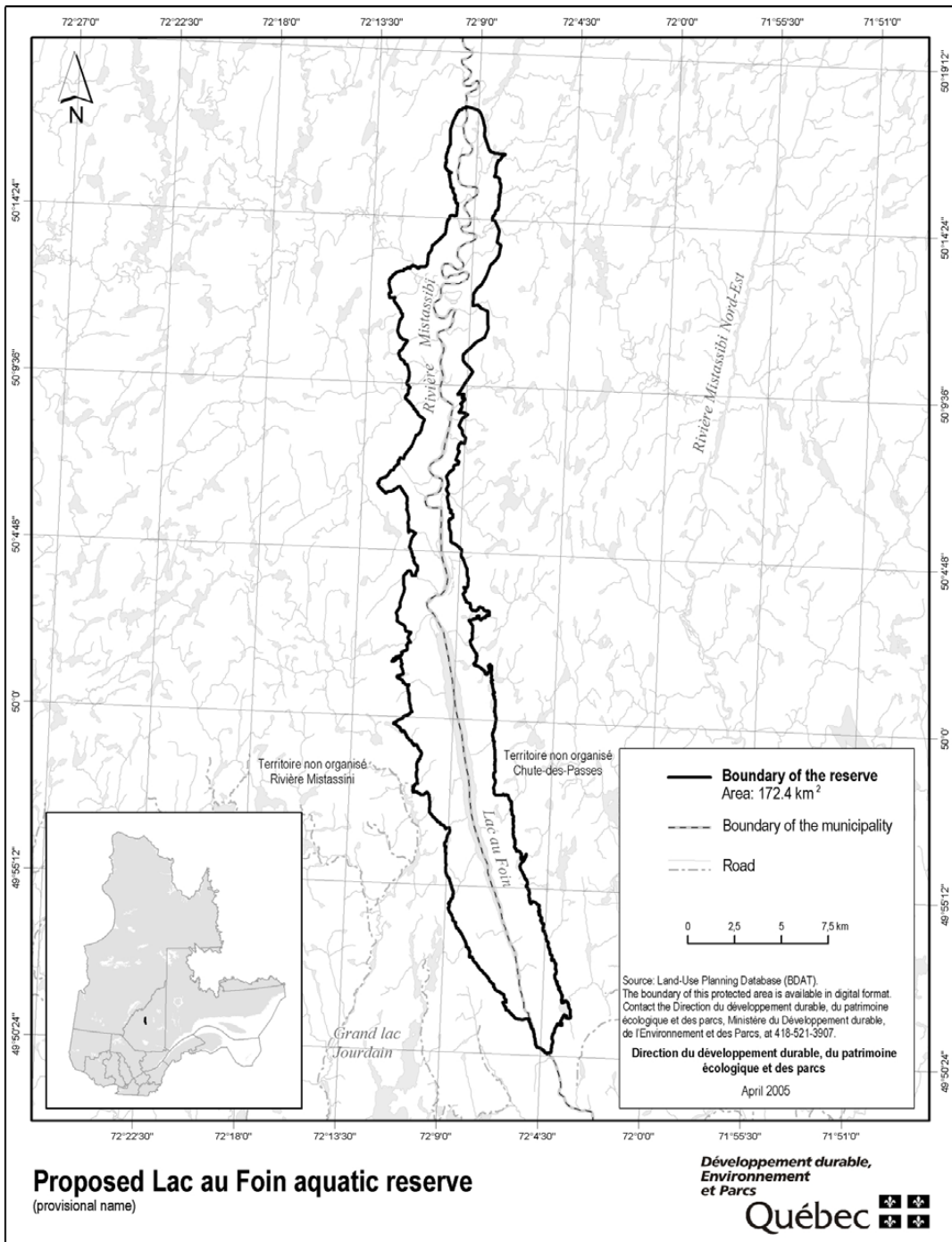
— Operation of vehicles : measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and in the regulation on motor vehicle traffic in certain fragile environments made under the Environment Quality Act (R.S.Q., c. Q-2).

4. Responsibilities of the Minister of Sustainable Development, Environment and Parks

The Minister of Sustainable Development, Environment and Parks is responsible for the management of the proposed Lac au Foin aquatic reserve and is therefore responsible for the supervision and monitoring of the activities that may be carried on within the reserve. The Minister in the management of the reserve works collaboratively with other government representatives having specific responsibilities within the boundaries of the reserve or on adjoining land, such as the Minister of Natural Resources and Wildlife. In the exercise of their powers and functions, the Ministers will take into consideration the protection sought for these natural environments and the protection status that has been granted.

Schedule

Map of the proposed Lac au Foin aquatic reserve (provisional name)



Proposed Lac au Foin aquatic reserve
(provisional name)

PROPOSED SAINTE-MARGUERITE RIVER
VALLEY AQUATIC RESERVE
(provisional name)

CONSERVATION PLAN

June 2005

1. Protection status and toponym

The legal status of the reserve described below is that of proposed aquatic reserve under the Natural Heritage Conservation Act (R.S.Q., c. C-61.01).

The proposed reserve is to have the name “Réserve aquatique projetée de la vallée de la rivière Sainte-Marguerite”. The official toponym will be determined at the time of the assignment of permanent protection status to the land.

2. Plan and description

2.1. Location, boundaries and dimensions

The boundaries and location of the proposed Sainte-Marguerite river valley aquatic reserve are shown on the plan.

The proposed Sainte-Marguerite river valley aquatic reserve is located in the Saguenay-Lac-Saint-Jean administrative region, between 48°18' and 48°33' north latitude and 70° and 70°44' west longitude. It is situated a few kilometres north of the Saguenay river and approximately 35 km from the mouth of that river. The proposed aquatic reserve covers an area of 293.1 km² apportioned in the unorganized territories of Mont-Valin in Municipalité de Saint-Fulgence, and in Municipalité de Sainte-Rose-du-Nord in Municipalité régionale de comté de Fjord-du-Saguenay.

Route 172 crosses the proposed aquatic reserve and is excluded from the reserve with a total right-of-way of 70 m. Electric power transmission line 7004 of 735 kV is also excluded from the proposed aquatic reserve with a total right-of-way of 90 m.

The site covered by operating leases of sand and gravel bearing numbers BN0018957, BNE0018946 and BNE0018467 is excluded from the territory of the proposed aquatic reserve.

2.2. Geography

The proposed Sainte-Marguerite river valley aquatic reserve is in the Central Laurentian natural province. It protects natural environments characteristic of the Fjord

du Saguenay and Monts Valin natural regions. The proposed Sainte-Marguerite river valley aquatic reserve ensures the protection of the spectacular landscapes of the Sainte-Marguerite river valley characterized by low and high hills that attain some 500 m in altitude south of the river and 800 m to the north. Mixed stands, mainly dominated by yellow birch and white birch, account for almost half of the forest cover. Dominant stands of black spruce and fir are also prevalent. The area is dotted with white pines, red pines, jack pines and cedars.

The Sainte-Marguerite river is a recognized salmon river and includes anadromous brook trout. Numerous lakes without fish may be found within the boundaries of the proposed aquatic reserve and present an interest for amphibians and the Barrow's goldeneye.

2.3. Occupation, rights and land uses

Fifty-eight land rights have been granted in the territory of the proposed aquatic reserve: 28 for vacation resort purposes, 20 for rough shelters, 1 for a municipal waste disposal site, 2 for community purposes, 1 for community recreational activities (forest interpretation centre), 1 for community wilderness camping, 1 authorization for individual telephone and/or power lines, and 4 for trapping camps. There are also 5 controlled zone reception stations and 3 various controlled zone infrastructures (1 fish farm and 2 guard camps). Those eight occupations are not subject to land rights.

The Martin-Valin and Chauvin controlled zones cover part of the proposed aquatic reserve and the Sainte-Marguerite River controlled zone runs through the proposed aquatic reserve.

The Sainte-Marguerite river is a recognized canoe-kayak route. There is a hiking trail in the lac de la Roche sector. A Trans-Québec snowmobile trail crosses the proposed aquatic reserve in the southeast tip sector.

A sand and gravel pit is currently in operation.

The proposed aquatic reserve overlaps lands of non-Native trappers holding an exclusive lease.

Part of the exceptional forest ecosystem of the old-growth forest of Rivière-Sainte-Marguerite is in the proposed aquatic reserve which ensures continuity between several surrounding protected areas, namely Parc national du Saguenay, Parc national des Monts-Valin, the G.-Oscar-Villeneuve ecological reserve and the Marcelle-Gauvreau ecological reserve.

The territory is also part of the Nitassinan of Essipit.

3. Activities within the reserve

§1. Introduction

The activities carried on within the proposed reserve are governed for the most part by the provisions of the Natural Heritage Conservation Act.

This Division prohibits activities in addition to those prohibited under the Act and provides a framework for the carrying on of certain permitted activities so as to better ensure the protection of the natural environment. Accordingly, certain activities require the prior authorization of the Minister and compliance with the conditions determined by the Minister.

As provided in the Natural Heritage Conservation Act, the main activities prohibited in an area to which status as a proposed biodiversity or aquatic reserve has been assigned are

- mining, and gas or petroleum development;
- forest management 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.

§2. Prohibitions, prior authorizations and conditions on which certain activities may be carried on in the proposed reserve

§2.1. Protection of resources and the natural environment

3.1. No person may introduce non-native species of flora or fauna into the proposed reserve.

3.2. No person may stock a watercourse or body of water

(1) for aquaculture, sports or commercial fishing or any other commercial purpose;

(2) for any other purpose, if the fish stocked are not from a genetic strain originating from the proposed reserve.

3.3. No person may bury, abandon or dispose of waste, snow or other residual materials other than in waste disposal containers, facilities or sites determined by the Minister or elsewhere, with the authorization of the Minister and in compliance with the conditions the Minister determines.

Despite the first paragraph, no authorization need be obtained by an outfitting operation to use a disposal facility or site in compliance with the Environment Quality Act and its regulations if the outfitting operation was already using the facility or site on the date on which the protection status as a proposed reserve takes effect.

3.4. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry on any activity likely to severely degrade the banks or shores or to otherwise seriously affect the integrity of a watercourse, body of water or other wetland area, in particular by discharging or dumping waste or other pollutant into the watercourse, body of water or wetland area; or

(2) dig, fill, obstruct or divert a watercourse or body of water.

§2.2. Rules of conduct for users

3.5. Every person staying, carrying on an activity or travelling about within the proposed reserve is required to maintain the premises in a satisfactory state and before leaving, return the premises to their natural state to the extent possible.

3.6. Every person who makes a campfire must

(1) clear an area around the fire site sufficient to prevent the fire from spreading by removing all branches, scrub, dry leaves and other combustible materials;

(2) see that there is always a person on the premises to attend the fire; and

(3) ensure that the fire is completely extinguished before leaving the premises.

3.7. In the proposed reserve, no person may

(1) cause any excessive noise; or

(2) behave in a manner that unduly disturbs other persons in the reserve or interferes with their enjoyment of the reserve.

3.8. No person may destroy, remove, move or damage any poster, sign, notice or other type of signage posted by the Minister within the proposed reserve.

3.9. No person may enter, carry on an activity in or operate a vehicle in a given sector of the proposed reserve unless the person has been authorized by the Minister and complies with the conditions determined, if the signage erected by the Minister restricts access, traffic or certain activities in order to protect the public from a danger or to avoid placing the fauna, flora or other components of the natural environment at risk.

§2.3. Activities requiring an authorization

3.10. No person may, unless the person has been authorized by the Minister and complies with the conditions the Minister determines, stay or reside on or otherwise occupy the same site within the proposed reserve for a period of more than three months in the same year. No authorization need be obtained by a person who,

(1) on the date on which the protection status as a proposed reserve takes effect, was a party to a lease or had already obtained another form of permit or authorization allowing the person to occupy the land under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) or, if applicable, the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), and whose right to occupy the land is renewed or extended;

(2) in accordance with the applicable provisions of law, has entitlement under a sublease, an assignment of a lease or a transfer of an authorization, as referred to in paragraph 1, and whose right to occupy the land is renewed or extended;

(3) avails himself or herself of the possibility of acquiring the land the person legally occupies on the date on which the protection status as a proposed reserve takes effect, pursuant to the Act respecting the lands in the domain of the State.

3.11. (1) No person may carry on forest management activities to meet domestic needs or for the purpose of maintaining biodiversity, unless the person has been authorized by the Minister and carries on the activities in compliance with the conditions the Minister determines.

The conditions of that authorization may pertain, among other things, to species of trees or shrubs, the size of the stems that may be cut, the quantities authorized and the places where the activities may be carried on.

(2) Despite subsection 1, the authorization of the Minister under this plan need not be obtained by a person staying or residing in the proposed reserve who collects wood to make a campfire.

No such authorization need be obtained by a person to collect wood to meet domestic needs

(a) if the wood is collected within a sector reserved by the Minister of Natural Resources and Wildlife as a sector for which a permit for the harvest of firewood for domestic purposes under the Forest Act (R.S.Q., c. F-4.1) may be issued and which has already been reserved as such by the Minister on the date on which the protection status as a proposed reserve takes effect;

(b) if the wood is collected by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the proposed reserve; or

(c) if the wood is collected by a person in accordance with the conditions set out in the permit for the harvest of firewood for domestic purposes issued by the Minister of Natural Resources and Wildlife under the Forest Act.

(3) Despite subsection 1, no authorization need be obtained by a person authorized by lease to occupy land within the proposed reserve, pursuant to this plan, to carry on a forest management activity for the purpose of

(a) clearing permitted harvested areas, maintaining them or creating visual openings, and any other similar removal purposes permitted under the regulation that applies to the sale, lease and granting of immovable rights made under the Act respecting the lands in the domain of the State;

(b) creating and maintaining access roads, stairways or other trails permitted under that regulation; or

(c) clearing the necessary area for the installation, connection, maintenance and repair of power, water, sewer or telecommunication lines, facilities and mains.

When the work referred to in subparagraph *c* of subsection 3 is carried out for or under the responsibility of an enterprise providing any of those services, the work requires the prior authorization of the Minister, other than in the case of the exemptions provided for in sections 3.13 and 3.14.

(4) Despite subsection 1, no authorization need be obtained by a person to carry on a forest management activity to maintain a sugar bush and harvest maple products for domestic purposes

(a) if the activity is carried on by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act allowing the person to carry on the activities of a sugar bush operator within the proposed reserve ;

(b) if the activity is carried on within a zone for which the permit obtained allowed the carrying on of sugar bush operations on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years ; or

(c) if the activity is carried on by a person in compliance with the conditions set out in the sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act.

3.12. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry out soil development work, including any fill, burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose including recreational and tourism purposes such as the development of trails ;

(2) install or construct a new structure, infrastructure or works ;

(3) reconstruct or demolish an existing structure, infrastructure or works ;

(4) use a pesticide, although no authorization is required for the use of insect repellent for personal purposes ;

(5) carry on an activity that is likely to severely degrade the soil or a geological formation or damage the vegetation cover, such as stripping, the digging of trenches or excavation work ; or

(6) carry on educational or research-related activities if the activities are likely to significantly damage or disturb the natural environment, in particular by the extent of the moving or removal of natural resources or by the use of explosives.

The conditions of the Minister's authorization for the work may pertain to the location of the authorized activity, the methods used, the areas that may be cleared or deforested, the types of material that may be used including the material taken from the site, and the presence of ancillary works or facilities. The conditions may also

include a requirement to ensure periodic follow-up or to report to the Minister, in particular as regards the results obtained from the research to which subparagraph 6 of the first paragraph refers.

Subject to the conditions determined in the authorization, work to repair or maintain trails authorized by the Minister or trails existing on the date on which the protection status as a proposed reserve takes effect may be carried on without an authorization under subparagraph 1 of the first paragraph.

Work to repair or maintain forest roads or roads authorized under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) carried on in accordance with the Forest Act and its regulations that concern standards of forest management may be carried on without an authorization under subparagraph 1 of the first paragraph.

§2.4. Authorization exemptions

3.13. Despite the preceding provisions, no authorization need be obtained by a person to carry on an activity or for any other form of intervention within the proposed reserve if urgent action is required to prevent harm to the health or safety of persons, or to repair or prevent damage caused by a real or apprehended catastrophe. The person concerned must, however, immediately inform the Minister of the activity or intervention that has taken place.

3.14. Despite the preceding provisions, the following activities and interventions involving the production, transmission and distribution of electricity carried out by Hydro-Québec (Société) or by any other person for Hydro-Québec do not require the prior authorization of the Minister under this plan :

(1) any activity or intervention required within the proposed reserve to complete a project which was previously expressly authorized by the Government and the Minister, or only by the latter, in accordance with the requirements of the Environment Quality Act (R.S.Q., c. Q-2), if the activity or intervention is carried out in compliance with the authorizations issued ;

(2) any activity or intervention necessary for the preparation and presentation of a pre-project report for a project requiring an authorization under the Environment Quality Act ;

(3) any activity or intervention relating to a project requiring the prior authorization of the Minister under the Environment Quality Act, if the activity or intervention is in response to a request for a clarification or for

additional information made by the Minister to the Société and it is carried out in accordance with the request;

(4) any activity or intervention by the Société, if the conditions for the carrying out of the activity or intervention have been determined in an agreement between the Minister and the Société and the activity or intervention is carried out in compliance with those conditions.

For the purposes of this section, the activities and interventions of the Société include pre-project studies, analysis work or field research, work required to study and monitor the impact of power transmission and distribution line corridors and rights-of-way, geological or geophysical surveys and survey lines, and the opening and maintenance of roads required for the purpose of access, construction or equipment movement necessary for the carrying on of such work.

§2.5. *General provisions*

3.15. Every person who applies to the Minister for an individual authorization or for an authorization for a group or for a number of persons must provide any information or document requested by the Minister for the examination of the application.

3.16. The Minister's authorization, which is general and can be used by more than one person, may be communicated to the persons concerned by any appropriate means including by a posted notice or appropriate signage at the reception centre or any other location within the proposed reserve that is readily accessible to the public. The Minister is to provide a copy to any person requesting a copy.

§3. *Activities governed by other statutes*

Certain activities likely to be carried on within the proposed reserve are also governed by 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 reserve.

A special legal framework may govern permitted and prohibited activities within the proposed reserve in connection with the following matters :

— Environmental protection : measures set out in particular in the Environment Quality Act (R.S.Q., c. Q-2);

— Archaeological research : measures set out in particular in the Cultural Property Act (R.S.Q., c. B-4);

— Development of wildlife resources : measures set out in particular in the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), including the provisions pertaining to outfitting operations and beaver reserves and the measures contained in applicable federal legislation, including the fishery regulations ;

— Removal of species of fauna or flora that are threatened or vulnerable or are likely to be designated as such : measures prohibiting the removal of the species under the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01);

— Access and land rights : measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1);

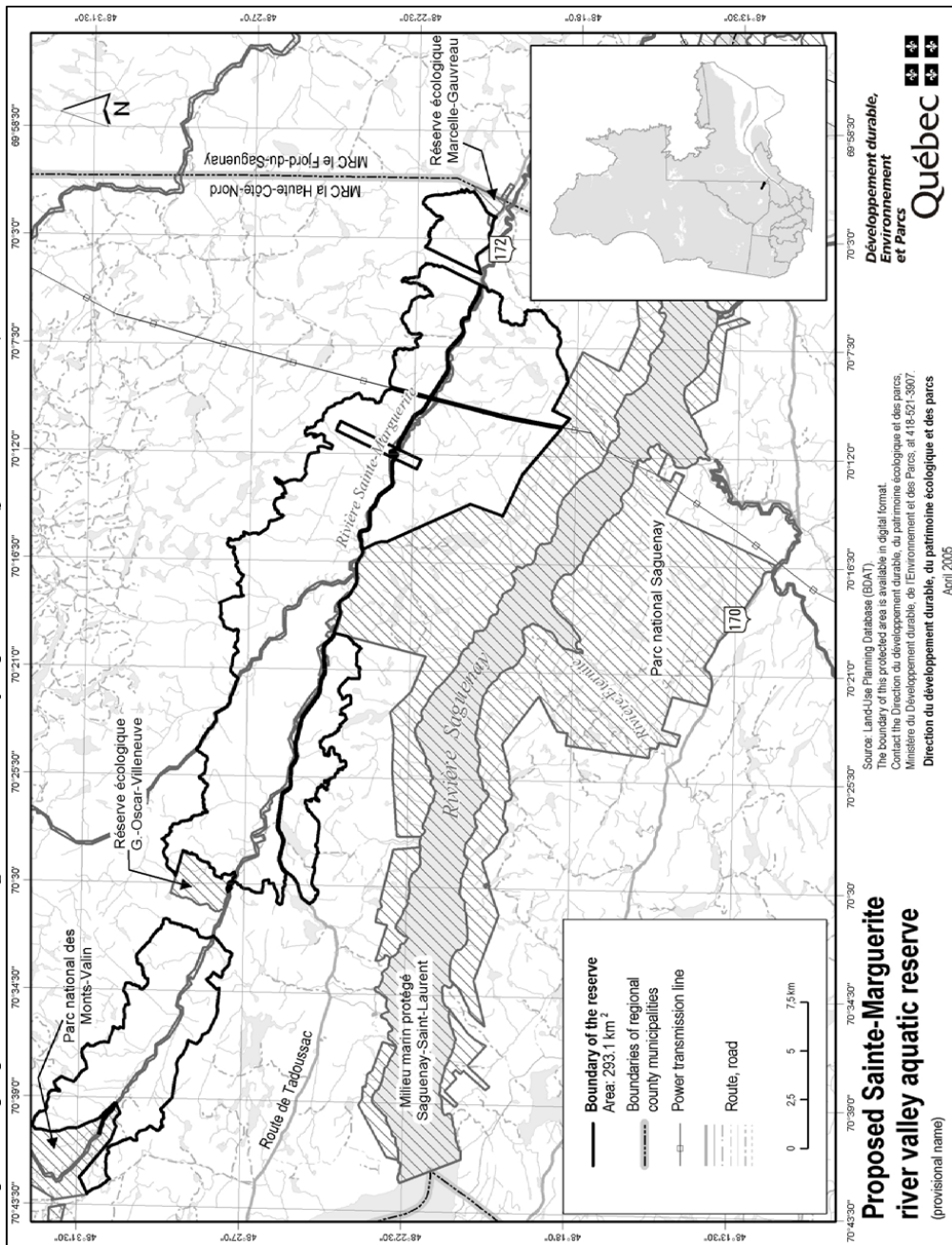
— Operation of vehicles : measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and in the regulation on motor vehicle traffic in certain fragile environments made under the Environment Quality Act (R.S.Q., c. Q-2).

4. Responsibilities of the Minister of Sustainable Development, Environment and Parks

The Minister of Sustainable Development, Environment and Parks is responsible for the management of the proposed Sainte-Marguerite river valley aquatic reserve and is therefore responsible for the supervision and monitoring of the activities that may be carried on within the reserve. The Minister in the management of the reserve works collaboratively with other government representatives having specific responsibilities within the boundaries of the reserve or on adjoining land, such as the Minister of Natural Resources and Wildlife. In the exercise of their powers and functions, the Ministers will take into consideration the protection sought for these natural environments and the protection status that has been granted.

Schedule

Map of the proposed Sainte-Marguerite river valley aquatic reserve (provisional name)



Proposed Sainte-Marguerite river valley aquatic reserve
(provisional name)

Développement durable, Environnement et Parcs
Québec

Source: Land-Use Planning Database (BOAT).
The boundary of this protected area is available in digital format.
Contact the Direction du développement durable, du patrimoine écologique et des parcs, Ministère du Développement durable, de l'Environnement et des Parcs, at 418-521-3807.
Direction du développement durable, du patrimoine écologique et des parcs
April 2005

PROPOSED BONAVENTURE RIVER ESTUARY
AQUATIC RESERVE
(provisional name)

CONSERVATION PLAN

June 2005

1. Protection status and toponym

The legal status of the reserve described below is that of proposed aquatic reserve under the Natural Heritage Conservation Act (R.S.Q., c. C-61.01).

The proposed reserve is to have the name “Réserve aquatique projetée de l’estuaire de la rivière Bonaventure”. The official toponym will be determined at the time of the assignment of permanent protection status to the land.

The proposed aquatic reserve protects the estuary of one of the largest watercourses in the Appalachians natural province. It also ensures the protection of a wide diversity of aquatic ecosystems, riparian ecotones, marine and estuarine environments and land habitats.

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

- conservation of an outstanding estuary in the Appalachians natural province;
- preservation of the biodiversity in the aquatic ecosystems and riparian ecotones;
- increased protection of flora habitats;
- acquisition of additional knowledge about the natural heritage.

2. Plan and description

2.1. Location, boundaries and dimensions

The boundaries and location of the proposed Bonaventure river estuary aquatic reserve are shown on the attached plan.

The proposed Bonaventure river estuary aquatic reserve is located between 48°01' and 48°03' north latitude and 65°27' and 65°29' west longitude. It is situated in Ville de Bonaventure, in Municipalité régionale de comté de Bonaventure, in the Gaspésie–Îles-de-la-Madeleine administrative region.

The proposed aquatic reserve covers an area of 2.4 km² and lies within the estuary of the Bonaventure river, formed at the mouth of the river. The proposed aquatic reserve comprises the bodies of water up to the high water mark and the bed of the river, the adjacent shallow basins, lagoons and delta shoals. It includes the islands located in the estuary, of deltaic origin, particularly Île des Prés, Île Arsenault, Île aux Sapins and Île des Chardons. Île des Prés is fragmented by a number of channels creating a mosaic of islets. Two barrier beaches, or sand spits, oriented north-west – south-east separate the estuary from the marine environment; the sand spit located to the south-east, referred to locally as Île aux Pirates, and the beach adjacent to the sand spit located to the north-west form part of the proposed aquatic reserve. The proposed aquatic reserve extends in two places into Chaleur Bay, bordering the two sand spits.

All the land included in the proposed aquatic reserve was obtained by the Ministère de l'Environnement in November 2001 within the context of a “donation of land with ecological value” from Emballages Smurfit-Stone Canada inc. The Ministère du Développement durable, de l'Environnement et des Parcs has authority in the territory.

Route 132 crossing the southern portion of the proposed aquatic reserve, the foot bridge and the three decommissioned bridges across the proposed aquatic reserve at the location of the former Route 132 as well as the marina and the electric power distribution equipment, having a 9-metre wide right-of-way, are excluded from the protection perimeter.

2.2. Geography

The area is in the Appalachians natural province. The estuary is one of the most studied estuaries in Chaleur Bay for its geomorphology, hydrodynamics and biology. It is considered one of the most outstanding estuaries in Gaspésie although it has been partially deteriorated by a number of human activities. Marshlands and wetlands are also found on the islands. The estuary is recognized as a site of interest for its flora because of the presence of threatened or vulnerable species. A wide variety of avian species are present and the estuary is a major fish habitat. The dominant landscape is a delta oriented to the south-west which is influenced by the tidal movement. The maximum elevation reaches a few metres above sea level.

The hydrodynamics, geomorphologic evolution and the barchois in the Bonaventure river have been greatly disturbed by human activities: log driving until 1967; dredging, the construction of a channel and the installa-

tion of a log pond for a sawmill built before 1963 that no longer exists; dredging for the port facility and construction of a marina; the construction of Route 132 that began in 1972.

2.2.1. Representative elements

Climate: The proposed aquatic reserve is characterized by a moderate, subhumid continental climate, with a long growing season. It borders land that forms part of the balsam fir-yellow birch bioclimatic domain.

Geology and geomorphology: The proposed aquatic reserve is part of the Appalachians geologic province and contains Carboniferous rocks (350 to 325 million years) that rest unconformably on older Ordovician to Devonian rocks (500 to 360 million years). The bedrock consists of clastic rocks (conglomerates). The proposed aquatic reserve is bordered by lowlands slightly sloping westwards. The river cuts through marine sediments composed of silt and clay. The islands consist of coarser deltaic deposits.

Hydrography: The Bonaventure river is one of the longest watercourses in the natural province, having its source in the Chic-Chocs mountains. The river and its numerous tributaries drain an area of some 2,391 km². The main course of the river flows for 125 km to the south-east and has an average slope of 3.3 m/km. At its mouth, in the proposed aquatic reserve, the river ends its course in a south-west direction. A barachois formed on contact with Chaleur Bay is fed by freshwater at an annual average rate of 46 m³/s.

Influenced by the semi-daily and seasonal tides, the estuary is subject to variations of currents, water level and salinity. The surface water salinity in the proposed aquatic reserve ranges in the summer from 0.0% upstream to 26.5% downstream.

Vegetation: The vegetation in the Bonaventure estuary is characterized by sea coast cover, stands of aquatic plants present in tidal zones, freshwater, brackish or salt water marshes, wetlands and parcels of forest. Grasslands, shrub communities and tree formations are also found in the estuary.

Plants and vegetation communities typical of the Chaleur Bay sea coast grow on the barrier beaches: beachgrass prairie (*Ammophila breviligulata*), lyme grass (*Elymus arenarius*), etc. The aquatic vegetation consisting of submerged plants covers some 6% of the barachois basins strongly influenced by the tides, between Route 132 and the sea, in a salt or brackish water environment. Eelgrass (*Zostera marina*) dominates the shallow sea

water and basins. Green string lettuce (*Enteromorpha* sp.), green stringy algae tolerant to salinity changes, grows in all the basins of the estuary, but it is more abundant in the basin bordering Île aux Pirates; at low tide, the green colour of the algae characterizes the mouth of the river. Sea lettuce (*Ulva* sp.), also an algae, ditch grass (*Ruppia maritima*) and horned pondweed (*Zannichellia palustris*) are the other aquatic plants in the salt and brackish water environments, although they are not abundant.

A dozen species dominate the salt and brackish marshes bordering the lagoons, basins and the southern portion of the islands; the marshes are located mainly north of Route 132. Smooth cordgrass (*Spartina alterniflora*) communities grow in the area of the marshes that is most often flooded. Baltic rush (*Juncus balticus*), scaly sedge (*Carex paleacea*), red fescue (*Festuca rubra*), freshwater cordgrass (*Spartina pectinata*), New York aster (*Symphiotrichum novi-belgii*) and saltmarsh spikerush (*Eleocharis uniglumis*) dominate in all the salt and brackish marshes. Herbaceous meadows and scrublands of diversified flora characterize the freshwater marshes on the islands. Marshes having a peat facies cover the southern portion of the islands located north of Île des Prés.

The portion of the islands located north-east of the former Route 132 is covered in the wetland segment by wooded swamps of black spruce (*Picea mariana*), American elm (*Ulmus americana*) and balsam poplar (*Populus balsamifera*), and in the mesic environment at the centre of the islands, by shrublands of white spruce (*Picea glauca*) and eastern white cedar (*Thuja occidentalis*).

2.2.2. Outstanding elements

The islands in the Bonaventure river estuary, in the proposed aquatic reserve, are home to Macoun's fringed gentian (*Gentianopsis procera* subsp. *macounii* var. *macounii*) and Anticosti aster (*Symphiotrichum anticostense*), two plants designated as threatened species, and to mat mulhy (*Muhlenbergia richardsonis*) and Gaspé peninsula arrow-grass (*Triglochin gaspense*), two plants likely to be designated as threatened or vulnerable species. The distribution of the four riparian and estuarine species is limited. The fringed gentian, found mainly in western Canada, grows only on the superior hydrolittoral of the Bonaventure and certain James Bay rivers. The global distribution of the aster and arrow-grass is centred around the Gulf of St. Lawrence. Mulhy grass is found sporadically in North America; in Québec, it is found around the Gulf of St. Lawrence. The presence of uncommon habitats in the estuary, in particular gravel and limestone flats, explains the abundance of the rare plants.

The proposed aquatic reserve is, in the spring and in the fall, a major staging area for aquatic birds. It is a resting and feeding site for a number of species of shorebirds and birds that live in the marine and estuarine environment. The bald eagle (*Haliaeetus leucocephalus*), a species designated as vulnerable, is present in the territory. A few birds likely to be designated as threatened or vulnerable in Québec have reportedly been observed in the proposed aquatic reserve: the harlequin duck (*Historionicus historionicus*), Barrow's goldeneye (*Bucephala islandica*) and the red-headed woodpecker (*Melanerpes erythrocephalus*). Approximately fifteen species of fish are present in the Bonaventure river estuary. Soft-shell clams (*Mya arenaria*) are found along the north-western barrier beach. The zooplanktonic species are mainly represented by copepods and nauplii. Fourteen species of benthic fauna have been observed; the sandworm (*Nereis diversicolor*), a polychaete, and a small snail (*Hydrobia minuta*), a gastropod mollusc, dominate.

2.3. Occupation, rights and land uses

The area of the proposed aquatic reserve is a major site for birdwatching and sports fishing grounds for Atlantic salmon (*Salmo salar*), brook trout (*Salvelinus fontinalis*) and rainbow smelt (*Osmerus mordax*). Fishing takes place from the shore or using motorized craft and, in the winter, in huts set up on the ice. The ZEC de la rivière Bonaventure, offering sport salmon fishing, lies north of the boundary of Canton de Hamilton, outside the proposed aquatic reserve. Canoeing and kayaking is possible on the Bonaventure river, the canoists and kayakers ending their trip in the estuary in the proposed reserve or in the marina area; they rarely set foot on the shores of the proposed aquatic reserve. In the winter, a snowmobile trail crosses the western side of the basin (Lot A-2). Other activities are occasionally carried on in the territory, in particular migratory bird hunting, swimming and off-highway vehicle outings on Île aux Pirates.

The proposed aquatic reserve is bisected by Route 132. In the northern portion of the area, a foot bridge and three decommissioned bridges span the proposed aquatic reserve at the location of the former Route 132. A marina and fishing harbour border the proposed aquatic reserve at the mouth of the river, and a municipal camping site is present on the sand spit located to the north-west.

All the land immediately adjacent to the proposed aquatic reserve is privately owned. The private land is mainly occupied by residences and businesses.

3. Activities within the reserve

§1. Introduction

The activities carried on within the proposed reserve are governed for the most part by the provisions of the Natural Heritage Conservation Act.

This Division prohibits activities in addition to those prohibited under the Act and provides a framework for the carrying on of certain permitted activities so as to better ensure the protection of the natural environment. Accordingly, certain activities require the prior authorization of the Minister and compliance with the conditions determined by the Minister.

As provided in the Natural Heritage Conservation Act, the main activities prohibited in an area to which status as a proposed biodiversity or aquatic reserve has been assigned are

— mining, and gas or petroleum development;

— forest management 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.

§2. Prohibitions, prior authorizations and conditions on which certain activities may be carried on in the proposed reserve

§2.1. Protection of resources and the natural environment

3.1. No person may introduce non-native species of flora or fauna into the proposed reserve.

3.2. No person may stock a watercourse or body of water

(1) for aquaculture, sports or commercial fishing or any other commercial purpose;

(2) for any other purpose, if the fish stocked are not from a genetic strain originating from the proposed reserve.

3.3. No person may bury, abandon or dispose of waste, snow or other residual materials other than in waste disposal containers, facilities or sites determined by the Minister or elsewhere, with the authorization of the Minister and in compliance with the conditions the Minister determines.

3.4. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry on any activity likely to severely degrade the banks or shores or to otherwise seriously affect the integrity of a watercourse, body of water or other wetland area, in particular by discharging or dumping waste or other pollutant into the watercourse, body of water or wetland area; or

(2) dig, fill, obstruct or divert a watercourse or body of water.

§2.2. Rules of conduct for users

3.5. Every person staying, carrying on an activity or travelling about within the proposed reserve is required to maintain the premises in a satisfactory state and before leaving, return the premises to their natural state to the extent possible.

3.6. No person may make a fire in the proposed reserve, including a campfire and a beach fire.

3.7. In the proposed reserve, no person may

(1) cause any excessive noise; or

(2) behave in a manner that unduly disturbs other persons in the reserve or interferes with their enjoyment of the reserve.

3.8. No person may destroy, remove, move or damage any poster, sign, notice or other type of signage posted by the Minister within the proposed reserve.

3.9. No person may enter, carry on an activity in or operate a vehicle in a given sector of the proposed reserve unless the person has been authorized by the Minister and complies with the conditions determined, if the signage erected by the Minister restricts access, traffic or certain activities in order to protect the public from a danger or to avoid placing the fauna, flora or other components of the natural environment at risk.

§2.3. Activities requiring an authorization

3.10. No person may establish a campsite, a shelter or otherwise stay in the proposed reserve, or occupy a site by installing property, unless the person has been authorized by the Minister and complies with the conditions the Minister determines.

3.11. No person may carry on forest management activities to meet domestic needs or for the purpose of maintaining biodiversity, unless the person has been authorized by the Minister and complies with the conditions the Minister determines.

The conditions of that authorization may pertain, among other things, to species of trees or shrubs, the size of the stems that may be cut, the authorized amounts and where the activities may be carried on.

3.12. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry out soil development work, including any fill, burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose including recreational and tourism purposes such as the development of trails;

(2) install or construct a new structure, infrastructure or works;

(3) reconstruct or demolish an existing structure, infrastructure or works;

(4) use a pesticide, although no authorization is required for the use of insect repellent for personal purposes;

(5) carry on an activity that is likely to severely degrade the soil or a geological formation or damage the vegetation cover, such as stripping, the digging of trenches or excavation work;

(6) carry on educational or research-related activities if the activities are likely to significantly damage or disturb the natural environment, in particular by the extent of the moving or removal of natural resources or by the use of explosives; or

(7) remove the following flora or fauna species:

— Anticosti aster (*Symphotrichum anticostense*);

— Macoun's fringed gentian (*Gentianopsis procera* subsp. *macounii* var. *macounii*);

— mat muhly (*Muhlenbergia richardsonis*);

— Gaspé peninsula arrow-grass (*Triglochin gaspensis*);

— harlequin duck (*Historionicus historionicus*);

- Barrow's goldeneye (*Bucephala islandica*);
- red-headed woodpecker (*Melanerpes erythrocephalus*);
- bald eagle (*Haliaeetus leucocephalus*).

The conditions of the Minister's authorization for the work may pertain to the location of the authorized activity, the methods used, the areas that may be cleared or deforested, the types of material that may be used including the material taken from the site, and the presence of ancillary works or facilities. The conditions may also include a requirement to ensure periodic follow-up or to report to the Minister, in particular as regards the results obtained from the research to which subparagraph 6 of the first paragraph refers.

Subject to the conditions determined in the authorization, work to repair or maintain trails authorized by the Minister or trails existing on the date on which the protection status as a proposed reserve takes effect may be carried on without an authorization under subparagraph 1 of the first paragraph.

§2.4. Authorization exemptions

3.13. Despite the preceding provisions, no authorization need be obtained by a person to carry on an activity or for any other form of intervention within the proposed reserve if urgent action is required to prevent harm to the health or safety of persons, or to repair or prevent damage caused by a real or apprehended catastrophe. The person concerned must, however, immediately inform the Minister of the activity or intervention that has taken place.

3.14. Despite the preceding provisions, the following activities and interventions involving the production, transmission and distribution of electricity carried out by Hydro-Québec (Société) or by any other person for Hydro-Québec do not require the prior authorization of the Minister under this plan:

(1) any activity or intervention required within the proposed reserve to complete a project which was previously expressly authorized by the Government and the Minister, or only by the latter, in accordance with the requirements of the Environment Quality Act (R.S.Q., c. Q-2), if the activity or intervention is carried out in compliance with the authorizations issued;

(2) any activity or intervention necessary for the preparation and presentation of a pre-project report for a project requiring an authorization under the Environment Quality Act;

(3) any activity or intervention relating to a project requiring the prior authorization of the Minister under the Environment Quality Act, if the activity or intervention is in response to a request for a clarification or for additional information made by the Minister to the Société and it is carried out in accordance with the request;

(4) any activity or intervention by the Société, if the conditions for the carrying out of the activity or intervention have been determined in an agreement between the Minister and the Société and the activity or intervention is carried out in compliance with those conditions.

For the purposes of this section, the activities and interventions of the Société include pre-project studies, analysis work or field research, work required to study and monitor the impact of power transmission and distribution line corridors and rights-of-way, geological or geophysical surveys and survey lines, and the opening and maintenance of roads required for the purpose of access, construction or equipment movement necessary for the carrying on of such work.

3.15. Despite the preceding provisions, no authorization need be obtained by Ville de Bonaventure to carry out an activity, work or any other form of intervention requiring the maintenance and cleaning of the beach adjacent to the municipal camping site (Lot A-4).

§2.5. General provisions

3.16. Every person who applies to the Minister for an individual authorization or for an authorization for a group or for a number of persons must provide any information or document requested by the Minister for the examination of the application.

3.17. The Minister's authorization, which is general and can be used by more than one person, may be communicated to the persons concerned by any appropriate means including by a posted notice or appropriate signage at the reception centre or any other location within the proposed reserve that is readily accessible to the public. The Minister is to provide a copy to any person requesting a copy.

§3. Activities governed by other statutes

Certain activities likely to be carried on within the proposed reserve are also governed by 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 reserve.

A special legal framework may govern permitted and prohibited activities within the proposed reserve in connection with the following matters :

— Environmental protection : measures set out in particular in the Environment Quality Act (R.S.Q., c. Q-2) ;

— Archaeological research : measures set out in particular in the Cultural Property Act (R.S.Q., c. B-4) ;

— Development of wildlife resources : measures set out in particular in the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), including the provisions pertaining to outfitting operations and beaver reserves and the measures contained in applicable federal legislation, including the fishery regulations ;

— Removal of species of fauna or flora that are threatened or vulnerable or are likely to be designated as such : measures prohibiting the removal of the species under the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01) ;

— Access and land rights : measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) ;

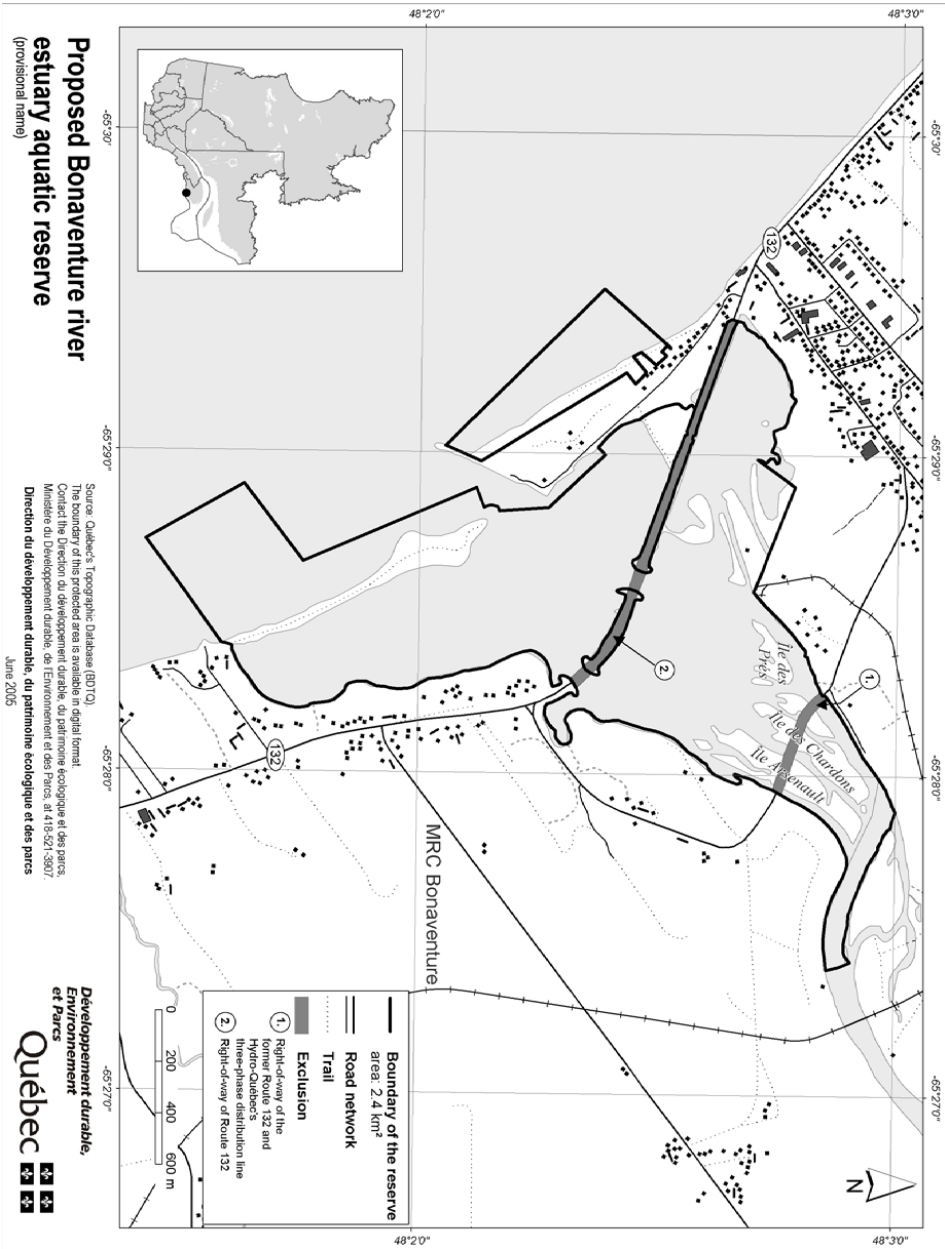
— Operation of vehicles : measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and in the regulation on motor vehicle traffic in certain fragile environments made under the Environment Quality Act (R.S.Q., c. Q-2).

4. Responsibilities of the Minister of Sustainable Development, Environment and Parks

The Minister of Sustainable Development, Environment and Parks is responsible for the management of the proposed Bonaventure river estuary aquatic reserve and is therefore responsible for the supervision and monitoring of the activities that may be carried on within the reserve. The Minister in the management of the reserve works collaboratively with other government representatives having specific responsibilities within the boundaries of the reserve or on adjoining land, such as the Minister of Natural Resources and Wildlife. In the exercise of their powers and functions, the Ministers will take into consideration the protection sought for these natural environments and the protection status that has been granted.

Schedule

Map of the proposed Bonaventure river estuary aquatic reserve (provisional name)



PROPOSED NIQUET STREAM BIODIVERSITY RESERVE

(provisional name)

CONSERVATION PLAN

June 2005

1. Protection status and toponym

The legal status of the reserve described below is that of proposed biodiversity reserve under the Natural Heritage Conservation Act (R.S.Q., c. C-61.01).

The proposed reserve is to have the name “Réserve de biodiversité projetée du ruisseau Niquet”. The official toponym will be determined at the time of the assignment of permanent protection status to the land.

2. Plan and description

2.1. Geographic location, boundaries and dimensions

The boundaries and location of the proposed Niquet stream biodiversity reserve are shown on the plan.

The proposed Niquet stream biodiversity reserve is located in the Nord-du-Québec administrative region, between 50°04' and 50°14' north latitude and 78°53' and 79°10' west longitude. It is situated some 93 km north-west of Ville de Matagami and some 110 km south of the Cree village of Waskaganish. The proposed biodiversity reserve covers an area of 164.6 km² and lies within the territory of Municipalité de Baie-James.

2.2. Ecological overview

The proposed Niquet stream biodiversity reserve is in the Abitibi and James Bay Lowlands natural province. It protects natural environments characteristic of the Turgeon River Plain natural region. 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 241 m, varying between 197 m and 316 m.

Almost half of the area of the proposed biodiversity reserve is covered by oligotrophic and minerotrophic peat bogs. They are established on organic deposits,

which are also home to stands of black spruce of varying density. On mesic sites and rocky outcrops, dry heaths have developed with groves 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 been affected by forest fires, the main natural disturbance in the region.

2.3. Occupation and land uses

One right for vacation resort purposes has been granted within the perimeter of the proposed biodiversity reserve.

The land of the proposed biodiversity reserve is classified as Category III land under the James Bay and Northern Québec Agreement (JBNQA) 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 territory lies wholly within the Abitibi beaver reserve. The Cree community of Waskaganish has special rights regarding hunting, fishing and trapping. Most of the proposed biodiversity reserve is covered by the Paix des Braves Agreement signed on February 7, 2002 between the Government of Québec and the Crees.

3. Activities within the reserve

§1. Introduction

The activities carried on within the proposed reserve are governed for the most part by the provisions of the Natural Heritage Conservation Act.

This Division prohibits activities in addition to those prohibited under the Act and provides a framework for the carrying on of certain permitted activities so as to better ensure the protection of the natural environment. Accordingly, certain activities require the prior authorization of the Minister and compliance with the conditions determined by the Minister.

As provided in the Natural Heritage Conservation Act, the main activities prohibited in an area to which status as a proposed biodiversity or aquatic reserve has been assigned are

- mining, and gas or petroleum development;
- forest management 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.

§2. Prohibitions, prior authorizations and conditions on which certain activities may be carried on in the proposed reserve

§2.1. Protection of resources and the natural environment

3.1. No person may introduce non-native species of flora or fauna into the proposed reserve.

3.2. No person may stock a watercourse or body of water

(1) for aquaculture, sports or commercial fishing or any other commercial purpose;

(2) for any other purpose, if the fish stocked are not from a genetic strain originating from the proposed reserve.

3.3. No person may bury, abandon or dispose of waste, snow or other residual materials other than in waste disposal containers, facilities or sites determined by the Minister or elsewhere, with the authorization of the Minister and in compliance with the conditions the Minister determines.

Despite the first paragraph, no authorization need be obtained by an outfitting operation to use a disposal facility or site in compliance with the Environment Quality Act and its regulations if the outfitting operation was already using the facility or site on the date on which the protection status as a proposed reserve takes effect.

3.4. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry on any activity likely to severely degrade the banks or shores or to otherwise seriously affect the integrity of a watercourse, body of water or other wetland area, in particular by discharging or dumping waste or other pollutant into the watercourse, body of water or wetland area; or

(2) dig, fill, obstruct or divert a watercourse or body of water.

§2.2. Rules of conduct for users

3.5. Every person staying, carrying on an activity or travelling about within the proposed reserve is required to maintain the premises in a satisfactory state and before leaving, return the premises to their natural state to the extent possible.

3.6. Every person who makes a campfire must

(1) clear an area around the fire site sufficient to prevent the fire from spreading by removing all branches, scrub, dry leaves and other combustible materials;

(2) see that there is always a person on the premises to attend the fire; and

(3) ensure that the fire is completely extinguished before leaving the premises.

3.7. In the proposed reserve, no person may

(1) cause any excessive noise; or

(2) behave in a manner that unduly disturbs other persons in the reserve or interferes with their enjoyment of the reserve.

3.8. No person may destroy, remove, move or damage any poster, sign, notice or other type of signage posted by the Minister within the proposed reserve.

3.9. No person may enter, carry on an activity in or operate a vehicle in a given sector of the proposed reserve unless the person has been authorized by the Minister and complies with the conditions determined, if the signage erected by the Minister restricts access, traffic or certain activities in order to protect the public from a danger or to avoid placing the fauna, flora or other components of the natural environment at risk.

§2.3. Activities requiring an authorization

3.10. No person may, unless the person has been authorized by the Minister and complies with the conditions the Minister determines, stay or reside on or otherwise occupy the same site within the proposed reserve for a period of more than three months in the same year. No authorization need be obtained by a person who,

(1) on the date on which the protection status as a proposed reserve takes effect, was a party to a lease or had already obtained another form of permit or authorization allowing the person to occupy the land under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) or, if applicable, the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), and whose right to occupy the land is renewed or extended;

(2) in accordance with the applicable provisions of law, has entitlement under a sublease, an assignment of a lease or a transfer of an authorization, as referred to in paragraph 1, and whose right to occupy the land is renewed or extended;

(3) avails himself or herself of the possibility of acquiring the land the person legally occupies on the date on which the protection status as a proposed reserve takes effect, pursuant to the Act respecting the lands in the domain of the State.

3.11. (1) No person may carry on forest management activities to meet domestic needs or for the purpose of maintaining biodiversity, unless the person has been authorized by the Minister and carries on the activities in compliance with the conditions the Minister determines.

The conditions of that authorization may pertain, among other things, to species of trees or shrubs, the size of the stems that may be cut, the quantities authorized and the places where the activities may be carried on.

(2) Despite subsection 1, the authorization of the Minister under this plan need not be obtained by a person staying or residing in the proposed reserve who collects wood to make a campfire.

No such authorization need be obtained by a person to collect wood to meet domestic needs

(a) if the wood is collected within a sector reserved by the Minister of Natural Resources and Wildlife as a sector for which a permit for the harvest of firewood for domestic purposes under the Forest Act (R.S.Q., c. F-4.1) may be issued and which has already been reserved as such by the Minister on the date on which the protection status as a proposed reserve takes effect;

(b) if the wood is collected by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the proposed reserve; or

(c) if the wood is collected by a person in accordance with the conditions set out in the permit for the harvest of firewood for domestic purposes issued by the Minister of Natural Resources and Wildlife under the Forest Act.

(3) Despite subsection 1, no authorization need be obtained by a person authorized by lease to occupy land within the proposed reserve, pursuant to this plan, to carry on a forest management activity for the purpose of

(a) clearing permitted harvested areas, maintaining them or creating visual openings, and any other similar removal purposes permitted under the regulation that applies to the sale, lease and granting of immovable rights made under the Act respecting the lands in the domain of the State;

(b) creating and maintaining access roads, stairways or other trails permitted under that regulation; or

(c) clearing the necessary area for the installation, connection, maintenance and repair of power, water, sewer or telecommunication lines, facilities and mains.

When the work referred to in subparagraph *c* of subsection 3 is carried out for or under the responsibility of an enterprise providing any of those services, the work requires the prior authorization of the Minister, other than in the case of the exemptions provided for in sections 3.13 and 3.14.

(4) Despite subsection 1, no authorization need be obtained by a person to carry on a forest management activity to maintain a sugar bush and harvest maple products for domestic purposes

(a) if the activity is carried on by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act allowing the person to carry on the activities of a sugar bush operator within the proposed reserve;

(b) if the activity is carried on within a zone for which the permit obtained allowed the carrying on of sugar bush operations on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years; or

(c) if the activity is carried on by a person in compliance with the conditions set out in the sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act.

3.12. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry out soil development work, including any fill, burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose including recreational and tourism purposes such as the development of trails;

(2) install or construct a new structure, infrastructure or works;

(3) reconstruct or demolish an existing structure, infrastructure or works;

(4) use a pesticide, although no authorization is required for the use of insect repellent for personal purposes;

(5) carry on an activity that is likely to severely degrade the soil or a geological formation or damage the vegetation cover, such as stripping, the digging of trenches or excavation work; or

(6) carry on educational or research-related activities if the activities are likely to significantly damage or disturb the natural environment, in particular by the extent of the moving or removal of natural resources or by the use of explosives.

The conditions of the Minister's authorization for the work may pertain to the location of the authorized activity, the methods used, the areas that may be cleared or deforested, the types of material that may be used including the material taken from the site, and the presence of ancillary works or facilities. The conditions may also include a requirement to ensure periodic follow-up or to report to the Minister, in particular as regards the results obtained from the research to which subparagraph 6 of the first paragraph refers.

Subject to the conditions determined in the authorization, work to repair or maintain trails authorized by the Minister or trails existing on the date on which the protection status as a proposed reserve takes effect may be carried on without an authorization under subparagraph 1 of the first paragraph.

Work to repair or maintain forest roads or roads authorized under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) carried on in accordance with the Forest Act and its regulations that concern standards of forest management may be carried on without an authorization under subparagraph 1 of the first paragraph.

§2.4. Authorization exemptions

3.13. Despite the preceding provisions, no authorization need be obtained by a person to carry on an activity or for any other form of intervention within the proposed reserve if urgent action is required to prevent harm to the health or safety of persons, or to repair or prevent damage caused by a real or apprehended catastrophe. The person concerned must, however, immediately inform the Minister of the activity or intervention that has taken place.

3.14. Despite the preceding provisions, the following activities and interventions involving the production, transmission and distribution of electricity carried out by Hydro-Québec (Société) or by any other person for Hydro-Québec do not require the prior authorization of the Minister under this plan:

(1) any activity or intervention required within the proposed reserve to complete a project which was previously expressly authorized by the Government and the Minister, or only by the latter, in accordance with the requirements of the Environment Quality Act (R.S.Q., c. Q-2), if the activity or intervention is carried out in compliance with the authorizations issued;

(2) any activity or intervention necessary for the preparation and presentation of a pre-project report for a project requiring an authorization under the Environment Quality Act;

(3) any activity or intervention relating to a project requiring the prior authorization of the Minister under the Environment Quality Act, if the activity or intervention is in response to a request for a clarification or for additional information made by the Minister to the Société and it is carried out in accordance with the request;

(4) any activity or intervention by the Société, if the conditions for the carrying out of the activity or intervention have been determined in an agreement between the Minister and the Société and the activity or intervention is carried out in compliance with those conditions.

For the purposes of this section, the activities and interventions of the Société include pre-project studies, analysis work or field research, work required to study and monitor the impact of power transmission and distribution line corridors and rights-of-way, geological or geophysical surveys and survey lines, and the opening and maintenance of roads required for the purpose of access, construction or equipment movement necessary for the carrying on of such work.

§2.5. *General provisions*

3.15. Every person who applies to the Minister for an individual authorization or for an authorization for a group or for a number of persons must provide any information or document requested by the Minister for the examination of the application.

3.16. The Minister's authorization, which is general and can be used by more than one person, may be communicated to the persons concerned by any appropriate means including by a posted notice or appropriate signage at the reception centre or any other location within the proposed reserve that is readily accessible to the public. The Minister is to provide a copy to any person requesting a copy.

§3. *Activities governed by other statutes*

Certain activities likely to be carried on within the proposed reserve are also governed by 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 reserve.

A special legal framework may govern permitted and prohibited activities within the proposed reserve in connection with the following matters:

— Environmental protection: measures set out in particular in the Environment Quality Act (R.S.Q., c. Q-2);

— Archaeological research: measures set out in particular in the Cultural Property Act (R.S.Q., c. B-4);

— Development of wildlife resources: measures set out in particular in the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), including the provisions pertaining to outfitting operations and beaver reserves and the measures contained in applicable federal legislation, including the fishery regulations;

— Removal of species of fauna or flora that are threatened or vulnerable or are likely to be designated as such: measures prohibiting the removal of the species under the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01);

— Access and land rights: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1);

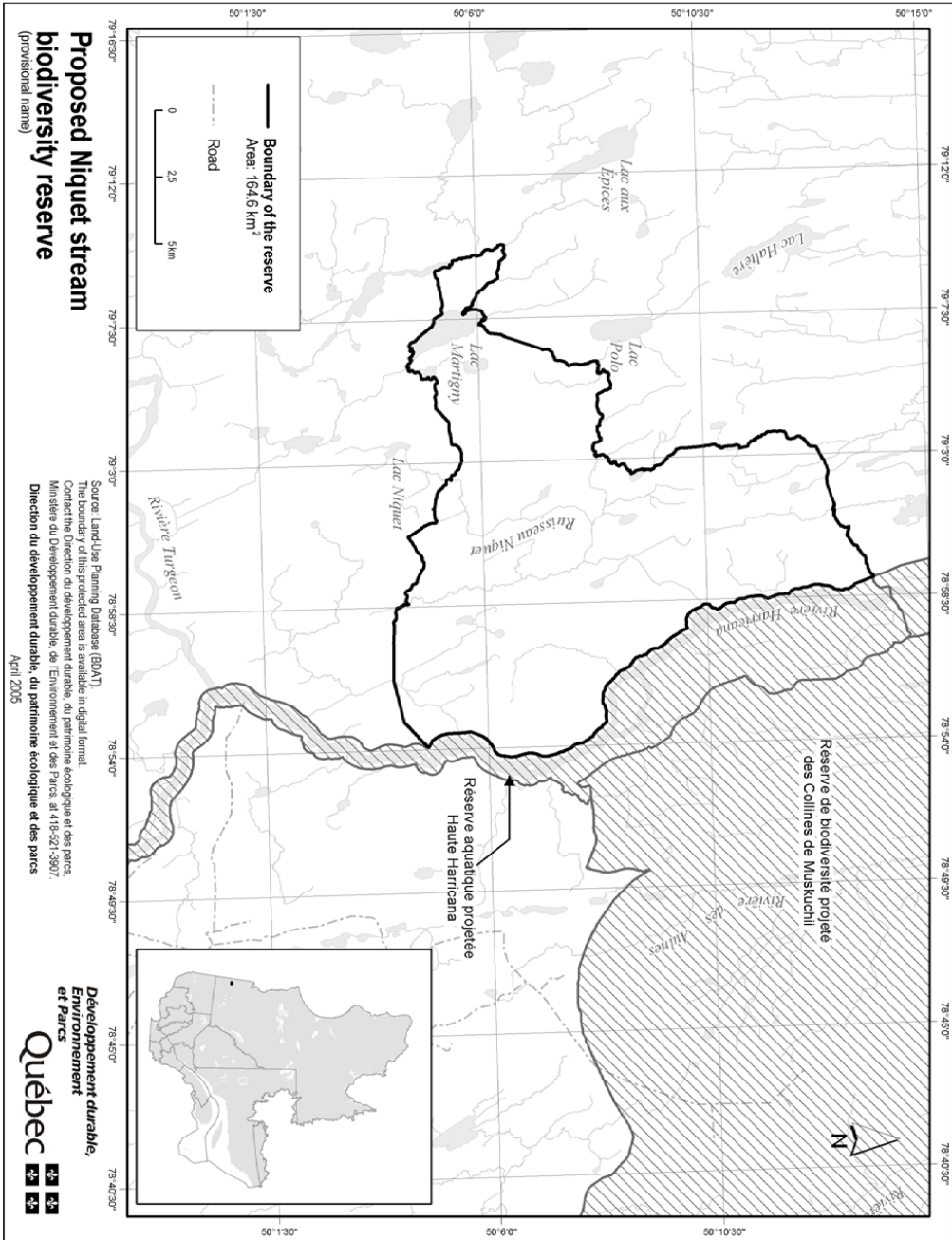
— Operation of vehicles: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and in the regulation on motor vehicle traffic in certain fragile environments made under the Environment Quality Act (R.S.Q., c. Q-2).

4. Responsibilities of the Minister of Sustainable Development, Environment and Parks

The Minister of Sustainable Development, Environment and Parks is responsible for the management of the proposed Niquet stream biodiversity reserve and is therefore responsible for the supervision and monitoring of the activities that may be carried on within the reserve. The Minister in the management of the reserve works collaboratively with other government representatives having specific responsibilities within the boundaries of the reserve or on adjoining land, such as the Minister of Natural Resources and Wildlife. In the exercise of their powers and functions, the Ministers will take into consideration the protection sought for these natural environments and the protection status that has been granted.

Schedule

Map of the proposed Niquet stream biodiversity reserve (provisional name)



Proposed Niquet stream biodiversity reserve
(provisional name)

Source: Land-Use Planning Database (BDAT).
The boundary of this protected area is available in digital format.
Contact the Direction du développement durable, du patrimoine écologique et des parcs,
Ministère du Développement durable, de l'Environnement et des Parcs, at 418-521-3907.
Direction du développement durable, du patrimoine écologique et des parcs
April 2005

**Développement durable,
Environnement
et Parcs**
Québec

PROPOSED SAINT-CYR LAKE BIODIVERSITY RESERVE

(provisional name)

CONSERVATION PLAN

June 2005

1. Protection status and toponym

The legal status of the reserve described below is that of proposed biodiversity reserve under the Natural Heritage Conservation Act (R.S.Q., c. C-61.01).

The proposed reserve is to have the name “Réserve de biodiversité projetée du lac Saint-Cyr”. The official toponym will be determined at the time of the assignment of permanent protection status to the land.

2. Plan and description

2.1. Geographic location, boundaries and dimensions

The boundaries and location of the proposed Saint-Cyr lake biodiversity reserve are shown on the plan.

The proposed Saint-Cyr lake biodiversity reserve is located in the Abitibi-Témiscamingue administrative region, between 48°37' and 48°52' north latitude and 75°36' and 75°49' west longitude. It is situated some 50 km west of the Native village of Obedjiwan, some 57 km east-north-east of Municipalité de Senneterre and some 90 km east-south-east of Municipalité de Lebel-sur-Quévillon. The proposed reserve covers an area of 143.7 km² and lies within the territory of Municipalité de Senneterre, in Municipalité régionale de comté de La Vallée-de-l'Or.

The boundaries of the proposed biodiversity reserve run along the 391-metre point.

2.2. Ecological overview

The proposed Saint-Cyr lake biodiversity reserve is in the Mégiscane Lake Hills natural region in the Mistassini River Highlands natural province. The average elevation is 397 m and ranges from 391 m to 463 m. The proposed Saint-Cyr lake biodiversity reserve consists mainly of mounds of drumlinized till with good to moderate drainage. Thick till knolls with good to moderate drainage are found north of Mesplet lake. The vegetation is characterized by softwood forests dominated by black spruce. Peat bogs are also found in the protected area.

2.3. Occupation and land uses

Three land rights have been granted in the territory of the proposed biodiversity reserve: 1 for vacation resort purposes and 2 for rough shelters.

The proposed Saint-Cyr lake biodiversity reserve covers a portion of the territory of the Club Kapitachuan (21%) and Pourvoirie St-Cyr (70%) outfitting operations which hold exclusive rights for hunting and fishing. Therefore, 91% of the area of the proposed biodiversity reserve comprises outfitting operations with exclusive rights.

The land in the proposed biodiversity reserve is classified as Category III land under the James Bay and Northern Québec Agreement (JBNQA) 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) enacted in 1978. The territory of the proposed biodiversity reserve lies within the territory covered by the hunting, fishing and trapping regime applicable pursuant to section 24 of the JBNQA (see the Act respecting hunting and fishing rights in the James Bay and New Québec territories (R.S.Q., c. D-13.1)).

The proposed Saint-Cyr lake biodiversity reserve lies within the Abitibi beaver reserve, in which the Atikamekw community of Obedjiwan has special rights regarding the hunting and trapping of fur-bearing animals.

The Saint-Cyr river is a recognized canoe-kayak route.

3. Activities within the reserve

§1. Introduction

The activities carried on within the proposed reserve are governed for the most part by the provisions of the Natural Heritage Conservation Act.

This Division prohibits activities in addition to those prohibited under the Act and provides a framework for the carrying on of certain permitted activities so as to better ensure the protection of the natural environment. Accordingly, certain activities require the prior authorization of the Minister and compliance with the conditions determined by the Minister.

As provided in the Natural Heritage Conservation Act, the main activities prohibited in an area to which status as a proposed biodiversity or aquatic reserve has been assigned are

— mining, and gas or petroleum development;

— forest management 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.

§2. Prohibitions, prior authorizations and conditions on which certain activities may be carried on in the proposed reserve

§2.1. Protection of resources and the natural environment

3.1. No person may introduce non-native species of flora or fauna into the proposed reserve.

3.2. No person may stock a watercourse or body of water

(1) for aquaculture, sports or commercial fishing or any other commercial purpose;

(2) for any other purpose, if the fish stocked are not from a genetic strain originating from the proposed reserve.

3.3. No person may bury, abandon or dispose of waste, snow or other residual materials other than in waste disposal containers, facilities or sites determined by the Minister or elsewhere, with the authorization of the Minister and in compliance with the conditions the Minister determines.

Despite the first paragraph, no authorization need be obtained by an outfitting operation to use a disposal facility or site in compliance with the Environment Quality Act and its regulations if the outfitting operation was already using the facility or site on the date on which the protection status as a proposed reserve takes effect.

3.4. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry on any activity likely to severely degrade the banks or shores or to otherwise seriously affect the integrity of a watercourse, body of water or other wetland area, in particular by discharging or dumping waste or other pollutant into the watercourse, body of water or wetland area; or

(2) dig, fill, obstruct or divert a watercourse or body of water.

§2.2. Rules of conduct for users

3.5. Every person staying, carrying on an activity or travelling about within the proposed reserve is required to maintain the premises in a satisfactory state and before leaving, return the premises to their natural state to the extent possible.

3.6. Every person who makes a campfire must

(1) clear an area around the fire site sufficient to prevent the fire from spreading by removing all branches, scrub, dry leaves and other combustible materials;

(2) see that there is always a person on the premises to attend the fire; and

(3) ensure that the fire is completely extinguished before leaving the premises.

3.7. In the proposed reserve, no person may

(1) cause any excessive noise; or

(2) behave in a manner that unduly disturbs other persons in the reserve or interferes with their enjoyment of the reserve.

3.8. No person may destroy, remove, move or damage any poster, sign, notice or other type of signage posted by the Minister within the proposed reserve.

3.9. No person may enter, carry on an activity in or operate a vehicle in a given sector of the proposed reserve unless the person has been authorized by the Minister and complies with the conditions determined, if the signage erected by the Minister restricts access, traffic or certain activities in order to protect the public from a danger or to avoid placing the fauna, flora or other components of the natural environment at risk.

§2.3. Activities requiring an authorization

3.10. No person may, unless the person has been authorized by the Minister and complies with the conditions the Minister determines, stay or reside on or otherwise occupy the same site within the proposed reserve for a period of more than three months in the same year. No authorization need be obtained by a person who,

(1) on the date on which the protection status as a proposed reserve takes effect, was a party to a lease or had already obtained another form of permit or authorization allowing the person to occupy the land under the

Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) or, if applicable, the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), and whose right to occupy the land is renewed or extended;

(2) in accordance with the applicable provisions of law, has entitlement under a sublease, an assignment of a lease or a transfer of an authorization, as referred to in paragraph 1, and whose right to occupy the land is renewed or extended;

(3) avails himself or herself of the possibility of acquiring the land the person legally occupies on the date on which the protection status as a proposed reserve takes effect, pursuant to the Act respecting the lands in the domain of the State.

3.11. (1) No person may carry on forest management activities to meet domestic needs or for the purpose of maintaining biodiversity, unless the person has been authorized by the Minister and carries on the activities in compliance with the conditions the Minister determines.

The conditions of that authorization may pertain, among other things, to species of trees or shrubs, the size of the stems that may be cut, the quantities authorized and the places where the activities may be carried on.

(2) Despite subsection 1, the authorization of the Minister under this plan need not be obtained by a person staying or residing in the proposed reserve who collects wood to make a campfire.

No such authorization need be obtained by a person to collect wood to meet domestic needs

(a) if the wood is collected within a sector reserved by the Minister of Natural Resources and Wildlife as a sector for which a permit for the harvest of firewood for domestic purposes under the Forest Act (R.S.Q., c. F-4.1) may be issued and which has already been reserved as such by the Minister on the date on which the protection status as a proposed reserve takes effect;

(b) if the wood is collected by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the proposed reserve; or

(c) if the wood is collected by a person in accordance with the conditions set out in the permit for the harvest of firewood for domestic purposes issued by the Minister of Natural Resources and Wildlife under the Forest Act.

(3) Despite subsection 1, no authorization need be obtained by a person authorized by lease to occupy land within the proposed reserve, pursuant to this plan, to carry on a forest management activity for the purpose of

(a) clearing permitted harvested areas, maintaining them or creating visual openings, and any other similar removal purposes permitted under the regulation that applies to the sale, lease and granting of immovable rights made under the Act respecting the lands in the domain of the State;

(b) creating and maintaining access roads, stairways or other trails permitted under that regulation; or

(c) clearing the necessary area for the installation, connection, maintenance and repair of power, water, sewer or telecommunication lines, facilities and mains.

When the work referred to in subparagraph *c* of subsection 3 is carried out for or under the responsibility of an enterprise providing any of those services, the work requires the prior authorization of the Minister, other than in the case of the exemptions provided for in sections 3.13 and 3.14.

(4) Despite subsection 1, no authorization need be obtained by a person to carry on a forest management activity to maintain a sugar bush and harvest maple products for domestic purposes

(a) if the activity is carried on by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act allowing the person to carry on the activities of a sugar bush operator within the proposed reserve;

(b) if the activity is carried on within a zone for which the permit obtained allowed the carrying on of sugar bush operations on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years; or

(c) if the activity is carried on by a person in compliance with the conditions set out in the sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act.

3.12. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry out soil development work, including any fill, burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose including recreational and tourism purposes such as the development of trails ;

(2) install or construct a new structure, infrastructure or works ;

(3) reconstruct or demolish an existing structure, infrastructure or works ;

(4) use a pesticide, although no authorization is required for the use of insect repellent for personal purposes ;

(5) carry on an activity that is likely to severely degrade the soil or a geological formation or damage the vegetation cover, such as stripping, the digging of trenches or excavation work ; or

(6) carry on educational or research-related activities if the activities are likely to significantly damage or disturb the natural environment, in particular by the extent of the moving or removal of natural resources or by the use of explosives.

The conditions of the Minister's authorization for the work may pertain to the location of the authorized activity, the methods used, the areas that may be cleared or deforested, the types of material that may be used including the material taken from the site, and the presence of ancillary works or facilities. The conditions may also include a requirement to ensure periodic follow-up or to report to the Minister, in particular as regards the results obtained from the research to which subparagraph 6 of the first paragraph refers.

Subject to the conditions determined in the authorization, work to repair or maintain trails authorized by the Minister or trails existing on the date on which the protection status as a proposed reserve takes effect may be carried on without an authorization under subparagraph 1 of the first paragraph.

Work to repair or maintain forest roads or roads authorized under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) carried on in accordance with the Forest Act and its regulations that concern standards of forest management may be carried on without an authorization under subparagraph 1 of the first paragraph.

§2.4. Authorization exemptions

3.13. Despite the preceding provisions, no authorization need be obtained by a person to carry on an activity or for any other form of intervention within the proposed reserve if urgent action is required to prevent harm to the health or safety of persons, or to repair or prevent damage caused by a real or apprehended catastrophe. The person concerned must, however, immediately inform the Minister of the activity or intervention that has taken place.

3.14. Despite the preceding provisions, the following activities and interventions involving the production, transmission and distribution of electricity carried out by Hydro-Québec (Société) or by any other person for Hydro-Québec do not require the prior authorization of the Minister under this plan :

(1) any activity or intervention required within the proposed reserve to complete a project which was previously expressly authorized by the Government and the Minister, or only by the latter, in accordance with the requirements of the Environment Quality Act (R.S.Q., c. Q-2), if the activity or intervention is carried out in compliance with the authorizations issued ;

(2) any activity or intervention necessary for the preparation and presentation of a pre-project report for a project requiring an authorization under the Environment Quality Act ;

(3) any activity or intervention relating to a project requiring the prior authorization of the Minister under the Environment Quality Act, if the activity or intervention is in response to a request for a clarification or for additional information made by the Minister to the Société and it is carried out in accordance with the request ;

(4) any activity or intervention by the Société, if the conditions for the carrying out of the activity or intervention have been determined in an agreement between the Minister and the Société and the activity or intervention is carried out in compliance with those conditions.

For the purposes of this section, the activities and interventions of the Société include pre-project studies, analysis work or field research, work required to study and monitor the impact of power transmission and distribution line corridors and rights-of-way, geological or geophysical surveys and survey lines, and the opening and maintenance of roads required for the purpose of access, construction or equipment movement necessary for the carrying on of such work.

§2.5. General provisions

3.15. Every person who applies to the Minister for an individual authorization or for an authorization for a group or for a number of persons must provide any information or document requested by the Minister for the examination of the application.

3.16. The Minister's authorization, which is general and can be used by more than one person, may be communicated to the persons concerned by any appropriate means including by a posted notice or appropriate signage at the reception centre or any other location within the proposed reserve that is readily accessible to the public. The Minister is to provide a copy to any person requesting a copy.

§3. Activities governed by other statutes

Certain activities likely to be carried on within the proposed reserve are also governed by 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 reserve.

A special legal framework may govern permitted and prohibited activities within the proposed reserve in connection with the following matters:

— Environmental protection: measures set out in particular in the Environment Quality Act (R.S.Q., c. Q-2);

— Archaeological research: measures set out in particular in the Cultural Property Act (R.S.Q., c. B-4);

— Development of wildlife resources: measures set out in particular in the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), including the provisions pertaining to outfitting operations and beaver reserves and the measures contained in applicable federal legislation, including the fishery regulations;

— Removal of species of fauna or flora that are threatened or vulnerable or are likely to be designated as such: measures prohibiting the removal of the species under the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01);

— Access and land rights: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1);

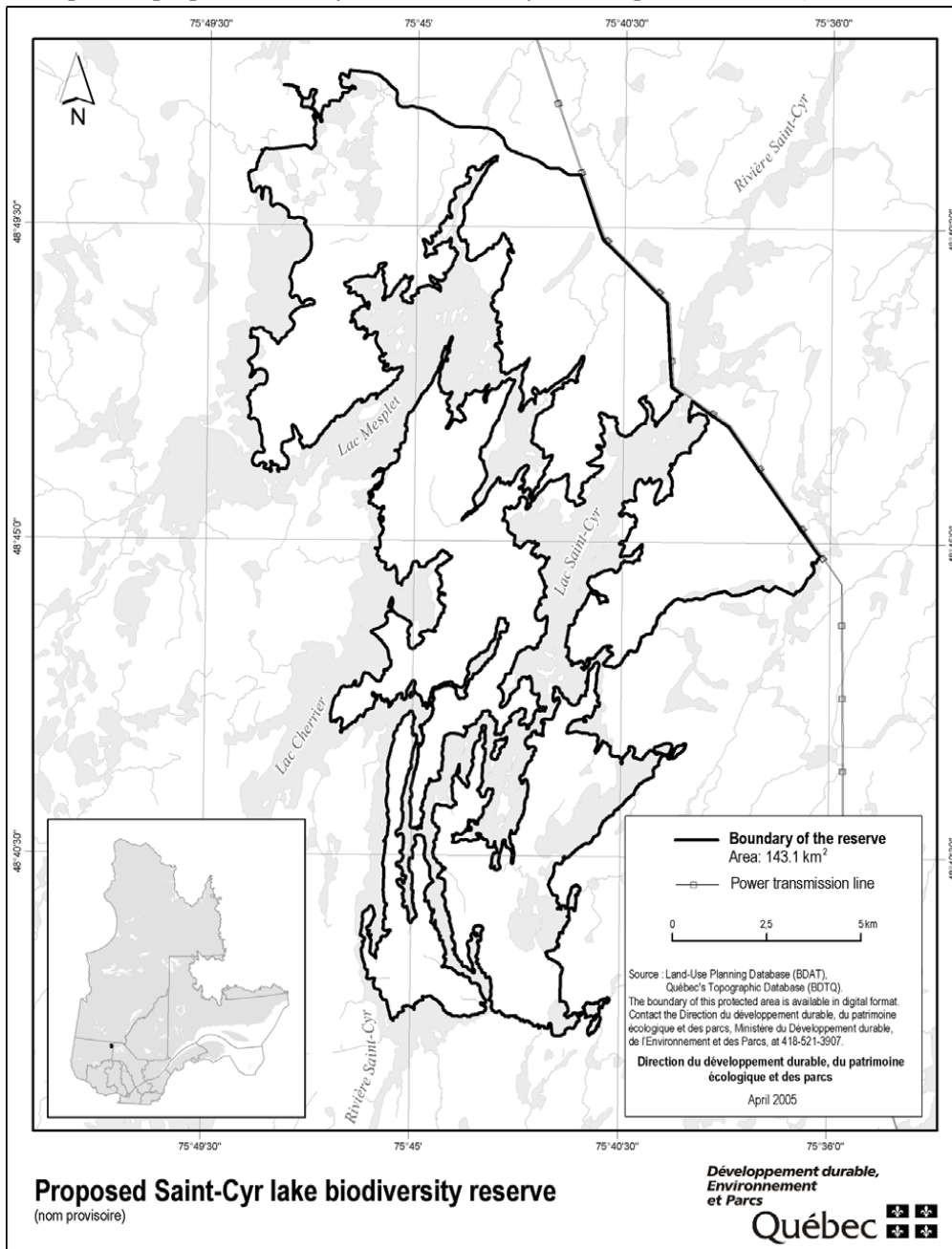
— Operation of vehicles: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and in the regulation on motor vehicle traffic in certain fragile environments made under the Environment Quality Act (R.S.Q., c. Q-2).

4. Responsibilities of the Minister of Sustainable Development, Environment and Parks

The Minister of Sustainable Development, Environment and Parks is responsible for the management of the proposed Saint-Cyr lake biodiversity reserve and is therefore responsible for the supervision and monitoring of the activities that may be carried on within the reserve. The Minister in the management of the reserve works collaboratively with other government representatives having specific responsibilities within the boundaries of the reserve or on adjoining land, such as the Minister of Natural Resources and Wildlife. In the exercise of their powers and functions, the Ministers will take into consideration the protection sought for these natural environments and the protection status that has been granted.

Schedule

Map of the proposed Saint-Cyr lake biodiversity reserve (provisional name)



PROPOSED WETETNAGAMI LAKE
BIODIVERSITY RESERVE
(provisional name)

CONSERVATION PLAN

June 2005

1. Protection status and toponym

The legal status of the reserve described below is that of proposed biodiversity reserve under the Natural Heritage Conservation Act (R.S.Q. c. C-61.01).

The proposed reserve is to have the name “Réserve de biodiversité projetée du lac Wetetnagami”. The official toponym will be determined at the time of the assignment of permanent protection status to the land.

2. Plan and description

2.1. Geographic location, boundaries and dimensions

The boundaries and location of the proposed Wetetnagami lake biodiversity reserve are shown on the plan.

The proposed Wetetnagami lake biodiversity reserve is located in the Abitibi-Témiscamingue administrative region, between 48°35' and 49°00' north latitude and 76°11' and 76°23' west longitude. It is situated some 19 km north-east of Municipalité de Senneterre and some 55 km east-south-east of Municipalité de Lebel-sur-Quévillon. The proposed reserve covers an area of 234.3 km² and lies within Municipalité de Senneterre in Municipalité régionale de comté de La Vallée-de-l'Or.

A forest road crosses the southern portion of the proposed biodiversity reserve. A 40-metre right-of-way for that road is excluded from the proposed biodiversity reserve, as shown on the attached map.

2.2. Geography

The proposed Wetetnagami lake biodiversity reserve is in the Mégiscane Lake Hills natural region in the Mistassini River Highlands natural province. The average elevation is 415 m and ranges from 362 m to 552 m. In its northern half, the proposed Wetetnagami biodiversity reserve is formed of thick till mounds with good to moderate drainage. The southern half of the proposed biodiversity reserve is formed of thick till low hills with good to moderate drainage. The vegetation is characterized by softwood forests of black spruce and jack pine and mixed forests dominated by white birch and jack pine.

2.3. Occupation and land uses

Twenty-seven land rights have been granted in the territory of the proposed biodiversity reserve: 3 for vacation resort purposes, 19 for rough shelters and 5 for commercial outfitting operations (outfitting operations without exclusive rights).

The Wetetnagami river and lake are recognized canoe-kayak routes.

The land in the proposed biodiversity reserve is classified as Category III land under the James Bay and Northern Québec Agreement (JBNQA) 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) enacted in 1978. The territory of the proposed reserve lies within the territory covered by the hunting, fishing and trapping regime applicable pursuant to section 24 of the JBNQA (see the Act respecting hunting and fishing rights in the James Bay and New Québec territories (R.S.Q., c. D-13.1)). The proposed biodiversity reserve is included in the land under the Paix des Braves Agreement.

The Wetetnagami lake biodiversity reserve lies almost wholly within the Abitibi beaver reserve, in which the Atikamekw community of Obedjiwan has special rights regarding the hunting and trapping of fur-bearing animals. The northern portion of the proposed biodiversity reserve adjoins part of the Abitibi beaver reserve, in which the Cree community of Waswanipi has special rights regarding the hunting and trapping of fur-bearing animals.

Four traplines are present in the proposed Wetetnagami lake biodiversity reserve.

3. Activities within the reserve

§1. Introduction

The activities carried on within the proposed reserve are governed for the most part by the provisions of the Natural Heritage Conservation Act.

This Division prohibits activities in addition to those prohibited under the Act and provides a framework for the carrying on of certain permitted activities so as to better ensure the protection of the natural environment. Accordingly, certain activities require the prior authorization of the Minister and compliance with the conditions determined by the Minister.

As provided in the Natural Heritage Conservation Act, the main activities prohibited in an area to which status as a proposed biodiversity or aquatic reserve has been assigned are

- mining, and gas or petroleum development;
- forest management 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.

§2. Prohibitions, prior authorizations and conditions on which certain activities may be carried on in the proposed reserve

§2.1. Protection of resources and the natural environment

3.1. No person may introduce non-native species of flora or fauna into the proposed reserve.

3.2. No person may stock a watercourse or body of water

(1) for aquaculture, sports or commercial fishing or any other commercial purpose;

(2) for any other purpose, if the fish stocked are not from a genetic strain originating from the proposed reserve.

3.3. No person may bury, abandon or dispose of waste, snow or other residual materials other than in waste disposal containers, facilities or sites determined by the Minister or elsewhere, with the authorization of the Minister and in compliance with the conditions the Minister determines.

Despite the first paragraph, no authorization need be obtained by an outfitting operation to use a disposal facility or site in compliance with the Environment Quality Act and its regulations if the outfitting operation was already using the facility or site on the date on which the protection status as a proposed reserve takes effect.

3.4. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry on any activity likely to severely degrade the banks or shores or to otherwise seriously affect the integrity of a watercourse, body of water or other wetland area, in particular by discharging or dumping waste or other pollutant into the watercourse, body of water or wetland area; or

(2) dig, fill, obstruct or divert a watercourse or body of water.

§2.2. Rules of conduct for users

3.5. Every person staying, carrying on an activity or travelling about within the proposed reserve is required to maintain the premises in a satisfactory state and before leaving, return the premises to their natural state to the extent possible.

3.6. Every person who makes a campfire must

(1) clear an area around the fire site sufficient to prevent the fire from spreading by removing all branches, scrub, dry leaves and other combustible materials;

(2) see that there is always a person on the premises to attend the fire; and

(3) ensure that the fire is completely extinguished before leaving the premises.

3.7. In the proposed reserve, no person may

(1) cause any excessive noise; or

(2) behave in a manner that unduly disturbs other persons in the reserve or interferes with their enjoyment of the reserve.

3.8. No person may destroy, remove, move or damage any poster, sign, notice or other type of signage posted by the Minister within the proposed reserve.

3.9. No person may enter, carry on an activity in or operate a vehicle in a given sector of the proposed reserve unless the person has been authorized by the Minister and complies with the conditions determined, if the signage erected by the Minister restricts access, traffic or certain activities in order to protect the public from a danger or to avoid placing the fauna, flora or other components of the natural environment at risk.

§2.3. Activities requiring an authorization

3.10. No person may, unless the person has been authorized by the Minister and complies with the conditions the Minister determines, stay or reside on or otherwise occupy the same site within the proposed reserve for a period of more than three months in the same year. No authorization need be obtained by a person who,

(1) on the date on which the protection status as a proposed reserve takes effect, was a party to a lease or had already obtained another form of permit or authori-

zation allowing the person to occupy the land under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) or, if applicable, the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), and whose right to occupy the land is renewed or extended;

(2) in accordance with the applicable provisions of law, has entitlement under a sublease, an assignment of a lease or a transfer of an authorization, as referred to in paragraph 1, and whose right to occupy the land is renewed or extended;

(3) avails himself or herself of the possibility of acquiring the land the person legally occupies on the date on which the protection status as a proposed reserve takes effect, pursuant to the Act respecting the lands in the domain of the State.

3.11. (1) No person may carry on forest management activities to meet domestic needs or for the purpose of maintaining biodiversity, unless the person has been authorized by the Minister and carries on the activities in compliance with the conditions the Minister determines.

The conditions of that authorization may pertain, among other things, to species of trees or shrubs, the size of the stems that may be cut, the quantities authorized and the places where the activities may be carried on.

(2) Despite subsection 1, the authorization of the Minister under this plan need not be obtained by a person staying or residing in the proposed reserve who collects wood to make a campfire.

No such authorization need be obtained by a person to collect wood to meet domestic needs

(a) if the wood is collected within a sector reserved by the Minister of Natural Resources and Wildlife as a sector for which a permit for the harvest of firewood for domestic purposes under the Forest Act (R.S.Q., c. F-4.1) may be issued and which has already been reserved as such by the Minister on the date on which the protection status as a proposed reserve takes effect;

(b) if the wood is collected by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the proposed reserve; or

(c) if the wood is collected by a person in accordance with the conditions set out in the permit for the harvest of firewood for domestic purposes issued by the Minister of Natural Resources and Wildlife under the Forest Act.

(3) Despite subsection 1, no authorization need be obtained by a person authorized by lease to occupy land within the proposed reserve, pursuant to this plan, to carry on a forest management activity for the purpose of

(a) clearing permitted harvested areas, maintaining them or creating visual openings, and any other similar removal purposes permitted under the regulation that applies to the sale, lease and granting of immovable rights made under the Act respecting the lands in the domain of the State;

(b) creating and maintaining access roads, stairways or other trails permitted under that regulation; or

(c) clearing the necessary area for the installation, connection, maintenance and repair of power, water, sewer or telecommunication lines, facilities and mains.

When the work referred to in subparagraph *c* of subsection 3 is carried out for or under the responsibility of an enterprise providing any of those services, the work requires the prior authorization of the Minister, other than in the case of the exemptions provided for in sections 3.13 and 3.14.

(4) Despite subsection 1, no authorization need be obtained by a person to carry on a forest management activity to maintain a sugar bush and harvest maple products for domestic purposes

(a) if the activity is carried on by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act allowing the person to carry on the activities of a sugar bush operator within the proposed reserve;

(b) if the activity is carried on within a zone for which the permit obtained allowed the carrying on of sugar bush operations on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years; or

(c) if the activity is carried on by a person in compliance with the conditions set out in the sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act.

3.12. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry out soil development work, including any fill, burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose including recreational and tourism purposes such as the development of trails;

(2) install or construct a new structure, infrastructure or works;

(3) reconstruct or demolish an existing structure, infrastructure or works;

(4) use a pesticide, although no authorization is required for the use of insect repellent for personal purposes;

(5) carry on an activity that is likely to severely degrade the soil or a geological formation or damage the vegetation cover, such as stripping, the digging of trenches or excavation work;

(6) carry on educational or research-related activities if the activities are likely to significantly damage or disturb the natural environment, in particular by the extent of the moving or removal of natural resources or by the use of explosives.

The conditions of the Minister's authorization for the work may pertain to the location of the authorized activity, the methods used, the areas that may be cleared or deforested, the types of material that may be used including the material taken from the site, and the presence of ancillary works or facilities. The conditions may also include a requirement to ensure periodic follow-up or to report to the Minister, in particular as regards the results obtained from the research to which subparagraph 6 of the first paragraph refers.

Subject to the conditions determined in the authorization, work to repair or maintain trails authorized by the Minister or trails existing on the date on which the protection status as a proposed reserve takes effect may be carried on without an authorization under subparagraph 1 of the first paragraph.

Work to repair or maintain forest roads or roads authorized under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) carried on in accordance with the Forest Act and its regulations that concern standards of forest management may be carried on without an authorization under subparagraph 1 of the first paragraph.

§2.4. Authorization exemptions

3.13. Despite the preceding provisions, no authorization need be obtained by a person to carry on an activity or for any other form of intervention within the proposed reserve if urgent action is required to prevent harm to the health or safety of persons, or to repair or prevent damage caused by a real or apprehended catastrophe. The person concerned must, however, immediately inform the Minister of the activity or intervention that has taken place.

3.14. Despite the preceding provisions, the following activities and interventions involving the production, transmission and distribution of electricity carried out by Hydro-Québec (Société) or by any other person for Hydro-Québec do not require the prior authorization of the Minister under this plan:

(1) any activity or intervention required within the proposed reserve to complete a project which was previously expressly authorized by the Government and the Minister, or only by the latter, in accordance with the requirements of the Environment Quality Act (R.S.Q., c. Q-2), if the activity or intervention is carried out in compliance with the authorizations issued;

(2) any activity or intervention necessary for the preparation and presentation of a pre-project report for a project requiring an authorization under the Environment Quality Act;

(3) any activity or intervention relating to a project requiring the prior authorization of the Minister under the Environment Quality Act, if the activity or intervention is in response to a request for a clarification or for additional information made by the Minister to the Société and it is carried out in accordance with the request;

(4) any activity or intervention by the Société, if the conditions for the carrying out of the activity or intervention have been determined in an agreement between the Minister and the Société and the activity or intervention is carried out in compliance with those conditions.

For the purposes of this section, the activities and interventions of the Société include pre-project studies, analysis work or field research, work required to study and monitor the impact of power transmission and distribution line corridors and rights-of-way, geological or geophysical surveys and survey lines, and the opening and maintenance of roads required for the purpose of access, construction or equipment movement necessary for the carrying on of such work.

§2.5. General provisions

3.15. Every person who applies to the Minister for an individual authorization or for an authorization for a group or for a number of persons must provide any information or document requested by the Minister for the examination of the application.

3.16. The Minister's authorization, which is general and can be used by more than one person, may be communicated to the persons concerned by any appropriate means including by a posted notice or appropriate signage at the reception centre or any other location within the proposed reserve that is readily accessible to the public. The Minister is to provide a copy to any person requesting a copy.

§3. Activities governed by other statutes

Certain activities likely to be carried on within the proposed reserve are also governed by 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 reserve.

A special legal framework may govern permitted and prohibited activities within the proposed reserve in connection with the following matters:

— Environmental protection: measures set out in particular in the Environment Quality Act (R.S.Q., c. Q-2);

— Archaeological research: measures set out in particular in the Cultural Property Act (R.S.Q., c. B-4);

— Development of wildlife resources: measures set out in particular in the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), including the provisions pertaining to outfitting operations and beaver reserves and the measures contained in applicable federal legislation, including the fishery regulations;

— Removal of species of fauna or flora that are threatened or vulnerable or are likely to be designated as such: measures prohibiting the removal of the species under the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01);

— Access and land rights: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1);

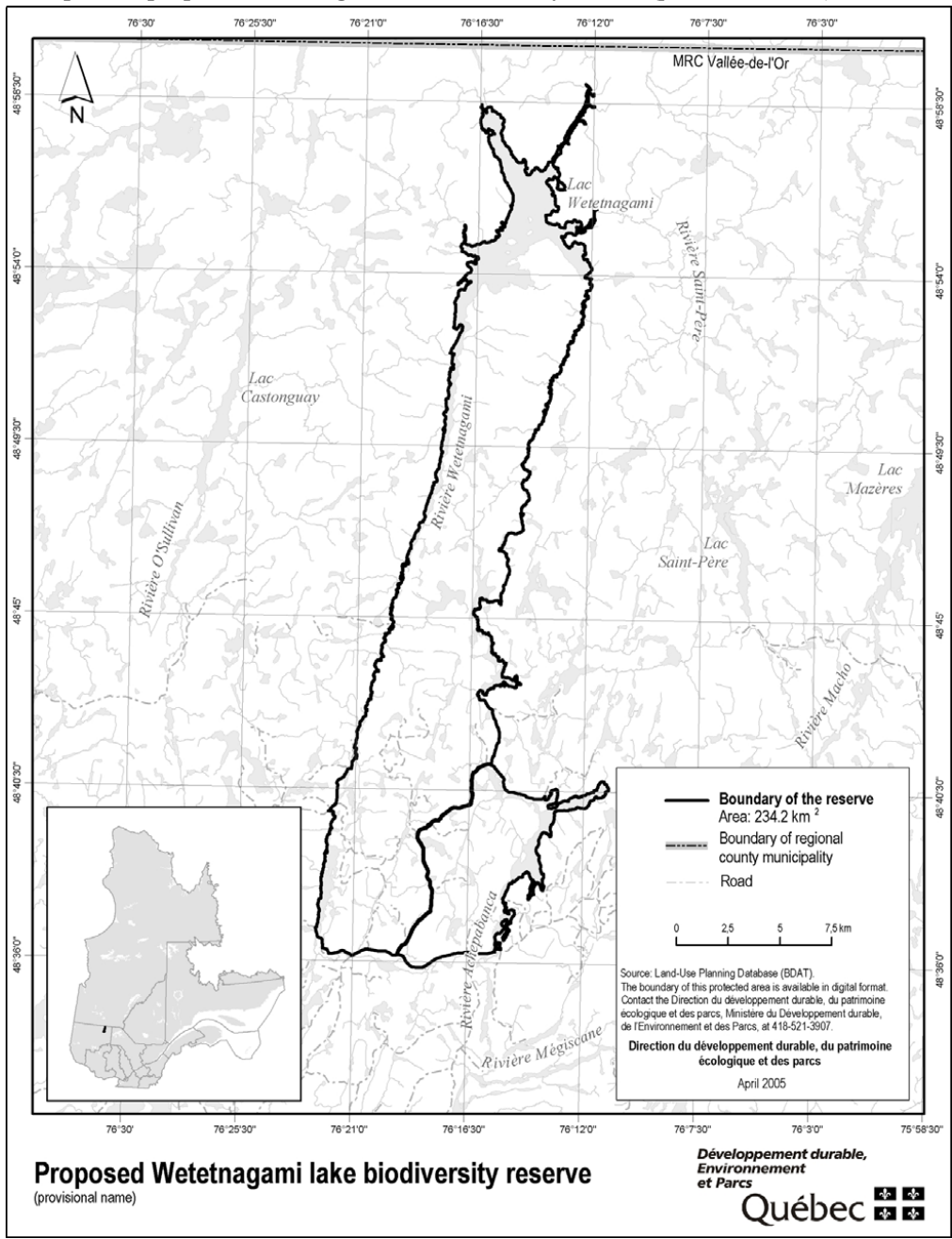
— Operation of vehicles: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and in the regulation on motor vehicle traffic in certain fragile environments made under the Environment Quality Act (R.S.Q., c. Q-2).

4. Responsibilities of the Minister of Sustainable Development, Environment and Parks

The Minister of Sustainable Development, Environment and Parks is responsible for the management of the proposed Wetetnagami biodiversity reserve and is therefore responsible for the supervision and monitoring of the activities that may be carried on within the reserve. The Minister in the management of the reserve works collaboratively with other government representatives having specific responsibilities within the boundaries of the reserve or on adjoining land, such as the Minister of Natural Resources and Wildlife. In the exercise of their powers and functions, the Ministers will take into consideration the protection sought for these natural environments and the protection status that has been granted.

Schedule

Map of the proposed Wetetnagami lake biodiversity reserve (provisional name)



PROPOSED PLÉTIPI LAKE BIODIVERSITY
RESERVE
(provisional name)

CONSERVATION PLAN

June 2005

1. Protection status and toponym

The legal status of the reserve described below is that of proposed biodiversity reserve under the Natural Heritage Conservation Act (R.S.Q., c. C-61.01).

The proposed reserve is to have the name “Réserve de biodiversité projetée du lac Plétiipi”. The official toponym will be determined at the time of the assignment of permanent protection status to the land.

2. Plan and description

2.1. Location, boundaries and dimensions

The boundaries and location of the proposed Plétiipi lake biodiversity reserve are shown on the plan.

The western portion of the proposed Plétiipi lake biodiversity reserve is located in the Saguenay–Lac-Saint-Jean administrative region and the eastern portion is located in the Côte-Nord region. The proposed biodiversity reserve is situated some 40 km west of the Manicouagan reservoir, between 51°30' and 52°00' north latitude and 69°31' and 70°27' west longitude. The proposed biodiversity reserve covers an area of 1,733.4 km² within the unorganized territories of Mont-Valin, Rivière-Mouchalagane and Rivières-aux-Outardes located respectively in the regional county municipalities of Fjord-du-Saguenay, Caniapiscau and Manicouagan.

2.2. Geography

The major part of the proposed biodiversity reserve is in the Central Laurentian natural province. It protects ecosystems characteristic of the Manicouagan reservoir basin natural region. To the north, part of the proposed biodiversity reserve is in the Monts Otish natural region which forms part of the Mistassini River Highlands natural province.

The proposed biodiversity reserve consists of a well-developed drainage system of lakes and rivers. Plétiipi lake (339 km²) covers a large portion of the territory. The major part of the proposed biodiversity reserve consists of low hills and mounds of well-drained till. The heterogeneous vegetation is composed mainly of heaths, inter-

persed with black spruce stands, peat bogs and a few jack pine and white birch stands. Several areas have been affected by fire.

Woodland caribou are present in the territory. Plétiipi, Matonipi and Matonipis lakes are home to lake trout, a unique fish species. The reserve also overlaps sectors of allopatric distribution of brook trout.

2.3. Occupation, rights and land uses

Three land rights have been granted in the territory of the proposed biodiversity reserve: one for commercial purposes for establishing an outfitting operation without exclusive rights (Cépal Aventure), one for vacation resort purposes and an authorization for various sustainable infrastructures (hydrometric station). A road not suitable for vehicles links the buildings on the banks of Matonipi and Matonipis lakes. The outfitting operation with exclusive rights, Lac Matonipi inc., is entirely within the proposed biodiversity reserve.

The proposed Plétiipi lake biodiversity reserve lies within the Bersimis beaver reserve and a small portion of the proposed biodiversity reserve adjoins the Roberval beaver reserve. The Innu communities have special rights regarding the hunting and trapping of fur-bearing animals in the beaver reserves. The territory is part of the Nitassinan of Betsiamites and adjoins the proposed Monts Otish Native park appearing in the General Agreement in Principle.

3. Activities within the reserve

§1. Introduction

The activities carried on within the proposed reserve are governed for the most part by the provisions of the Natural Heritage Conservation Act.

This Division prohibits activities in addition to those prohibited under the Act and provides a framework for the carrying on of certain permitted activities so as to better ensure the protection of the natural environment. Accordingly, certain activities require the prior authorization of the Minister and compliance with the conditions determined by the Minister.

As provided in the Natural Heritage Conservation Act, the main activities prohibited in an area to which status as a proposed biodiversity or aquatic reserve has been assigned are

— mining, and gas or petroleum development;

— forest management 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.

§2. Prohibitions, prior authorizations and conditions on which certain activities may be carried on in the proposed reserve

§2.1. Protection of resources and the natural environment

3.1. No person may introduce non-native species of flora or fauna into the proposed reserve.

3.2. No person may stock a watercourse or body of water

(1) for aquaculture, sports or commercial fishing or any other commercial purpose;

(2) for any other purpose, if the fish stocked are not from a genetic strain originating from the proposed reserve.

3.3. No person may bury, abandon or dispose of waste, snow or other residual materials other than in waste disposal containers, facilities or sites determined by the Minister or elsewhere, with the authorization of the Minister and in compliance with the conditions the Minister determines.

Despite the first paragraph, no authorization need be obtained by an outfitting operation to use a disposal facility or site in compliance with the Environment Quality Act and its regulations if the outfitting operation was already using the facility or site on the date on which the protection status as a proposed reserve takes effect.

3.4. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry on any activity likely to severely degrade the banks or shores or to otherwise seriously affect the integrity of a watercourse, body of water or other wetland area, in particular by discharging or dumping waste or other pollutant into the watercourse, body of water or wetland area; or

(2) dig, fill, obstruct or divert a watercourse or body of water.

§2.2. Rules of conduct for users

3.5. Every person staying, carrying on an activity or travelling about within the proposed reserve is required to maintain the premises in a satisfactory state and before leaving, return the premises to their natural state to the extent possible.

3.6. Every person who makes a campfire must

(1) clear an area around the fire site sufficient to prevent the fire from spreading by removing all branches, scrub, dry leaves and other combustible materials;

(2) see that there is always a person on the premises to attend the fire; and

(3) ensure that the fire is completely extinguished before leaving the premises.

3.7. In the proposed reserve, no person may

(1) cause any excessive noise; or

(2) behave in a manner that unduly disturbs other persons in the reserve or interferes with their enjoyment of the reserve.

3.8. No person may destroy, remove, move or damage any poster, sign, notice or other type of signage posted by the Minister within the proposed reserve.

3.9. No person may enter, carry on an activity in or operate a vehicle in a given sector of the proposed reserve unless the person has been authorized by the Minister and complies with the conditions determined, if the signage erected by the Minister restricts access, traffic or certain activities in order to protect the public from a danger or to avoid placing the fauna, flora or other components of the natural environment at risk.

§2.3. Activities requiring an authorization

3.10. No person may, unless the person has been authorized by the Minister and complies with the conditions the Minister determines, stay or reside on or otherwise occupy the same site within the proposed reserve for a period of more than three months in the same year. No authorization need be obtained by a person who,

(1) on the date on which the protection status as a proposed reserve takes effect, was a party to a lease or had already obtained another form of permit or authorization allowing the person to occupy the land under the Act respecting the lands in the domain of the State

(R.S.Q., c. T-8.1) or, if applicable, the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), and whose right to occupy the land is renewed or extended;

(2) in accordance with the applicable provisions of law, has entitlement under a sublease, an assignment of a lease or a transfer of an authorization, as referred to in paragraph 1, and whose right to occupy the land is renewed or extended;

(3) avails himself or herself of the possibility of acquiring the land the person legally occupies on the date on which the protection status as a proposed reserve takes effect, pursuant to the Act respecting the lands in the domain of the State.

3.11. (1) No person may carry on forest management activities to meet domestic needs or for the purpose of maintaining biodiversity, unless the person has been authorized by the Minister and carries on the activities in compliance with the conditions the Minister determines.

The conditions of that authorization may pertain, among other things, to species of trees or shrubs, the size of the stems that may be cut, the quantities authorized and the places where the activities may be carried on.

(2) Despite subsection 1, the authorization of the Minister under this plan need not be obtained by a person staying or residing in the proposed reserve who collects wood to make a campfire.

No such authorization need be obtained by a person to collect wood to meet domestic needs

(a) if the wood is collected within a sector reserved by the Minister of Natural Resources and Wildlife as a sector for which a permit for the harvest of firewood for domestic purposes under the Forest Act (R.S.Q., c. F-4.1) may be issued and which has already been reserved as such by the Minister on the date on which the protection status as a proposed reserve takes effect;

(b) if the wood is collected by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the proposed reserve; or

(c) if the wood is collected by a person in accordance with the conditions set out in the permit for the harvest of firewood for domestic purposes issued by the Minister of Natural Resources and Wildlife under the Forest Act.

(3) Despite subsection 1, no authorization need be obtained by a person authorized by lease to occupy land within the proposed reserve, pursuant to this plan, to carry on a forest management activity for the purpose of

(a) clearing permitted harvested areas, maintaining them or creating visual openings, and any other similar removal purposes permitted under the regulation that applies to the sale, lease and granting of immovable rights made under the Act respecting the lands in the domain of the State;

(b) creating and maintaining access roads, stairways or other trails permitted under that regulation; or

(c) clearing the necessary area for the installation, connection, maintenance and repair of power, water, sewer or telecommunication lines, facilities and mains.

When the work referred to in subparagraph *c* of subsection 3 is carried out for or under the responsibility of an enterprise providing any of those services, the work requires the prior authorization of the Minister, other than in the case of the exemptions provided for in sections 3.13 and 3.14.

(4) Despite subsection 1, no authorization need be obtained by a person to carry on a forest management activity to maintain a sugar bush and harvest maple products for domestic purposes

(a) if the activity is carried on by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act allowing the person to carry on the activities of a sugar bush operator within the proposed reserve;

(b) if the activity is carried on within a zone for which the permit obtained allowed the carrying on of sugar bush operations on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years; or

(c) if the activity is carried on by a person in compliance with the conditions set out in the sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act.

3.12. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry out soil development work, including any fill, burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose including recreational and tourism purposes such as the development of trails;

(2) install or construct a new structure, infrastructure or works;

(3) reconstruct or demolish an existing structure, infrastructure or works;

(4) use a pesticide, although no authorization is required for the use of insect repellent for personal purposes;

(5) carry on an activity that is likely to severely degrade the soil or a geological formation or damage the vegetation cover, such as stripping, the digging of trenches or excavation work;

(6) carry on educational or research-related activities if the activities are likely to significantly damage or disturb the natural environment, in particular by the extent of the moving or removal of natural resources or by the use of explosives.

The conditions of the Minister's authorization for the work may pertain to the location of the authorized activity, the methods used, the areas that may be cleared or deforested, the types of material that may be used including the material taken from the site, and the presence of ancillary works or facilities. The conditions may also include a requirement to ensure periodic follow-up or to report to the Minister, in particular as regards the results obtained from the research to which subparagraph 6 of the first paragraph refers.

Subject to the conditions determined in the authorization, work to repair or maintain trails authorized by the Minister or trails existing on the date on which the protection status as a proposed reserve takes effect may be carried on without an authorization under subparagraph 1 of the first paragraph.

Work to repair or maintain forest roads or roads authorized under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) carried on in accordance with the Forest Act and its regulations that concern standards of forest management may be carried on without an authorization under subparagraph 1 of the first paragraph.

§2.4. Authorization exemptions

3.13. Despite the preceding provisions, no authorization need be obtained by a person to carry on an activity or for any other form of intervention within the proposed reserve if urgent action is required to prevent harm to the health or safety of persons, or to repair or prevent damage caused by a real or apprehended catastrophe. The person concerned must, however, immediately inform the Minister of the activity or intervention that has taken place.

3.14. Despite the preceding provisions, the following activities and interventions involving the production, transmission and distribution of electricity carried out by Hydro-Québec (Société) or by any other person for Hydro-Québec do not require the prior authorization of the Minister under this plan:

(1) any activity or intervention required within the proposed reserve to complete a project which was previously expressly authorized by the Government and the Minister, or only by the latter, in accordance with the requirements of the Environment Quality Act (R.S.Q., c. Q-2), if the activity or intervention is carried out in compliance with the authorizations issued;

(2) any activity or intervention necessary for the preparation and presentation of a pre-project report for a project requiring an authorization under the Environment Quality Act;

(3) any activity or intervention relating to a project requiring the prior authorization of the Minister under the Environment Quality Act, if the activity or intervention is in response to a request for a clarification or for additional information made by the Minister to the Société and it is carried out in accordance with the request;

(4) any activity or intervention by the Société, if the conditions for the carrying out of the activity or intervention have been determined in an agreement between the Minister and the Société and the activity or intervention is carried out in compliance with those conditions.

For the purposes of this section, the activities and interventions of the Société include pre-project studies, analysis work or field research, work required to study and monitor the impact of power transmission and distribution line corridors and rights-of-way, geological or geophysical surveys and survey lines, and the opening and maintenance of roads required for the purpose of access, construction or equipment movement necessary for the carrying on of such work.

§2.5. *General provisions*

3.15. Every person who applies to the Minister for an individual authorization or for an authorization for a group or for a number of persons must provide any information or document requested by the Minister for the examination of the application.

3.16. The Minister's authorization, which is general and can be used by more than one person, may be communicated to the persons concerned by any appropriate means including by a posted notice or appropriate signage at the reception centre or any other location within the proposed reserve that is readily accessible to the public. The Minister is to provide a copy to any person requesting a copy.

§3. *Activities governed by other statutes*

Certain activities likely to be carried on within the proposed reserve are also governed by 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 reserve.

A special legal framework may govern permitted and prohibited activities within the proposed reserve in connection with the following matters:

— Environmental protection: measures set out in particular in the Environment Quality Act (R.S.Q., c. Q-2);

— Archaeological research: measures set out in particular in the Cultural Property Act (R.S.Q., c. B-4);

— Development of wildlife resources: measures set out in particular in the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), including the provisions pertaining to outfitting operations and beaver reserves and the measures contained in applicable federal legislation, including the fishery regulations;

— Removal of species of fauna or flora that are threatened or vulnerable or are likely to be designated as such: measures prohibiting the removal of the species under the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01);

— Access and land rights: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1);

— Operation of vehicles: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and in the regulation on motor vehicle traffic in certain fragile environments made under the Environment Quality Act (R.S.Q., c. Q-2).

4. Responsibilities of the Minister of Sustainable Development, Environment and Parks

The Minister of Sustainable Development, Environment and Parks is responsible for the management of the proposed Plétipi lake biodiversity reserve and is therefore responsible for the supervision and monitoring of the activities that may be carried on within the reserve. The Minister in the management of the reserve works collaboratively with other government representatives having specific responsibilities within the boundaries of the reserve or on adjoining land, such as the Minister of Natural Resources and Wildlife. In the exercise of their powers and functions, the Ministers will take into consideration the protection sought for these natural environments and the protection status that has been granted.

PROPOSED ONISTAGANE LAKE BIODIVERSITY
RESERVE
(provisional name)

CONSERVATION PLAN

June 2005

1. Protection status and toponym

The legal status of the reserve described below is that of proposed biodiversity reserve under the Natural Heritage Conservation Act (R.S.Q., c. C-61.01).

The proposed reserve is to have the name “Réserve de biodiversité projetée du lac Onistagane”. The official toponym will be determined at the time of the assignment of permanent protection status to the land.

2. Plan and description

2.1. Location, boundaries and dimensions

The boundaries and location of the proposed Onistagane lake biodiversity reserve are shown on the plan.

The proposed Onistagane lake biodiversity reserve is located in the Saguenay-Lac-Saint-Jean administrative region, between 50°17' and 51°13' north latitude and 71°08' and 71°29' west longitude. It is situated some 45 km north of the Chute-des-Passes hydro-electric dam. It covers an area of 674.5 km². The Péribonka river, Onistagane lake, Manouane lake and Bernard canal that run through the proposed biodiversity reserve are excluded from the protected area because they are influenced by the drawdown of the Chute-des-Passes dam located downstream. The proposed biodiversity reserve lies partially within the unorganized territories of Chute-des-Passes and Mont-Valin which form part of the regional county municipalities of Maria-Chapdelaine and Fjord-du-Saguenay respectively.

2.2. Geography

The proposed Onistagane lake biodiversity reserve is in the Manouane Lake Depression and the Péribonka Lake Hills natural regions in the Central Laurentian natural province. The proposed Onistagane lake biodiversity reserve is characterized to the south by low hills and to the north by a glaciolacustrine plain interspersed with a few scattered mounds. The vegetation cover in the northern portion consists of jack pine stands, peat bogs, dry heaths and black spruce stands, and the southern portion consists mainly of stands affected by fire, black spruce and balsam fir stands.

The territory contains a sensitive area for woodland caribou. Bald eagles are also found in the sector of Onistagane lake, as well as lake trout, a unique fish species.

2.3. Occupation, rights and land uses

Seven land rights have been granted in the territory of the proposed biodiversity reserve: 5 for vacation resort purposes and 2 for rough shelters.

The proposed Onistagane lake biodiversity reserve lies partially within the Roberval beaver reserve in which the Innu community of Mashteuiatsh has special rights regarding the hunting and trapping of fur-bearing animals. Onistagane lake is an east-west historical link for Natives. The proposed biodiversity reserve touches an Onistagane heritage site and the Innu Assi Onistagane.

Several archaeological sites showing the historical presence of Amerindians have been identified on the shore of Onistagane lake. The Onistagane lake and Péribonka river constitute an important historical route for Natives who used those watercourses to reach their winter territory.

The Péribonka river, although excluded from the proposed biodiversity reserve, is a recognized canoe-kayak route.

A road is used for industrial purposes by Alcan in the southern portion and the eastern boundary of the proposed biodiversity reserve. The land is part of the Nitassinan of Mashteuiatsh.

3. Activities within the reserve

§1. Introduction

The activities carried on within the proposed reserve are governed for the most part by the provisions of the Natural Heritage Conservation Act.

This Division prohibits activities in addition to those prohibited under the Act and provides a framework for the carrying on of certain permitted activities so as to better ensure the protection of the natural environment. Accordingly, certain activities require the prior authorization of the Minister and compliance with the conditions determined by the Minister.

As provided in the Natural Heritage Conservation Act, the main activities prohibited in an area to which status as a proposed biodiversity or aquatic reserve has been assigned are

— mining, and gas or petroleum development;

— forest management 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.

§2. Prohibitions, prior authorizations and conditions on which certain activities may be carried on in the proposed reserve

§2.1. Protection of resources and the natural environment

3.1. No person may introduce non-native species of flora or fauna into the proposed reserve.

3.2. No person may stock a watercourse or body of water

(1) for aquaculture, sports or commercial fishing or any other commercial purpose;

(2) for any other purpose, if the fish stocked are not from a genetic strain originating from the proposed reserve.

3.3. No person may bury, abandon or dispose of waste, snow or other residual materials other than in waste disposal containers, facilities or sites determined by the Minister or elsewhere, with the authorization of the Minister and in compliance with the conditions the Minister determines.

Despite the first paragraph, no authorization need be obtained by an outfitting operation to use a disposal facility or site in compliance with the Environment Quality Act and its regulations if the outfitting operation was already using the facility or site on the date on which the protection status as a proposed reserve takes effect.

3.4. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry on any activity likely to severely degrade the banks or shores or to otherwise seriously affect the integrity of a watercourse, body of water or other wetland area, in particular by discharging or dumping waste or other pollutant into the watercourse, body of water or wetland area; or

(2) dig, fill, obstruct or divert a watercourse or body of water.

§2.2. Rules of conduct for users

3.5. Every person staying, carrying on an activity or travelling about within the proposed reserve is required to maintain the premises in a satisfactory state and before leaving, return the premises to their natural state to the extent possible.

3.6. Every person who makes a campfire must

(1) clear an area around the fire site sufficient to prevent the fire from spreading by removing all branches, scrub, dry leaves and other combustible materials;

(2) see that there is always a person on the premises to attend the fire; and

(3) ensure that the fire is completely extinguished before leaving the premises.

3.7. In the proposed reserve, no person may

(1) cause any excessive noise; or

(2) behave in a manner that unduly disturbs other persons in the reserve or interferes with their enjoyment of the reserve.

3.8. No person may destroy, remove, move or damage any poster, sign, notice or other type of signage posted by the Minister within the proposed reserve.

3.9. No person may enter, carry on an activity in or operate a vehicle in a given sector of the proposed reserve unless the person has been authorized by the Minister and complies with the conditions determined, if the signage erected by the Minister restricts access, traffic or certain activities in order to protect the public from a danger or to avoid placing the fauna, flora or other components of the natural environment at risk.

§2.3. Activities requiring an authorization

3.10. No person may, unless the person has been authorized by the Minister and complies with the conditions the Minister determines, stay or reside on or otherwise occupy the same site within the proposed reserve for a period of more than three months in the same year. No authorization need be obtained by a person who,

(1) on the date on which the protection status as a proposed reserve takes effect, was a party to a lease or had already obtained another form of permit or authorization allowing the person to occupy the land under the Act respecting the lands in the domain of the State

(R.S.Q., c. T-8.1) or, if applicable, the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), and whose right to occupy the land is renewed or extended;

(2) in accordance with the applicable provisions of law, has entitlement under a sublease, an assignment of a lease or a transfer of an authorization, as referred to in paragraph 1, and whose right to occupy the land is renewed or extended;

(3) avails himself or herself of the possibility of acquiring the land the person legally occupies on the date on which the protection status as a proposed reserve takes effect, pursuant to the Act respecting the lands in the domain of the State.

3.11. (1) No person may carry on forest management activities to meet domestic needs or for the purpose of maintaining biodiversity, unless the person has been authorized by the Minister and carries on the activities in compliance with the conditions the Minister determines.

The conditions of that authorization may pertain, among other things, to species of trees or shrubs, the size of the stems that may be cut, the quantities authorized and the places where the activities may be carried on.

(2) Despite subsection 1, the authorization of the Minister under this plan need not be obtained by a person staying or residing in the proposed reserve who collects wood to make a campfire.

No such authorization need be obtained by a person to collect wood to meet domestic needs

(a) if the wood is collected within a sector reserved by the Minister of Natural Resources and Wildlife as a sector for which a permit for the harvest of firewood for domestic purposes under the Forest Act (R.S.Q., c. F-4.1) may be issued and which has already been reserved as such by the Minister on the date on which the protection status as a proposed reserve takes effect;

(b) if the wood is collected by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the proposed reserve; or

(c) if the wood is collected by a person in accordance with the conditions set out in the permit for the harvest of firewood for domestic purposes issued by the Minister of Natural Resources and Wildlife under the Forest Act.

(3) Despite subsection 1, no authorization need be obtained by a person authorized by lease to occupy land within the proposed reserve, pursuant to this plan, to carry on a forest management activity for the purpose of

(a) clearing permitted harvested areas, maintaining them or creating visual openings, and any other similar removal purposes permitted under the regulation that applies to the sale, lease and granting of immovable rights made under the Act respecting the lands in the domain of the State;

(b) creating and maintaining access roads, stairways or other trails permitted under that regulation; or

(c) clearing the necessary area for the installation, connection, maintenance and repair of power, water, sewer or telecommunication lines, facilities and mains.

When the work referred to in subparagraph *c* of subsection 3 is carried out for or under the responsibility of an enterprise providing any of those services, the work requires the prior authorization of the Minister, other than in the case of the exemptions provided for in sections 3.13 and 3.14.

(4) Despite subsection 1, no authorization need be obtained by a person to carry on a forest management activity to maintain a sugar bush and harvest maple products for domestic purposes

(a) if the activity is carried on by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act allowing the person to carry on the activities of a sugar bush operator within the proposed reserve;

(b) if the activity is carried on within a zone for which the permit obtained allowed the carrying on of sugar bush operations on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years; or

(c) if the activity is carried on by a person in compliance with the conditions set out in the sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act.

3.12. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry out soil development work, including any fill, burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose including recreational and tourism purposes such as the development of trails ;

(2) install or construct a new structure, infrastructure or works ;

(3) reconstruct or demolish an existing structure, infrastructure or works ;

(4) use a pesticide, although no authorization is required for the use of insect repellent for personal purposes ;

(5) carry on an activity that is likely to severely degrade the soil or a geological formation or damage the vegetation cover, such as stripping, the digging of trenches or excavation work ; or

(6) carry on educational or research-related activities if the activities are likely to significantly damage or disturb the natural environment, in particular by the extent of the moving or removal of natural resources or by the use of explosives.

The conditions of the Minister's authorization for the work may pertain to the location of the authorized activity, the methods used, the areas that may be cleared or deforested, the types of material that may be used including the material taken from the site, and the presence of ancillary works or facilities. The conditions may also include a requirement to ensure periodic follow-up or to report to the Minister, in particular as regards the results obtained from the research to which subparagraph 6 of the first paragraph refers.

Subject to the conditions determined in the authorization, work to repair or maintain trails authorized by the Minister or trails existing on the date on which the protection status as a proposed reserve takes effect may be carried on without an authorization under subparagraph 1 of the first paragraph.

Work to repair or maintain forest roads or roads authorized under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) carried on in accordance with the Forest Act and its regulations that concern standards of forest management may be carried on without an authorization under subparagraph 1 of the first paragraph.

§2.4. Authorization exemptions

3.13. Despite the preceding provisions, no authorization need be obtained by a person to carry on an activity or for any other form of intervention within the proposed reserve if urgent action is required to prevent harm to the health or safety of persons, or to repair or prevent damage caused by a real or apprehended catastrophe. The person concerned must, however, immediately inform the Minister of the activity or intervention that has taken place.

3.14. Despite the preceding provisions, the following activities and interventions involving the production, transmission and distribution of electricity carried out by Hydro-Québec (Société) or by any other person for Hydro-Québec do not require the prior authorization of the Minister under this plan :

(1) any activity or intervention required within the proposed reserve to complete a project which was previously expressly authorized by the Government and the Minister, or only by the latter, in accordance with the requirements of the Environment Quality Act (R.S.Q., c. Q-2), if the activity or intervention is carried out in compliance with the authorizations issued ;

(2) any activity or intervention necessary for the preparation and presentation of a pre-project report for a project requiring an authorization under the Environment Quality Act ;

(3) any activity or intervention relating to a project requiring the prior authorization of the Minister under the Environment Quality Act, if the activity or intervention is in response to a request for a clarification or for additional information made by the Minister to the Société and it is carried out in accordance with the request ;

(4) any activity or intervention by the Société, if the conditions for the carrying out of the activity or intervention have been determined in an agreement between the Minister and the Société and the activity or intervention is carried out in compliance with those conditions.

For the purposes of this section, the activities and interventions of the Société include pre-project studies, analysis work or field research, work required to study and monitor the impact of power transmission and distribution line corridors and rights-of-way, geological or geophysical surveys and survey lines, and the opening and maintenance of roads required for the purpose of access, construction or equipment movement necessary for the carrying on of such work.

§2.5. General provisions

3.15. Every person who applies to the Minister for an individual authorization or for an authorization for a group or for a number of persons must provide any information or document requested by the Minister for the examination of the application.

3.16. The Minister's authorization, which is general and can be used by more than one person, may be communicated to the persons concerned by any appropriate means including by a posted notice or appropriate signage at the reception centre or any other location within the proposed reserve that is readily accessible to the public. The Minister is to provide a copy to any person requesting a copy.

§3. Activities governed by other statutes

Certain activities likely to be carried on within the proposed reserve are also governed by 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 reserve.

A special legal framework may govern permitted and prohibited activities within the proposed reserve in connection with the following matters:

— Environmental protection: measures set out in particular in the Environment Quality Act (R.S.Q., c. Q-2);

— Archaeological research: measures set out in particular in the Cultural Property Act (R.S.Q., c. B-4);

— Development of wildlife resources: measures set out in particular in the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), including the provisions pertaining to outfitting operations and beaver reserves and the measures contained in applicable federal legislation, including the fishery regulations;

— Removal of species of fauna or flora that are threatened or vulnerable or are likely to be designated as such: measures prohibiting the removal of the species under the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01);

— Access and land rights: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1);

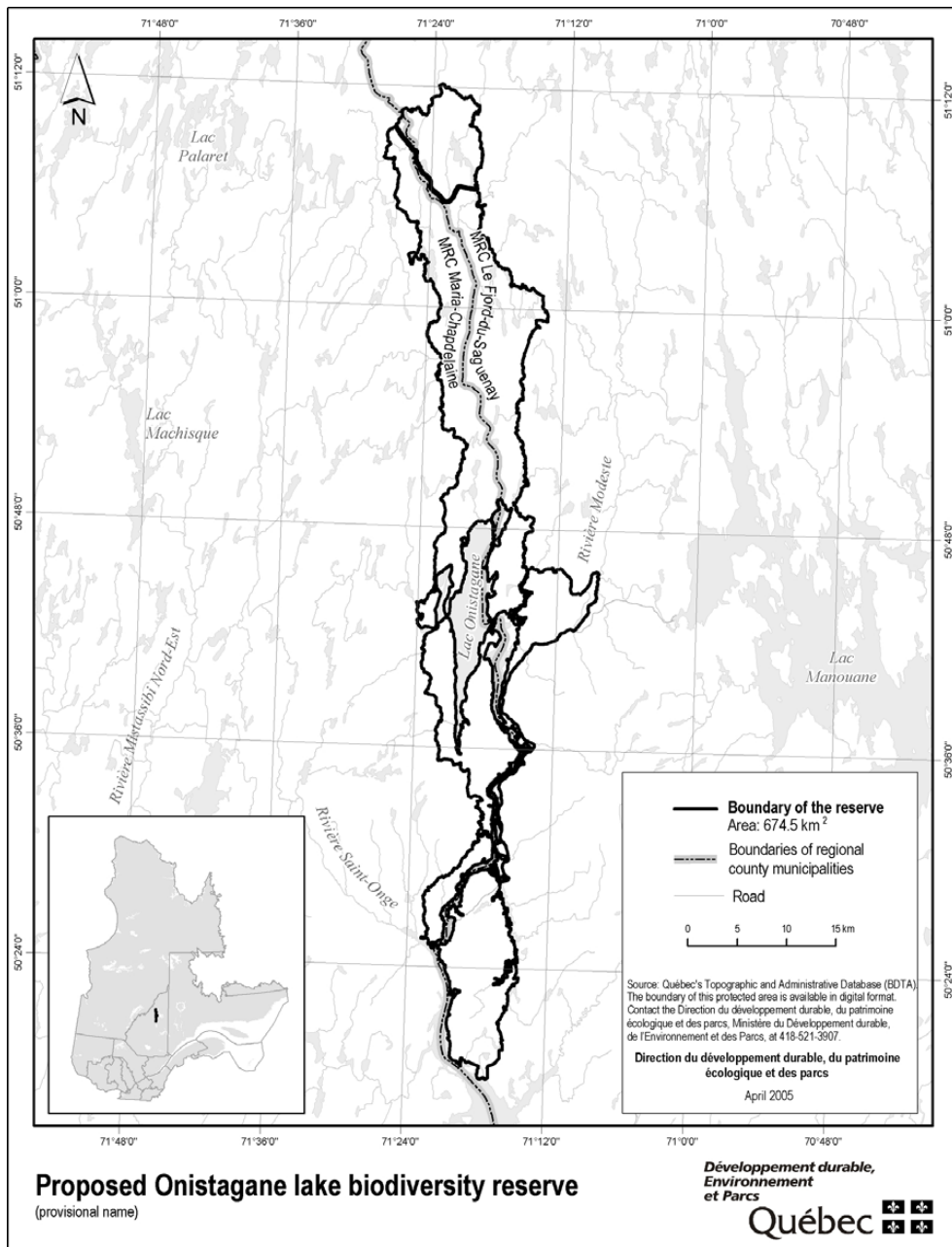
— Operation of vehicles: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and in the regulation on motor vehicle traffic in certain fragile environments made under the Environment Quality Act (R.S.Q., c. Q-2).

4. Responsibilities of the Minister of Sustainable Development, Environment and Parks

The Minister of Sustainable Development, Environment and Parks is responsible for the management of the proposed Onistagane lake biodiversity reserve and is therefore responsible for the supervision and monitoring of the activities that may be carried on within the reserve. The Minister in the management of the reserve works collaboratively with other government representatives having specific responsibilities within the boundaries of the reserve or on adjoining land, such as the Minister of Natural Resources and Wildlife. In the exercise of their powers and functions, the Ministers will take into consideration the protection sought for these natural environments and the protection status that has been granted.

Schedule

Map of the proposed Onistagane lake biodiversity reserve (provisional name)



PROPOSED BERTÉ LAKE BIODIVERSITY
RESERVE
(provisional name)

CONSERVATION PLAN

June 2005

1. Protection status and toponym

The legal status of the reserve described below is proposed biodiversity reserve under the Natural Heritage Conservation Act (R.S.Q., c. C-61.01).

The proposed reserve is to have the name “Réserve de biodiversité projetée du lac Berté”. The official toponym will be determined at the time of the assignment of permanent protection status to the land.

2. Plan and description

2.1. Location, boundaries and dimensions

The boundaries and location of the proposed Berté lake biodiversity reserve are shown on the plan.

The proposed Berté lake biodiversity reserve is located in the Côte-Nord administrative region, between 50°41' and 50°58' north latitude and 68°11' and 68°36' west longitude. It is situated some 15 km northeast of the Daniel-Johnson dam. The proposed biodiversity reserve covers an area of 482.4 km² in the unorganized territory of Rivière-aux-Outardes in Municipalité régionale de comté de Manicouagan.

2.2. Geography

The proposed Berté lake biodiversity reserve is in the Manicouagan Plateau natural region in the Central Laurentian natural province. It is formed mainly of hills covered with till. The altitude varies from 320 to 900 m. Berté lake which covers more than 67 km² is an important headwater lake. The vegetation consists mainly of old-growth black spruce stands, mixed with balsam fir stands. The proposed biodiversity reserve is dotted with heaths and peat bogs. The territory includes an area of interest for woodland caribou. Berté lake is home to only one species of fish, brook trout.

2.3. Occupation, rights and land uses

Four land rights have been granted in the territory of the proposed biodiversity reserve: 2 for vacation resort purposes and 2 for rough shelters. An outfitting opera-

tion with exclusive rights (Pourvoirie Manicouagan inc.) is also found within the limits of the proposed biodiversity reserve.

The proposed Berté lake biodiversity reserve lies within the Bersimis beaver reserve, in which the Innu communities have special rights regarding the hunting and trapping of fur-bearing animals.

3. Activities within the reserve

§1. Introduction

The activities carried on within the proposed reserve are governed for the most part by the provisions of the Natural Heritage Conservation Act.

This Division prohibits activities in addition to those prohibited under the Act and provides a framework for the carrying on of certain permitted activities so as to better ensure the protection of the natural environment. Accordingly, certain activities require the prior authorization of the Minister and compliance with the conditions determined by the Minister.

As provided in the Natural Heritage Conservation Act, the main activities prohibited in an area to which status as a proposed biodiversity or aquatic reserve has been assigned are

— mining, and gas or petroleum development ;

— forest management 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.

§2. Prohibitions, prior authorizations and conditions on which certain activities may be carried on in the proposed reserve

§2.1. Protection of resources and the natural environment

3.1. No person may introduce non-native species of flora or fauna into the proposed reserve.

3.2. No person may stock a watercourse or body of water

(1) for aquaculture, sports or commercial fishing or any other commercial purpose ;

(2) for any other purpose, if the fish stocked are not from a genetic strain originating from the proposed reserve.

3.3. No person may bury, abandon or dispose of waste, snow or other residual materials other than in waste disposal containers, facilities or sites determined by the Minister or elsewhere, with the authorization of the Minister and in compliance with the conditions the Minister determines.

Despite the first paragraph, no authorization need be obtained by an outfitting operation to use a disposal facility or site in compliance with the Environment Quality Act and its regulations if the outfitting operation was already using the facility or site on the date on which the protection status as a proposed reserve takes effect.

3.4. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry on any activity likely to severely degrade the banks or shores or to otherwise seriously affect the integrity of a watercourse, body of water or other wetland area, in particular by discharging or dumping waste or other pollutant into the watercourse, body of water or wetland area; or

(2) dig, fill, obstruct or divert a watercourse or body of water.

§2.2. *Rules of conduct for users*

3.5. Every person staying, carrying on an activity or travelling about within the proposed reserve is required to maintain the premises in a satisfactory state and before leaving, return the premises to their natural state to the extent possible.

3.6. Every person who makes a campfire must

(1) clear an area around the fire site sufficient to prevent the fire from spreading by removing all branches, scrub, dry leaves and other combustible materials;

(2) see that there is always a person on the premises to attend the fire; and

(3) ensure that the fire is completely extinguished before leaving the premises.

3.7. In the proposed reserve, no person may

(1) cause any excessive noise; or

(2) behave in a manner that unduly disturbs other persons in the reserve or interferes with their enjoyment of the reserve.

3.8. No person may destroy, remove, move or damage any poster, sign, notice or other type of signage posted by the Minister within the proposed reserve.

3.9. No person may enter, carry on an activity in or operate a vehicle in a given sector of the proposed reserve unless the person has been authorized by the Minister and complies with the conditions determined, if the signage erected by the Minister restricts access, traffic or certain activities in order to protect the public from a danger or to avoid placing the fauna, flora or other components of the natural environment at risk.

§2.3. *Activities requiring an authorization*

3.10. No person may, unless the person has been authorized by the Minister and complies with the conditions the Minister determines, stay or reside on or otherwise occupy the same site within the proposed reserve for a period of more than three months in the same year. No authorization need be obtained by a person who,

(1) on the date on which the protection status as a proposed reserve takes effect, was a party to a lease or had already obtained another form of permit or authorization allowing the person to occupy the land under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) or, if applicable, the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), and whose right to occupy the land is renewed or extended;

(2) in accordance with the applicable provisions of law, has entitlement under a sublease, an assignment of a lease or a transfer of an authorization, as referred to in paragraph 1, and whose right to occupy the land is renewed or extended;

(3) avails himself or herself of the possibility of acquiring the land the person legally occupies on the date on which the protection status as a proposed reserve takes effect, pursuant to the Act respecting the lands in the domain of the State.

3.11. (1) No person may carry on forest management activities to meet domestic needs or for the purpose of maintaining biodiversity, unless the person has been authorized by the Minister and carries on the activities in compliance with the conditions the Minister determines.

The conditions of that authorization may pertain, among other things, to species of trees or shrubs, the size of the stems that may be cut, the quantities authorized and the places where the activities may be carried on.

(2) Despite subsection 1, the authorization of the Minister under this plan need not be obtained by a person staying or residing in the proposed reserve who collects wood to make a campfire.

No such authorization need be obtained by a person to collect wood to meet domestic needs

(a) if the wood is collected within a sector reserved by the Minister of Natural Resources and Wildlife as a sector for which a permit for the harvest of firewood for domestic purposes under the Forest Act (R.S.Q., c. F-4.1) may be issued and which has already been reserved as such by the Minister on the date on which the protection status as a proposed reserve takes effect;

(b) if the wood is collected by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the proposed reserve; or

(c) if the wood is collected by a person in accordance with the conditions set out in the permit for the harvest of firewood for domestic purposes issued by the Minister of Natural Resources and Wildlife under the Forest Act.

(3) Despite subsection 1, no authorization need be obtained by a person authorized by lease to occupy land within the proposed reserve, pursuant to this plan, to carry on a forest management activity for the purpose of

(a) clearing permitted harvested areas, maintaining them or creating visual openings, and any other similar removal purposes permitted under the regulation that applies to the sale, lease and granting of immovable rights made under the Act respecting the lands in the domain of the State;

(b) creating and maintaining access roads, stairways or other trails permitted under that regulation; or

(c) clearing the necessary area for the installation, connection, maintenance and repair of power, water, sewer or telecommunication lines, facilities and mains.

When the work referred to in subparagraph *c* of subsection 3 is carried out for or under the responsibility of an enterprise providing any of those services, the work requires the prior authorization of the Minister, other than in the case of the exemptions provided for in sections 3.13 and 3.14.

(4) Despite subsection 1, no authorization need be obtained by a person to carry on a forest management activity to maintain a sugar bush and harvest maple products for domestic purposes

(a) if the activity is carried on by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act allowing the person to carry on the activities of a sugar bush operator within the proposed reserve;

(b) if the activity is carried on within a zone for which the permit obtained allowed the carrying on of sugar bush operations on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years; or

(c) if the activity is carried on by a person in compliance with the conditions set out in the sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act.

3.12. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry out soil development work, including any fill, burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose including recreational and tourism purposes such as the development of trails;

(2) install or construct a new structure, infrastructure or works;

(3) reconstruct or demolish an existing structure, infrastructure or works;

(4) use a pesticide, although no authorization is required for the use of insect repellent for personal purposes;

(5) carry on an activity that is likely to severely degrade the soil or a geological formation or damage the vegetation cover, such as stripping, the digging of trenches or excavation work; or

(6) carry on educational or research-related activities if the activities are likely to significantly damage or disturb the natural environment, in particular by the extent of the moving or removal of natural resources or by the use of explosives.

The conditions of the Minister's authorization for the work may pertain to the location of the authorized activity, the methods used, the areas that may be cleared or deforested, the types of material that may be used including the material taken from the site, and the presence of ancillary works or facilities. The conditions may also include a requirement to ensure periodic follow-up or to report to the Minister, in particular as regards the results obtained from the research to which subparagraph 6 of the first paragraph refers.

Subject to the conditions determined in the authorization, work to repair or maintain trails authorized by the Minister or trails existing on the date on which the protection status as a proposed reserve takes effect may be carried on without an authorization under subparagraph 1 of the first paragraph.

Work to repair or maintain forest roads or roads authorized under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) carried on in accordance with the Forest Act and its regulations that concern standards of forest management may be carried on without an authorization under subparagraph 1 of the first paragraph.

§2.4. Authorization exemptions

3.13. Despite the preceding provisions, no authorization need be obtained by a person to carry on an activity or for any other form of intervention within the proposed reserve if urgent action is required to prevent harm to the health or safety of persons, or to repair or prevent damage caused by a real or apprehended catastrophe. The person concerned must, however, immediately inform the Minister of the activity or intervention that has taken place.

3.14. Despite the preceding provisions, the following activities and interventions involving the production, transmission and distribution of electricity carried out by Hydro-Québec (Société) or by any other person for Hydro-Québec do not require the prior authorization of the Minister under this plan:

(1) any activity or intervention required within the proposed reserve to complete a project which was previously expressly authorized by the Government and the Minister, or only by the latter, in accordance with the

requirements of the Environment Quality Act (R.S.Q., c. Q-2), if the activity or intervention is carried out in compliance with the authorizations issued;

(2) any activity or intervention necessary for the preparation and presentation of a pre-project report for a project requiring an authorization under the Environment Quality Act;

(3) any activity or intervention relating to a project requiring the prior authorization of the Minister under the Environment Quality Act, if the activity or intervention is in response to a request for a clarification or for additional information made by the Minister to the Société and it is carried out in accordance with the request;

(4) any activity or intervention by the Société, if the conditions for the carrying out of the activity or intervention have been determined in an agreement between the Minister and the Société and the activity or intervention is carried out in compliance with those conditions.

For the purposes of this section, the activities and interventions of the Société include pre-project studies, analysis work or field research, work required to study and monitor the impact of power transmission and distribution line corridors and rights-of-way, geological or geophysical surveys and survey lines, and the opening and maintenance of roads required for the purpose of access, construction or equipment movement necessary for the carrying on of such work.

§2.5. General provisions

3.15. Every person who applies to the Minister for an individual authorization or for an authorization for a group or for a number of persons must provide any information or document requested by the Minister for the examination of the application.

3.16. The Minister's authorization, which is general and can be used by more than one person, may be communicated to the persons concerned by any appropriate means including by a posted notice or appropriate signage at the reception centre or any other location within the proposed reserve that is readily accessible to the public. The Minister is to provide a copy to any person requesting a copy.

§3. Activities governed by other statutes

Certain activities likely to be carried on within the proposed reserve are also governed by 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 reserve.

A special legal framework may govern permitted and prohibited activities within the proposed reserve in connection with the following matters :

— Environmental protection : measures set out in particular in the Environment Quality Act (R.S.Q., c. Q-2) ;

— Archaeological research : measures set out in particular in the Cultural Property Act (R.S.Q., c. B-4) ;

— Development of wildlife resources : measures set out in particular in the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), including the provisions pertaining to outfitting operations and beaver reserves and the measures contained in applicable federal legislation, including the fishery regulations ;

— Removal of species of fauna or flora that are threatened or vulnerable or are likely to be designated as such : measures prohibiting the removal of the species under the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01) ;

— Access and land rights : measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) ;

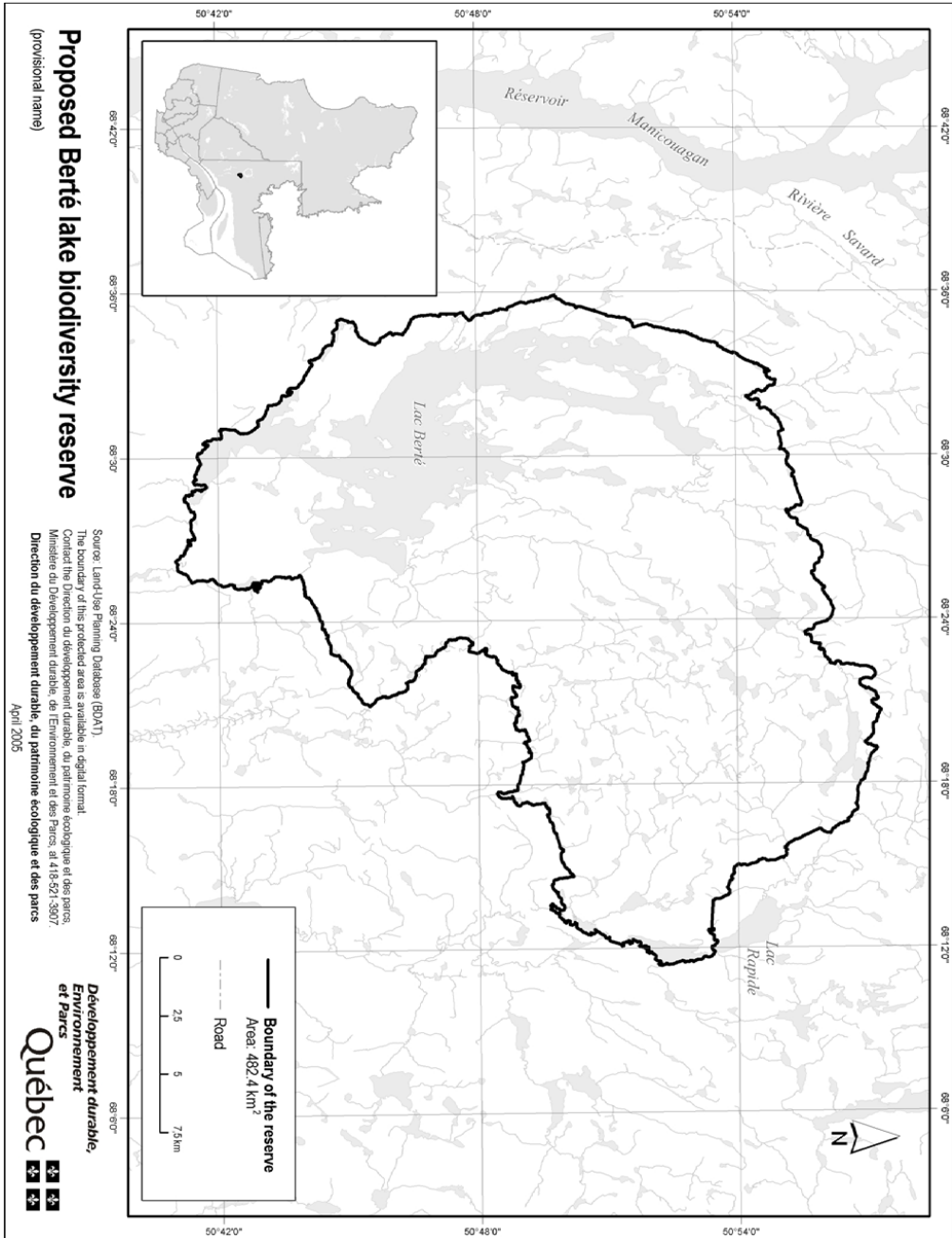
— Operation of vehicles : measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and in the regulation on motor vehicle traffic in certain fragile environments made under the Environment Quality Act (R.S.Q., c. Q-2).

4. Responsibilities of the Minister of Sustainable Development, Environment and Parks

The Minister of Sustainable Development, Environment and Parks is responsible for the management of the proposed Berté lake biodiversity reserve and is therefore responsible for the supervision and monitoring of the activities that may be carried on within the reserve. The Minister in the management of the reserve works collaboratively with other government representatives having specific responsibilities within the boundaries of the reserve or on adjoining land, such as the Minister of Natural Resources and Wildlife. In the exercise of their powers and functions, the Ministers will take into consideration the protection sought for these natural environments and the protection status that has been granted.

Schedule

Map of the proposed Berté lake biodiversity reserve (provisional name)



Proposed Berté lake biodiversity reserve
(provisional name)

PROPOSED PAUL-PROVENCHER BIODIVERSITY RESERVE

(provisional name)

CONSERVATION PLAN

June 2005

1. Protection status and toponym

The legal status of the reserve described below is that of proposed biodiversity reserve under the Natural Heritage Conservation Act (R.S.Q., c. C-61.01).

The proposed reserve is to have the name “Réserve de biodiversité projetée Paul-Provencher”. The official toponym will be determined at the time of the assignment of permanent protection status to the land.

2. Plan and description

2.1. Location, boundaries and dimensions

The boundaries and location of the proposed Paul-Provencher biodiversity reserve are shown on the plan.

The proposed Paul-Provencher biodiversity reserve is located in the Côte-Nord administrative region, between 49°59' and 50°16' north latitude and 68°05' and 68°23' west longitude. It is situated some 100 km north of Baie-Comeau. The proposed biodiversity reserve covers an area of 112.8 km² in the unorganized territory of Rivière-aux-Outardes in Municipalité régionale de comté de Manicouagan.

The proposed biodiversity reserve is divided into two sectors by the proposed Paul-Provencher ecological reserve. The western boundary of the northern sector and the western boundary of the Fléché lake sector are determined essentially by the boundary of the right-of-way of an unpaved road.

2.2. Geography

The proposed Paul-Provencher biodiversity reserve is in the Manicouagan Plateau natural region in the Central Laurentian natural province. It protects a landscape characteristic of hills of till and rock covered by old-growth forests of black spruce and balsam fir. The northern sector of the protected area has been identified by the Ministère des Ressources naturelles et de la Faune as an exceptional forest ecosystem project for its old-growth black spruce stands.

The proposed biodiversity reserve coincides with a protection barrier for woodland caribou habitats. The Barrow's goldeneye has reportedly been observed in that sector. Fléché lake, southeast of the proposed biodiversity reserve, is home to lake trout, a unique fish species.

2.3. Occupation, rights and land uses

Seven land rights have been granted in the territory of the proposed biodiversity reserve: 1 for vacation resort purposes and 6 for rough shelters.

The proposed Paul-Provencher biodiversity reserve lies within the Bersimis beaver reserve, in which the Innu communities have special rights regarding the hunting and trapping of fur-bearing animals. It includes a portion of an Innu heritage site (river).

A major forest road runs through a portion of that land.

3. Activities within the reserve

§1. Introduction

The activities carried on within the proposed reserve are governed for the most part by the provisions of the Natural Heritage Conservation Act.

This Division prohibits activities in addition to those prohibited under the Act and provides a framework for the carrying on of certain permitted activities so as to better ensure the protection of the natural environment. Accordingly, certain activities require the prior authorization of the Minister and compliance with the conditions determined by the Minister.

As provided in the Natural Heritage Conservation Act, the main activities prohibited in an area to which status as a proposed biodiversity or aquatic reserve has been assigned are

- mining, and gas or petroleum development;
- forest management 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.

§2. Prohibitions, prior authorizations and conditions on which certain activities may be carried on in the proposed reserve

§2.1. Protection of resources and the natural environment

3.1. No person may introduce non-native species of flora or fauna into the proposed reserve.

3.2. No person may stock a watercourse or body of water

(1) for aquaculture, sports or commercial fishing or any other commercial purpose;

(2) for any other purpose, if the fish stocked are not from a genetic strain originating from the proposed reserve.

3.3. No person may bury, abandon or dispose of waste, snow or other residual materials other than in waste disposal containers, facilities or sites determined by the Minister or elsewhere, with the authorization of the Minister and in compliance with the conditions the Minister determines.

Despite the first paragraph, no authorization need be obtained by an outfitting operation to use a disposal facility or site in compliance with the Environment Quality Act and its regulations if the outfitting operation was already using the facility or site on the date on which the protection status as a proposed reserve takes effect.

3.4. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry on any activity likely to severely degrade the banks or shores or to otherwise seriously affect the integrity of a watercourse, body of water or other wetland area, in particular by discharging or dumping waste or other pollutant into the watercourse, body of water or wetland area; or

(2) dig, fill, obstruct or divert a watercourse or body of water.

§2.2. Rules of conduct for users

3.5. Every person staying, carrying on an activity or travelling about within the proposed reserve is required to maintain the premises in a satisfactory state and before leaving, return the premises to their natural state to the extent possible.

3.6. Every person who makes a campfire must

(1) clear an area around the fire site sufficient to prevent the fire from spreading by removing all branches, scrub, dry leaves and other combustible materials;

(2) see that there is always a person on the premises to attend the fire; and

(3) ensure that the fire is completely extinguished before leaving the premises.

3.7. In the proposed reserve, no person may

(1) cause any excessive noise; or

(2) behave in a manner that unduly disturbs other persons in the reserve or interferes with their enjoyment of the reserve.

3.8. No person may destroy, remove, move or damage any poster, sign, notice or other type of signage posted by the Minister within the proposed reserve.

3.9. No person may enter, carry on an activity in or operate a vehicle in a given sector of the proposed reserve unless the person has been authorized by the Minister and complies with the conditions determined, if the signage erected by the Minister restricts access, traffic or certain activities in order to protect the public from a danger or to avoid placing the fauna, flora or other components of the natural environment at risk.

§2.3. Activities requiring an authorization

3.10. No person may, unless the person has been authorized by the Minister and complies with the conditions the Minister determines, stay or reside on or otherwise occupy the same site within the proposed reserve for a period of more than three months in the same year. No authorization need be obtained by a person who,

(1) on the date on which the protection status as a proposed reserve takes effect, was a party to a lease or had already obtained another form of permit or authorization allowing the person to occupy the land under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) or, if applicable, the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), and whose right to occupy the land is renewed or extended;

(2) in accordance with the applicable provisions of law, has entitlement under a sublease, an assignment of a lease or a transfer of an authorization, as referred to in paragraph 1, and whose right to occupy the land is renewed or extended;

(3) avails himself or herself of the possibility of acquiring the land the person legally occupies on the date on which the protection status as a proposed reserve takes effect, pursuant to the Act respecting the lands in the domain of the State.

3.11. (1) No person may carry on forest management activities to meet domestic needs or for the purpose of maintaining biodiversity, unless the person has been authorized by the Minister and carries on the activities in compliance with the conditions the Minister determines.

The conditions of that authorization may pertain, among other things, to species of trees or shrubs, the size of the stems that may be cut, the quantities authorized and the places where the activities may be carried on.

(2) Despite subsection 1, the authorization of the Minister under this plan need not be obtained by a person staying or residing in the proposed reserve who collects wood to make a campfire.

No such authorization need be obtained by a person to collect wood to meet domestic needs

(a) if the wood is collected within a sector reserved by the Minister of Natural Resources and Wildlife as a sector for which a permit for the harvest of firewood for domestic purposes under the Forest Act (R.S.Q., c. F-4.1) may be issued and which has already been reserved as such by the Minister on the date on which the protection status as a proposed reserve takes effect;

(b) if the wood is collected by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the proposed reserve; or

(c) if the wood is collected by a person in accordance with the conditions set out in the permit for the harvest of firewood for domestic purposes issued by the Minister of Natural Resources and Wildlife under the Forest Act.

(3) Despite subsection 1, no authorization need be obtained by a person authorized by lease to occupy land within the proposed reserve, pursuant to this plan, to carry on a forest management activity for the purpose of

(a) clearing permitted harvested areas, maintaining them or creating visual openings, and any other similar removal purposes permitted under the regulation that applies to the sale, lease and granting of immovable rights made under the Act respecting the lands in the domain of the State;

(b) creating and maintaining access roads, stairways or other trails permitted under that regulation; or

(c) clearing the necessary area for the installation, connection, maintenance and repair of power, water, sewer or telecommunication lines, facilities and mains.

When the work referred to in subparagraph *c* of subsection 3 is carried out for or under the responsibility of an enterprise providing any of those services, the work requires the prior authorization of the Minister, other than in the case of the exemptions provided for in sections 3.13 and 3.14.

(4) Despite subsection 1, no authorization need be obtained by a person to carry on a forest management activity to maintain a sugar bush and harvest maple products for domestic purposes

(a) if the activity is carried on by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act allowing the person to carry on the activities of a sugar bush operator within the proposed reserve;

(b) if the activity is carried on within a zone for which the permit obtained allowed the carrying on of sugar bush operations on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years; or

(c) if the activity is carried on by a person in compliance with the conditions set out in the sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act.

3.12. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry out soil development work, including any fill, burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose including recreational and tourism purposes such as the development of trails;

(2) install or construct a new structure, infrastructure or works;

(3) reconstruct or demolish an existing structure, infrastructure or works;

(4) use a pesticide, although no authorization is required for the use of insect repellent for personal purposes;

(5) carry on an activity that is likely to severely degrade the soil or a geological formation or damage the vegetation cover, such as stripping, the digging of trenches or excavation work; or

(6) carry on educational or research-related activities if the activities are likely to significantly damage or disturb the natural environment, in particular by the extent of the moving or removal of natural resources or by the use of explosives.

The conditions of the Minister's authorization for the work may pertain to the location of the authorized activity, the methods used, the areas that may be cleared or deforested, the types of material that may be used including the material taken from the site, and the presence of ancillary works or facilities. The conditions may also include a requirement to ensure periodic follow-up or to report to the Minister, in particular as regards the results obtained from the research to which subparagraph 6 of the first paragraph refers.

Subject to the conditions determined in the authorization, work to repair or maintain trails authorized by the Minister or trails existing on the date on which the protection status as a proposed reserve takes effect may be carried on without an authorization under subparagraph 1 of the first paragraph.

Work to repair or maintain forest roads or roads authorized under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) carried on in accordance with the Forest Act and its regulations that concern standards of forest management may be carried on without an authorization under subparagraph 1 of the first paragraph.

§2.4. Authorization exemptions

3.13. Despite the preceding provisions, no authorization need be obtained by a person to carry on an activity or for any other form of intervention within the proposed reserve if urgent action is required to prevent harm to the health or safety of persons, or to repair or prevent damage caused by a real or apprehended catastrophe. The person concerned must, however, immediately inform the Minister of the activity or intervention that has taken place.

3.14. Despite the preceding provisions, the following activities and interventions involving the production, transmission and distribution of electricity carried out by Hydro-Québec (Société) or by any other person for Hydro-Québec do not require the prior authorization of the Minister under this plan :

(1) any activity or intervention required within the proposed reserve to complete a project which was previously expressly authorized by the Government and the Minister, or only by the latter, in accordance with the requirements of the Environment Quality Act (R.S.Q., c. Q-2), if the activity or intervention is carried out in compliance with the authorizations issued;

(2) any activity or intervention necessary for the preparation and presentation of a pre-project report for a project requiring an authorization under the Environment Quality Act;

(3) any activity or intervention relating to a project requiring the prior authorization of the Minister under the Environment Quality Act, if the activity or intervention is in response to a request for a clarification or for additional information made by the Minister to the Société and it is carried out in accordance with the request;

(4) any activity or intervention by the Société, if the conditions for the carrying out of the activity or intervention have been determined in an agreement between the Minister and the Société and the activity or intervention is carried out in compliance with those conditions.

For the purposes of this section, the activities and interventions of the Société include pre-project studies, analysis work or field research, work required to study and monitor the impact of power transmission and distribution line corridors and rights-of-way, geological or geophysical surveys and survey lines, and the opening and maintenance of roads required for the purpose of access, construction or equipment movement necessary for the carrying on of such work.

§2.5. *General provisions*

3.15. Every person who applies to the Minister for an individual authorization or for an authorization for a group or for a number of persons must provide any information or document requested by the Minister for the examination of the application.

3.16. The Minister's authorization, which is general and can be used by more than one person, may be communicated to the persons concerned by any appropriate means including by a posted notice or appropriate signage at the reception centre or any other location within the proposed reserve that is readily accessible to the public. The Minister is to provide a copy to any person requesting a copy.

§3. *Activities governed by other statutes*

Certain activities likely to be carried on within the proposed reserve are also governed by 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 reserve.

A special legal framework may govern permitted and prohibited activities within the proposed reserve in connection with the following matters:

— Environmental protection: measures set out in particular in the Environment Quality Act (R.S.Q., c. Q-2);

— Archaeological research: measures set out in particular in the Cultural Property Act (R.S.Q., c. B-4);

— Development of wildlife resources: measures set out in particular in the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), including the provisions pertaining to outfitting operations and beaver reserves and the measures contained in applicable federal legislation, including the fishery regulations;

— Removal of species of fauna or flora that are threatened or vulnerable or are likely to be designated as such: measures prohibiting the removal of the species under the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01);

— Access and land rights: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1);

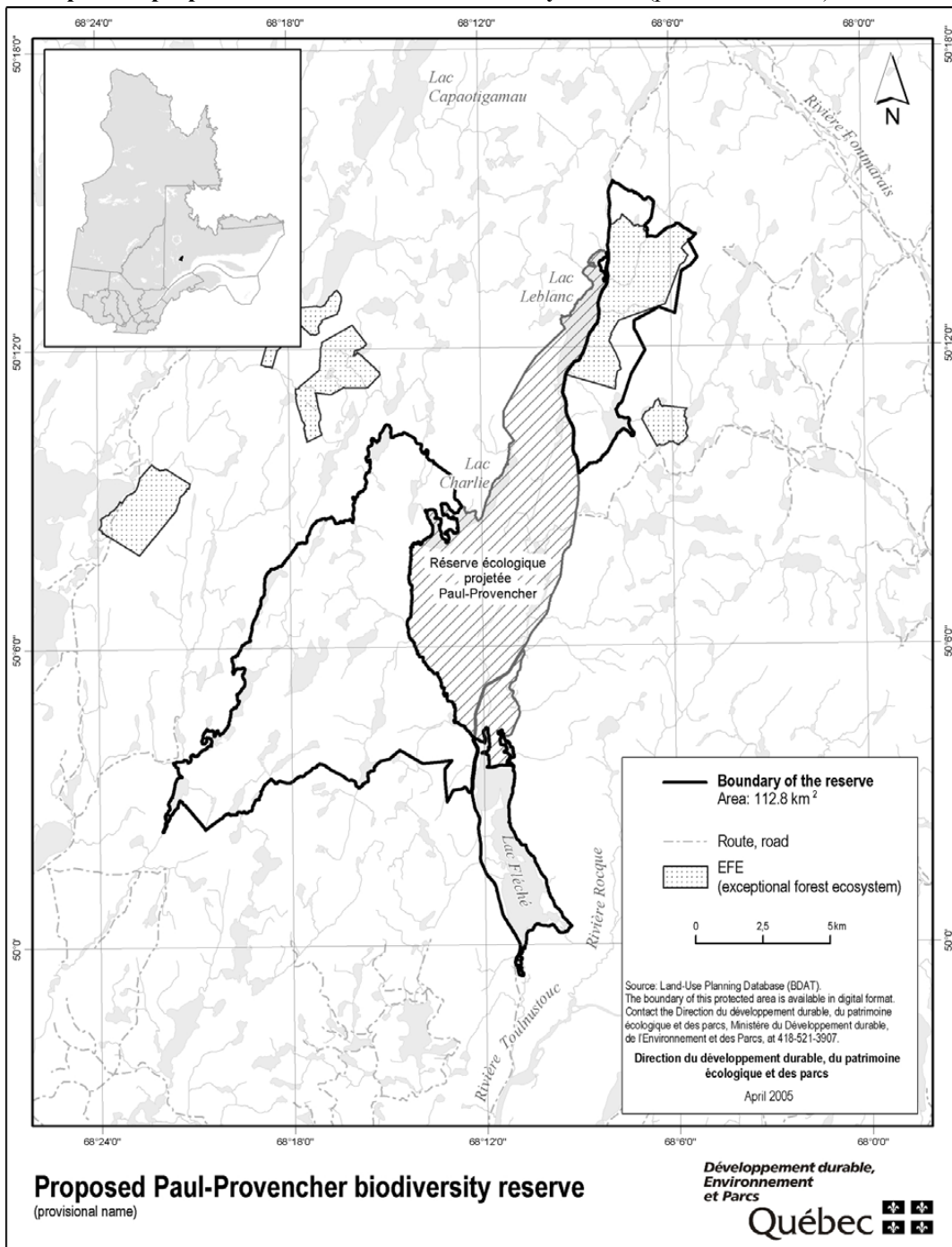
— Operation of vehicles: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and in the regulation on motor vehicle traffic in certain fragile environments made under the Environment Quality Act (R.S.Q., c. Q-2).

4. Responsibilities of the Minister of Sustainable Development, Environment and Parks

The Minister of Sustainable Development, Environment and Parks is responsible for the management of the proposed Paul-Provencher biodiversity reserve and is therefore responsible for the supervision and monitoring of the activities that may be carried on within the reserve. The Minister in the management of the reserve works collaboratively with other government representatives having specific responsibilities within the boundaries of the reserve or on adjoining land, such as the Minister of Natural Resources and Wildlife. In the exercise of their powers and functions, the Ministers will take into consideration the protection sought for these natural environments and the protection status that has been granted.

Schedule

Map of the proposed Paul-Provencher biodiversity reserve (provisional name)



PROPOSED GODBOUT RIVER VALLEY
BIODIVERSITY RESERVE
(provisional name)

CONSERVATION PLAN

June 2005

1. Protection status and toponym

The legal status of the reserve described below is that of proposed biodiversity reserve under the Natural Heritage Conservation Act (R.S.Q., c. C-61.01).

The proposed reserve is to have the name “Réserve de biodiversité projetée de la vallée de la rivière Godbout”. The official toponym will be determined at the time of the assignment of permanent protection status to the land.

2. Plan and description

2.1. Location, boundaries and dimensions

The boundaries and location of the proposed Godbout river valley biodiversity reserve are shown on the plan.

The proposed Godbout river valley biodiversity reserve is located in the Côte-Nord administrative region, between 49°32' and 49°45' north latitude and 67°39' and 67°59' west longitude. It is situated some 25 km north of Godbout. The proposed biodiversity reserve covers an area of 147.5 km² in the unorganized territory of Rivière-aux-Outardes in Municipalité régionale de comté de Manicouagan.

Electric power transmission lines 7028-7029 and line 7027 are excluded from the proposed biodiversity reserve with a respective 162 m and 93 m right-of-way.

2.2. Geography

The proposed Godbout river valley biodiversity reserve is in the Betsiamites Plateau natural region in the Central Laurentian natural province. It is formed of low hills covered with till and a river valley bottom through which the Godbout river flows. The vegetation consists mainly of virgin stands dominated by softwood, namely black spruce and fir stands, with mixed stands dominated by white birch. Also present are an old-growth black spruce – balsam fir stand and some jack pine stands. The north-eastern sector of the proposed biodiversity reserve has been identified by the Ministère des Ressources naturelles et de la Faune as an exceptional forest ecosystem project for its black spruce *Pleurozium* stands. Godbout river, which runs east of the proposed biodiversity reserve, is a salmon river.

2.3. Occupation, rights and land uses

The proposed Godbout river valley biodiversity reserve is accessible from Municipalité de Godbout by an unpaved road suitable for road vehicles. Seven land rights have been granted in the territory: 1 for vacation resort purposes and 6 for rough shelters.

The Cyprés lake outfitting operation occupies the northern part and a reception station of the Rivières-Godbout-et-Mistassini controlled zone, manager of the “salmon” resource of the Godbout river, is within the southern part.

The proposed Godbout river valley biodiversity reserve lies entirely within the Bersimis beaver reserve, in which the Innu communities have special rights regarding the hunting and trapping of fur-bearing animals. An Innu heritage site is found within the boundaries of the proposed biodiversity reserve.

The Godbout river is recognized as a canoe-kayak route.

3. Activities within the reserve

§1. Introduction

The activities carried on within the proposed reserve are governed for the most part by the provisions of the Natural Heritage Conservation Act.

This Division prohibits activities in addition to those prohibited under the Act and provides a framework for the carrying on of certain permitted activities so as to better ensure the protection of the natural environment. Accordingly, certain activities require the prior authorization of the Minister and compliance with the conditions determined by the Minister.

As provided in the Natural Heritage Conservation Act, the main activities prohibited in an area to which status as a proposed biodiversity or aquatic reserve has been assigned are

- mining, and gas or petroleum development;
- forest management 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.

§2. Prohibitions, prior authorizations and conditions on which certain activities may be carried on in the proposed reserve

§2.1. Protection of resources and the natural environment

3.1. No person may introduce non-native species of flora or fauna into the proposed reserve.

3.2. No person may stock a watercourse or body of water

(1) for aquaculture, sports or commercial fishing or any other commercial purpose;

(2) for any other purpose, if the fish stocked are not from a genetic strain originating from the proposed reserve.

3.3. No person may bury, abandon or dispose of waste, snow or other residual materials other than in waste disposal containers, facilities or sites determined by the Minister or elsewhere, with the authorization of the Minister and in compliance with the conditions the Minister determines.

Despite the first paragraph, no authorization need be obtained by an outfitting operation to use a disposal facility or site in compliance with the Environment Quality Act and its regulations if the outfitting operation was already using the facility or site on the date on which the protection status as a proposed reserve takes effect.

3.4. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry on any activity likely to severely degrade the banks or shores or to otherwise seriously affect the integrity of a watercourse, body of water or other wetland area, in particular by discharging or dumping waste or other pollutant into the watercourse, body of water or wetland area; or

(2) dig, fill, obstruct or divert a watercourse or body of water.

§2.2. Rules of conduct for users

3.5. Every person staying, carrying on an activity or travelling about within the proposed reserve is required to maintain the premises in a satisfactory state and before leaving, return the premises to their natural state to the extent possible.

3.6. Every person who makes a campfire must

(1) clear an area around the fire site sufficient to prevent the fire from spreading by removing all branches, scrub, dry leaves and other combustible materials;

(2) see that there is always a person on the premises to attend the fire; and

(3) ensure that the fire is completely extinguished before leaving the premises.

3.7. In the proposed reserve, no person may

(1) cause any excessive noise; or

(2) behave in a manner that unduly disturbs other persons in the reserve or interferes with their enjoyment of the reserve.

3.8. No person may destroy, remove, move or damage any poster, sign, notice or other type of signage posted by the Minister within the proposed reserve.

3.9. No person may enter, carry on an activity in or operate a vehicle in a given sector of the proposed reserve unless the person has been authorized by the Minister and complies with the conditions determined, if the signage erected by the Minister restricts access, traffic or certain activities in order to protect the public from a danger or to avoid placing the fauna, flora or other components of the natural environment at risk.

§2.3. Activities requiring an authorization

3.10. No person may, unless the person has been authorized by the Minister and complies with the conditions the Minister determines, stay or reside on or otherwise occupy the same site within the proposed reserve for a period of more than three months in the same year. No authorization need be obtained by a person who,

(1) on the date on which the protection status as a proposed reserve takes effect, was a party to a lease or had already obtained another form of permit or authorization allowing the person to occupy the land under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) or, if applicable, the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), and whose right to occupy the land is renewed or extended;

(2) in accordance with the applicable provisions of law, has entitlement under a sublease, an assignment of a lease or a transfer of an authorization, as referred to in paragraph 1, and whose right to occupy the land is renewed or extended;

(3) avails himself or herself of the possibility of acquiring the land the person legally occupies on the date on which the protection status as a proposed reserve takes effect, pursuant to the Act respecting the lands in the domain of the State.

3.11. (1) No person may carry on forest management activities to meet domestic needs or for the purpose of maintaining biodiversity, unless the person has been authorized by the Minister and carries on the activities in compliance with the conditions the Minister determines.

The conditions of that authorization may pertain, among other things, to species of trees or shrubs, the size of the stems that may be cut, the quantities authorized and the places where the activities may be carried on.

(2) Despite subsection 1, the authorization of the Minister under this plan need not be obtained by a person staying or residing in the proposed reserve who collects wood to make a campfire.

No such authorization need be obtained by a person to collect wood to meet domestic needs

(a) if the wood is collected within a sector reserved by the Minister of Natural Resources and Wildlife as a sector for which a permit for the harvest of firewood for domestic purposes under the Forest Act (R.S.Q., c. F-4.1) may be issued and which has already been reserved as such by the Minister on the date on which the protection status as a proposed reserve takes effect;

(b) if the wood is collected by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the proposed reserve; or

(c) if the wood is collected by a person in accordance with the conditions set out in the permit for the harvest of firewood for domestic purposes issued by the Minister of Natural Resources and Wildlife under the Forest Act.

(3) Despite subsection 1, no authorization need be obtained by a person authorized by lease to occupy land within the proposed reserve, pursuant to this plan, to carry on a forest management activity for the purpose of

(a) clearing permitted harvested areas, maintaining them or creating visual openings, and any other similar removal purposes permitted under the regulation that applies to the sale, lease and granting of immovable rights made under the Act respecting the lands in the domain of the State;

(b) creating and maintaining access roads, stairways or other trails permitted under that regulation; or

(c) clearing the necessary area for the installation, connection, maintenance and repair of power, water, sewer or telecommunication lines, facilities and mains.

When the work referred to in subparagraph *c* of subsection 3 is carried out for or under the responsibility of an enterprise providing any of those services, the work requires the prior authorization of the Minister, other than in the case of the exemptions provided for in sections 3.13 and 3.14.

(4) Despite subsection 1, no authorization need be obtained by a person to carry on a forest management activity to maintain a sugar bush and harvest maple products for domestic purposes

(a) if the activity is carried on by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act allowing the person to carry on the activities of a sugar bush operator within the proposed reserve;

(b) if the activity is carried on within a zone for which the permit obtained allowed the carrying on of sugar bush operations on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years; or

(c) if the activity is carried on by a person in compliance with the conditions set out in the sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act.

3.12. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry out soil development work, including any fill, burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose including recreational and tourism purposes such as the development of trails;

(2) install or construct a new structure, infrastructure or works;

(3) reconstruct or demolish an existing structure, infrastructure or works;

(4) use a pesticide, although no authorization is required for the use of insect repellent for personal purposes;

(5) carry on an activity that is likely to severely degrade the soil or a geological formation or damage the vegetation cover, such as stripping, the digging of trenches or excavation work; or

(6) carry on educational or research-related activities if the activities are likely to significantly damage or disturb the natural environment, in particular by the extent of the moving or removal of natural resources or by the use of explosives.

The conditions of the Minister's authorization for the work may pertain to the location of the authorized activity, the methods used, the areas that may be cleared or deforested, the types of material that may be used including the material taken from the site, and the presence of ancillary works or facilities. The conditions may also include a requirement to ensure periodic follow-up or to report to the Minister, in particular as regards the results obtained from the research to which subparagraph 6 of the first paragraph refers.

Subject to the conditions determined in the authorization, work to repair or maintain trails authorized by the Minister or trails existing on the date on which the protection status as a proposed reserve takes effect may be carried on without an authorization under subparagraph 1 of the first paragraph.

Work to repair or maintain forest roads or roads authorized under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) carried on in accordance with the Forest Act and its regulations that concern standards of forest management may be carried on without an authorization under subparagraph 1 of the first paragraph.

§2.4. Authorization exemptions

3.13. Despite the preceding provisions, no authorization need be obtained by a person to carry on an activity or for any other form of intervention within the proposed reserve if urgent action is required to prevent harm to the health or safety of persons, or to repair or prevent damage caused by a real or apprehended catastrophe. The person concerned must, however, immediately inform the Minister of the activity or intervention that has taken place.

3.14. Despite the preceding provisions, the following activities and interventions involving the production, transmission and distribution of electricity carried out by Hydro-Québec (Société) or by any other person for Hydro-Québec do not require the prior authorization of the Minister under this plan :

(1) any activity or intervention required within the proposed reserve to complete a project which was previously expressly authorized by the Government and the Minister, or only by the latter, in accordance with the requirements of the Environment Quality Act (R.S.Q., c. Q-2), if the activity or intervention is carried out in compliance with the authorizations issued;

(2) any activity or intervention necessary for the preparation and presentation of a pre-project report for a project requiring an authorization under the Environment Quality Act;

(3) any activity or intervention relating to a project requiring the prior authorization of the Minister under the Environment Quality Act, if the activity or intervention is in response to a request for a clarification or for additional information made by the Minister to the Société and it is carried out in accordance with the request;

(4) any activity or intervention by the Société, if the conditions for the carrying out of the activity or intervention have been determined in an agreement between the Minister and the Société and the activity or intervention is carried out in compliance with those conditions.

For the purposes of this section, the activities and interventions of the Société include pre-project studies, analysis work or field research, work required to study and monitor the impact of power transmission and distribution line corridors and rights-of-way, geological or geophysical surveys and survey lines, and the opening and maintenance of roads required for the purpose of access, construction or equipment movement necessary for the carrying on of such work.

§2.5. *General provisions*

3.15. Every person who applies to the Minister for an individual authorization or for an authorization for a group or for a number of persons must provide any information or document requested by the Minister for the examination of the application.

3.16. The Minister's authorization, which is general and can be used by more than one person, may be communicated to the persons concerned by any appropriate means including by a posted notice or appropriate signage at the reception centre or any other location within the proposed reserve that is readily accessible to the public. The Minister is to provide a copy to any person requesting a copy.

§3. *Activities governed by other statutes*

Certain activities likely to be carried on within the proposed reserve are also governed by 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 reserve.

A special legal framework may govern permitted and prohibited activities within the proposed reserve in connection with the following matters:

— Environmental protection: measures set out in particular in the Environment Quality Act (R.S.Q., c. Q-2);

— Archaeological research: measures set out in particular in the Cultural Property Act (R.S.Q., c. B-4);

— Development of wildlife resources: measures set out in particular in the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), including the provisions pertaining to outfitting operations and beaver reserves and the measures contained in applicable federal legislation, including the fishery regulations;

— Removal of species of fauna or flora that are threatened or vulnerable or are likely to be designated as such: measures prohibiting the removal of the species under the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01);

— Access and land rights: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1);

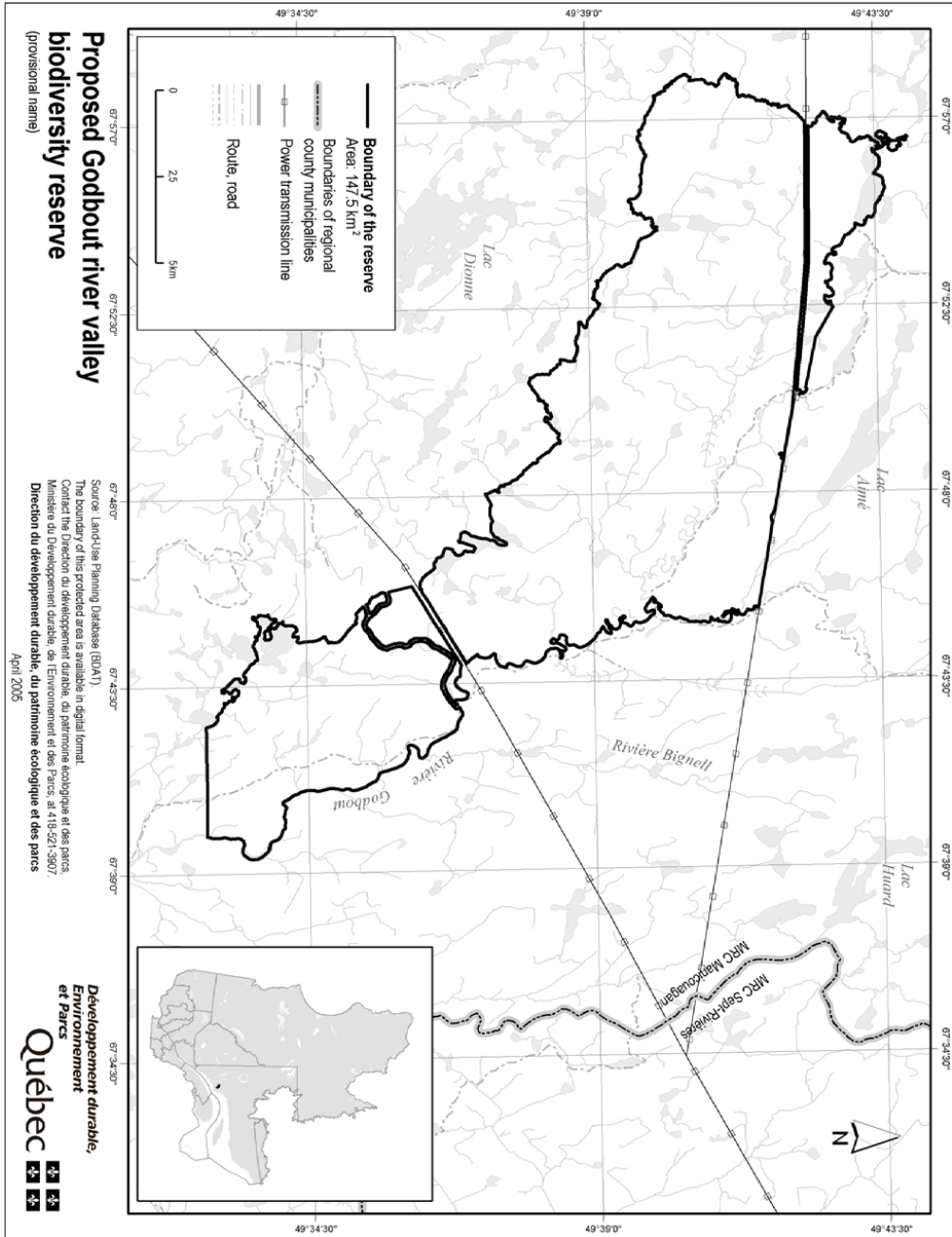
— Operation of vehicles: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and in the regulation on motor vehicle traffic in certain fragile environments made under the Environment Quality Act (R.S.Q., c. Q-2).

4. Responsibilities of the Minister of Sustainable Development, Environment and Parks

The Minister of Sustainable Development, Environment and Parks is responsible for the management of the proposed Godbout river valley biodiversity reserve and is therefore responsible for the supervision and monitoring of the activities that may be carried on within the reserve. The Minister in the management of the reserve works collaboratively with other government representatives having specific responsibilities within the boundaries of the reserve or on adjoining land, such as the Minister of Natural Resources and Wildlife. In the exercise of their powers and functions, the Ministers will take into consideration the protection sought for these natural environments and the protection status that has been granted.

Schedule

Map of the proposed Godbout river valley biodiversity reserve (provisional name)



PROPOSED FRÉGATE LAKE BURN AREA
BIODIVERSITY RESERVE
(provisional name)

CONSERVATION PLAN

June 2005

1. Protection status and toponym

The legal status of the reserve described below is that of proposed biodiversity reserve under the Natural Heritage Conservation Act (R.S.Q., c. C-61.01).

The proposed reserve is to have the name “Réserve de biodiversité projetée du brûlis du lac Frégate”. The official toponym will be determined at the time of the assignment of permanent protection status to the land.

2. Plan and description

2.1. Location, boundaries and dimensions

The boundaries and location of the proposed Frégate lake burn area biodiversity reserve are shown on the plan.

The proposed Frégate lake burn area biodiversity reserve is located in the Côte-Nord administrative region, between 49°23' and 49°38' north latitude and 69°07' and 69°24' west longitude. It is situated some 75 km north of Forestville. The proposed biodiversity reserve covers an area of 268.1 km² in the unorganized territories of Lac-au-Brochet and Rivières-aux-Outardes in the regional county municipalities of La Haute-Côte-Nord and Manicouagan, respectively.

Electric power transmission lines 7004-7019 bisect the proposed biodiversity reserve. Those lines are excluded from the proposed biodiversity reserve with a 160 m right-of-way.

2.2. Geography

The proposed Frégate lake burn area biodiversity reserve is in the Central Laurentian natural province. It protects natural environments characteristic of the Betsiamites Plateau natural region. The proposed biodiversity reserve is formed mainly of low hills covered by rock and till. The altitude varies from 330 m to 575 m. Almost the entire territory was burned in a fire in 1991. A sector northeast of the proposed biodiversity reserve was not affected by the fire and is formed of old-growth black spruce and balsam fir stands. Cutting took place in 1993 on less than 2% of the land. Boucher river which runs through the northern part of the proposed biodiversity reserve is home to lake trout, a unique fish species.

2.3. Occupation, rights and land uses

Thirteen land rights have been granted in the territory of the proposed biodiversity reserve: 9 for vacation resort purposes and 4 for rough shelters.

The proposed Frégate lake burn area biodiversity reserve lies within the Bersimis beaver reserve, in which the Innu communities have special rights regarding the hunting and trapping of fur-bearing animals.

3. Activities within the reserve

§1. Introduction

The activities carried on within the proposed reserve are governed for the most part by the provisions of the Natural Heritage Conservation Act.

This Division prohibits activities in addition to those prohibited under the Act and provides a framework for the carrying on of certain permitted activities so as to better ensure the protection of the natural environment. Accordingly, certain activities require the prior authorization of the Minister and compliance with the conditions determined by the Minister.

As provided in the Natural Heritage Conservation Act, the main activities prohibited in an area to which status as a proposed biodiversity or aquatic reserve has been assigned are

— mining, and gas or petroleum development;

— forest management 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.

§2. Prohibitions, prior authorizations and conditions on which certain activities may be carried on in the proposed reserve

§2.1. Protection of resources and the natural environment

3.1. No person may introduce non-native species of flora or fauna into the proposed reserve.

3.2. No person may stock a watercourse or body of water

(1) for aquaculture, sports or commercial fishing or any other commercial purpose;

(2) for any other purpose, if the fish stocked are not from a genetic strain originating from the proposed reserve.

3.3. No person may bury, abandon or dispose of waste, snow or other residual materials other than in waste disposal containers, facilities or sites determined by the Minister or elsewhere, with the authorization of the Minister and in compliance with the conditions the Minister determines.

Despite the first paragraph, no authorization need be obtained by an outfitting operation to use a disposal facility or site in compliance with the Environment Quality Act and its regulations if the outfitting operation was already using the facility or site on the date on which the protection status as a proposed reserve takes effect.

3.4. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry on any activity likely to severely degrade the banks or shores or to otherwise seriously affect the integrity of a watercourse, body of water or other wetland area, in particular by discharging or dumping waste or other pollutant into the watercourse, body of water or wetland area; or

(2) dig, fill, obstruct or divert a watercourse or body of water.

§2.2. *Rules of conduct for users*

3.5. Every person staying, carrying on an activity or travelling about within the proposed reserve is required to maintain the premises in a satisfactory state and before leaving, return the premises to their natural state to the extent possible.

3.6. Every person who makes a campfire must

(1) clear an area around the fire site sufficient to prevent the fire from spreading by removing all branches, scrub, dry leaves and other combustible materials;

(2) see that there is always a person on the premises to attend the fire; and

(3) ensure that the fire is completely extinguished before leaving the premises.

3.7. In the proposed reserve, no person may

(1) cause any excessive noise; or

(2) behave in a manner that unduly disturbs other persons in the reserve or interferes with their enjoyment of the reserve.

3.8. No person may destroy, remove, move or damage any poster, sign, notice or other type of signage posted by the Minister within the proposed reserve.

3.9. No person may enter, carry on an activity in or operate a vehicle in a given sector of the proposed reserve unless the person has been authorized by the Minister and complies with the conditions determined, if the signage erected by the Minister restricts access, traffic or certain activities in order to protect the public from a danger or to avoid placing the fauna, flora or other components of the natural environment at risk.

§2.3. *Activities requiring an authorization*

3.10. No person may, unless the person has been authorized by the Minister and complies with the conditions the Minister determines, stay or reside on or otherwise occupy the same site within the proposed reserve for a period of more than three months in the same year. No authorization need be obtained by a person who,

(1) on the date on which the protection status as a proposed reserve takes effect, was a party to a lease or had already obtained another form of permit or authorization allowing the person to occupy the land under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) or, if applicable, the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), and whose right to occupy the land is renewed or extended;

(2) in accordance with the applicable provisions of law, has entitlement under a sublease, an assignment of a lease or a transfer of an authorization, as referred to in paragraph 1, and whose right to occupy the land is renewed or extended;

(3) avails himself or herself of the possibility of acquiring the land the person legally occupies on the date on which the protection status as a proposed reserve takes effect, pursuant to the Act respecting the lands in the domain of the State.

3.11. (1) No person may carry on forest management activities to meet domestic needs or for the purpose of maintaining biodiversity, unless the person has been authorized by the Minister and carries on the activities in compliance with the conditions the Minister determines.

The conditions of that authorization may pertain, among other things, to species of trees or shrubs, the size of the stems that may be cut, the quantities authorized and the places where the activities may be carried on.

(2) Despite subsection 1, the authorization of the Minister under this plan need not be obtained by a person staying or residing in the proposed reserve who collects wood to make a campfire.

No such authorization need be obtained by a person to collect wood to meet domestic needs

(a) if the wood is collected within a sector reserved by the Minister of Natural Resources and Wildlife as a sector for which a permit for the harvest of firewood for domestic purposes under the Forest Act (R.S.Q., c. F-4.1) may be issued and which has already been reserved as such by the Minister on the date on which the protection status as a proposed reserve takes effect;

(b) if the wood is collected by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the proposed reserve; or

(c) if the wood is collected by a person in accordance with the conditions set out in the permit for the harvest of firewood for domestic purposes issued by the Minister of Natural Resources and Wildlife under the Forest Act.

(3) Despite subsection 1, no authorization need be obtained by a person authorized by lease to occupy land within the proposed reserve, pursuant to this plan, to carry on a forest management activity for the purpose of

(a) clearing permitted harvested areas, maintaining them or creating visual openings, and any other similar removal purposes permitted under the regulation that applies to the sale, lease and granting of immovable rights made under the Act respecting the lands in the domain of the State;

(b) creating and maintaining access roads, stairways or other trails permitted under that regulation; or

(c) clearing the necessary area for the installation, connection, maintenance and repair of power, water, sewer or telecommunication lines, facilities and mains.

When the work referred to in subparagraph *c* of subsection 3 is carried out for or under the responsibility of an enterprise providing any of those services, the work requires the prior authorization of the Minister, other than in the case of the exemptions provided for in sections 3.13 and 3.14.

(4) Despite subsection 1, no authorization need be obtained by a person to carry on a forest management activity to maintain a sugar bush and harvest maple products for domestic purposes

(a) if the activity is carried on by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act allowing the person to carry on the activities of a sugar bush operator within the proposed reserve;

(b) if the activity is carried on within a zone for which the permit obtained allowed the carrying on of sugar bush operations on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years; or

(c) if the activity is carried on by a person in compliance with the conditions set out in the sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act.

3.12. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry out soil development work, including any fill, burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose including recreational and tourism purposes such as the development of trails;

(2) install or construct a new structure, infrastructure or works;

(3) reconstruct or demolish an existing structure, infrastructure or works;

(4) use a pesticide, although no authorization is required for the use of insect repellent for personal purposes;

(5) carry on an activity that is likely to severely degrade the soil or a geological formation or damage the vegetation cover, such as stripping, the digging of trenches or excavation work; or

(6) carry on educational or research-related activities if the activities are likely to significantly damage or disturb the natural environment, in particular by the extent of the moving or removal of natural resources or by the use of explosives.

The conditions of the Minister's authorization for the work may pertain to the location of the authorized activity, the methods used, the areas that may be cleared or deforested, the types of material that may be used including the material taken from the site, and the presence of ancillary works or facilities. The conditions may also include a requirement to ensure periodic follow-up or to report to the Minister, in particular as regards the results obtained from the research to which subparagraph 6 of the first paragraph refers.

Subject to the conditions determined in the authorization, work to repair or maintain trails authorized by the Minister or trails existing on the date on which the protection status as a proposed reserve takes effect may be carried on without an authorization under subparagraph 1 of the first paragraph.

Work to repair or maintain forest roads or roads authorized under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) carried on in accordance with the Forest Act and its regulations that concern standards of forest management may be carried on without an authorization under subparagraph 1 of the first paragraph.

§2.4. *Authorization exemptions*

3.13. Despite the preceding provisions, no authorization need be obtained by a person to carry on an activity or for any other form of intervention within the proposed reserve if urgent action is required to prevent harm to the health or safety of persons, or to repair or prevent damage caused by a real or apprehended catastrophe. The person concerned must, however, immediately inform the Minister of the activity or intervention that has taken place.

3.14. Despite the preceding provisions, the following activities and interventions involving the production, transmission and distribution of electricity carried out by Hydro-Québec (Société) or by any other person for Hydro-Québec do not require the prior authorization of the Minister under this plan:

(1) any activity or intervention required within the proposed reserve to complete a project which was previously expressly authorized by the Government and the Minister, or only by the latter, in accordance with the requirements of the Environment Quality Act (R.S.Q., c. Q-2), if the activity or intervention is carried out in compliance with the authorizations issued;

(2) any activity or intervention necessary for the preparation and presentation of a pre-project report for a project requiring an authorization under the Environment Quality Act;

(3) any activity or intervention relating to a project requiring the prior authorization of the Minister under the Environment Quality Act, if the activity or intervention is in response to a request for a clarification or for additional information made by the Minister to the Société and it is carried out in accordance with the request;

(4) any activity or intervention by the Société, if the conditions for the carrying out of the activity or intervention have been determined in an agreement between the Minister and the Société and the activity or intervention is carried out in compliance with those conditions.

For the purposes of this section, the activities and interventions of the Société include pre-project studies, analysis work or field research, work required to study and monitor the impact of power transmission and distribution line corridors and rights-of-way, geological or geophysical surveys and survey lines, and the opening and maintenance of roads required for the purpose of access, construction or equipment movement necessary for the carrying on of such work.

§2.5. *General provisions*

3.15. Every person who applies to the Minister for an individual authorization or for an authorization for a group or for a number of persons must provide any information or document requested by the Minister for the examination of the application.

3.16. The Minister's authorization, which is general and can be used by more than one person, may be communicated to the persons concerned by any appropriate means including by a posted notice or appropriate signage at the reception centre or any other location within the proposed reserve that is readily accessible to the public. The Minister is to provide a copy to any person requesting a copy.

§3. *Activities governed by other statutes*

Certain activities likely to be carried on within the proposed reserve are also governed by 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 reserve.

A special legal framework may govern permitted and prohibited activities within the proposed reserve in connection with the following matters:

— Environmental protection: measures set out in particular in the Environment Quality Act (R.S.Q., c. Q-2);

— Archaeological research: measures set out in particular in the Cultural Property Act (R.S.Q., c. B-4);

— Development of wildlife resources: measures set out in particular in the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), including the provisions pertaining to outfitting operations and beaver reserves and the measures contained in applicable federal legislation, including the fishery regulations;

— Removal of species of fauna or flora that are threatened or vulnerable or are likely to be designated as such: measures prohibiting the removal of the species under the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01);

— Access and land rights: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1);

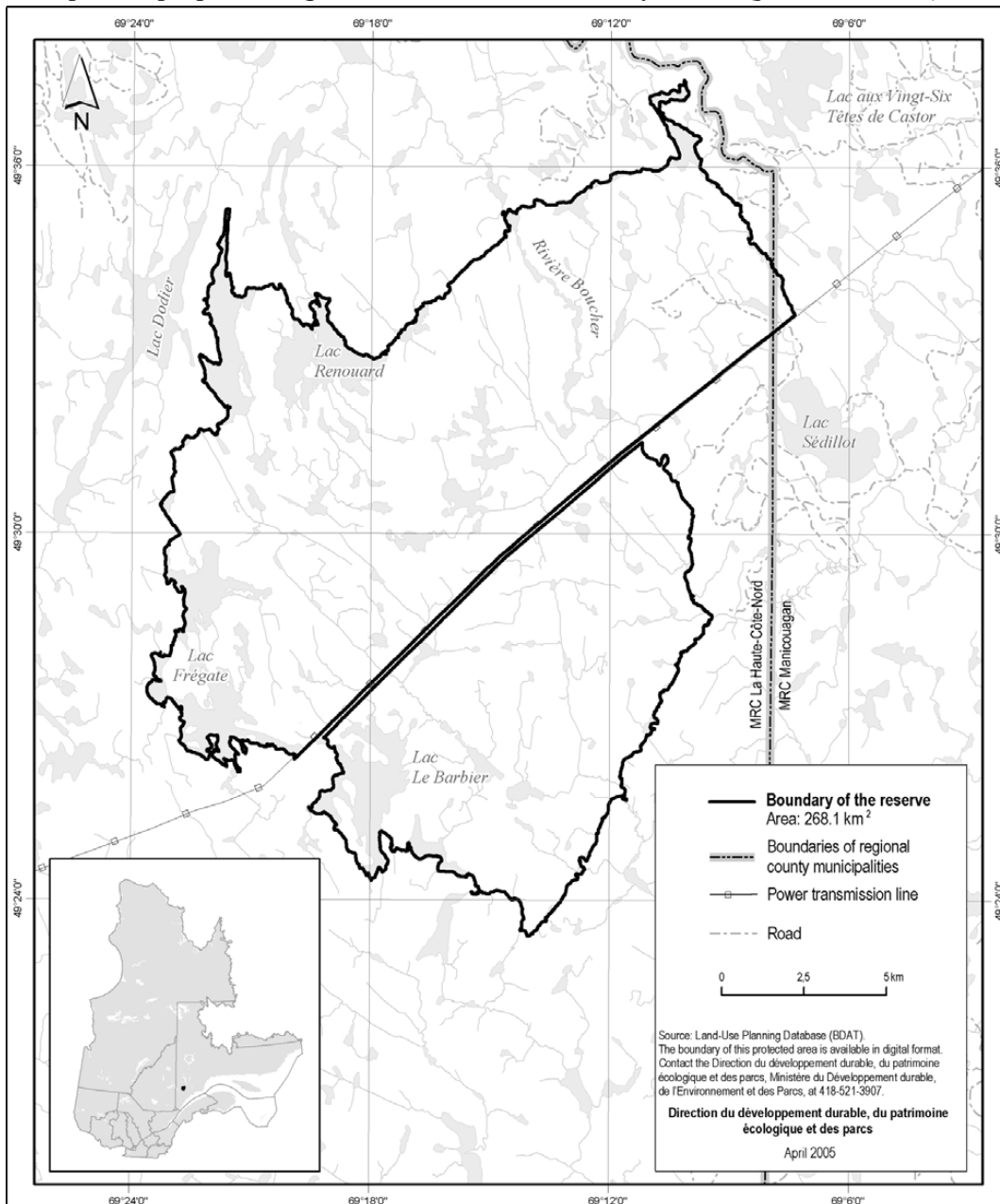
— Operation of vehicles: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and in the regulation on motor vehicle traffic in certain fragile environments made under the Environment Quality Act (R.S.Q., c. Q-2).

4. Responsibilities of the Minister of Sustainable Development, Environment and Parks

The Minister of Sustainable Development, Environment and Parks is responsible for the management of the proposed Frégate lake burn area biodiversity reserve and is therefore responsible for the supervision and monitoring of the activities that may be carried on within the reserve. The Minister in the management of the reserve works collaboratively with other government representatives having specific responsibilities within the boundaries of the reserve or on adjoining land, such as the Minister of Natural Resources and Wildlife. In the exercise of their powers and functions, the Ministers will take into consideration the protection sought for these natural environments and the protection status that has been granted.

Schedule

Map of the proposed Frégate lake burn area biodiversity reserve (provisional name)



Proposed Frégate lake burn area biodiversity reserve
(provisional name)

Développement durable,
Environnement
et Parcs



PROPOSED PIPMUACAN EAST ISLANDS
BIODIVERSITY RESERVE
(provisional name)

CONSERVATION PLAN

June 2005

1. Protection status and toponym

The legal status of the reserve described below is that of proposed biodiversity reserve under the Natural Heritage Conservation Act (R.S.Q., c. C-61.01).

The proposed reserve is to have the name “Réserve de biodiversité projetée des îles de l’est du Pipmuacan”. The official toponym will be determined at the time of the assignment of permanent protection status to the land.

2. Plan and description

2.1. Location, boundaries and dimensions

The boundaries and location of the proposed Pipmuacan east islands biodiversity reserve are shown on the plan.

The proposed Pipmuacan east islands biodiversity reserve is located primarily in the Saguenay-Lac-Saint-Jean administrative region and lies partially within the unorganized territory of Mont-Valin which is part of Municipalité régionale de comté de Fjord-du-Saguenay. A small portion in the east is within the Côte-Nord administrative region, in the unorganized territory of Lac-au-Brochet, in Municipalité régionale de comté de La Haute-Côte-Nord. The proposed biodiversity reserve is some 115 km northwest of Forestville, between 49°28' and 49°37' north latitude and 70° and 70°11' west longitude. The proposed biodiversity reserve covers an area of 88.4 km².

The boundaries of the proposed biodiversity reserve are based on the tidal range of the Pipmuacan reservoir that is 400.30 m.

2.2. Geography

The proposed Pipmuacan east islands biodiversity reserve is in the Betsiamites Plateau and Péribonka Lake Hills natural regions in the Central Laurentian natural province. The proposed Pipmuacan east islands biodiversity reserve is divided into four islands formed of low hills on rock and till. The forest cover is characterized mainly by black spruce stands and by a few stands dominated by jack pine, trembling aspen or white birch.

Inventories have confirmed the presence of woodland caribou around the Pipmuacan reservoir. The forest massifs of the area are of great importance for the maintenance of woodland caribou.

2.3. Occupation, rights and land uses

Five land rights have been granted in the territory of the proposed biodiversity reserve: 3 for rough shelters, 1 for vacation resort purposes and 1 authorization for various sustainable infrastructures (Hydro-Québec hydrometric station).

The Betsiamites river is a recognized canoe-kayak route and salmon river.

The proposed Pipmuacan east islands biodiversity reserve lies within the Bersimis beaver reserve, in which the Innu community of Betsiamites has special rights regarding the hunting and trapping of fur-bearing animals.

The territory is part of the Nitassinan of Betsiamites.

3. Activities within the reserve

§1. Introduction

The activities carried on within the proposed reserve are governed for the most part by the provisions of the Natural Heritage Conservation Act.

This Division prohibits activities in addition to those prohibited under the Act and provides a framework for the carrying on of certain permitted activities so as to better ensure the protection of the natural environment. Accordingly, certain activities require the prior authorization of the Minister and compliance with the conditions determined by the Minister.

As provided in the Natural Heritage Conservation Act, the main activities prohibited in an area to which status as a proposed biodiversity or aquatic reserve has been assigned are

— mining, and gas or petroleum development;

— forest management 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.

§2. Prohibitions, prior authorizations and conditions on which certain activities may be carried on in the proposed reserve

§2.1. Protection of resources and the natural environment

3.1. No person may introduce non-native species of flora or fauna into the proposed reserve.

3.2. No person may stock a watercourse or body of water

(1) for aquaculture, sports or commercial fishing or any other commercial purpose;

(2) for any other purpose, if the fish stocked are not from a genetic strain originating from the proposed reserve.

3.3. No person may bury, abandon or dispose of waste, snow or other residual materials other than in waste disposal containers, facilities or sites determined by the Minister or elsewhere, with the authorization of the Minister and in compliance with the conditions the Minister determines.

Despite the first paragraph, no authorization need be obtained by an outfitting operation to use a disposal facility or site in compliance with the Environment Quality Act and its regulations if the outfitting operation was already using the facility or site on the date on which the protection status as a proposed reserve takes effect.

3.4. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry on any activity likely to severely degrade the banks or shores or to otherwise seriously affect the integrity of a watercourse, body of water or other wetland area, in particular by discharging or dumping waste or other pollutant into the watercourse, body of water or wetland area; or

(2) dig, fill, obstruct or divert a watercourse or body of water.

§2.2. Rules of conduct for users

3.5. Every person staying, carrying on an activity or travelling about within the proposed reserve is required to maintain the premises in a satisfactory state and before leaving, return the premises to their natural state to the extent possible.

3.6. Every person who makes a campfire must

(1) clear an area around the fire site sufficient to prevent the fire from spreading by removing all branches, scrub, dry leaves and other combustible materials;

(2) see that there is always a person on the premises to attend the fire; and

(3) ensure that the fire is completely extinguished before leaving the premises.

3.7. In the proposed reserve, no person may

(1) cause any excessive noise; or

(2) behave in a manner that unduly disturbs other persons in the reserve or interferes with their enjoyment of the reserve.

3.8. No person may destroy, remove, move or damage any poster, sign, notice or other type of signage posted by the Minister within the proposed reserve.

3.9. No person may enter, carry on an activity in or operate a vehicle in a given sector of the proposed reserve unless the person has been authorized by the Minister and complies with the conditions determined, if the signage erected by the Minister restricts access, traffic or certain activities in order to protect the public from a danger or to avoid placing the fauna, flora or other components of the natural environment at risk.

§2.3. Activities requiring an authorization

3.10. No person may, unless the person has been authorized by the Minister and complies with the conditions the Minister determines, stay or reside on or otherwise occupy the same site within the proposed reserve for a period of more than three months in the same year. No authorization need be obtained by a person who,

(1) on the date on which the protection status as a proposed reserve takes effect, was a party to a lease or had already obtained another form of permit or authorization allowing the person to occupy the land under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) or, if applicable, the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), and whose right to occupy the land is renewed or extended;

(2) in accordance with the applicable provisions of law, has entitlement under a sublease, an assignment of a lease or a transfer of an authorization, as referred to in paragraph 1, and whose right to occupy the land is renewed or extended;

(3) avails himself or herself of the possibility of acquiring the land the person legally occupies on the date on which the protection status as a proposed reserve takes effect, pursuant to the Act respecting the lands in the domain of the State.

3.11. (1) No person may carry on forest management activities to meet domestic needs or for the purpose of maintaining biodiversity, unless the person has been authorized by the Minister and carries on the activities in compliance with the conditions the Minister determines.

The conditions of that authorization may pertain, among other things, to species of trees or shrubs, the size of the stems that may be cut, the quantities authorized and the places where the activities may be carried on.

(2) Despite subsection 1, the authorization of the Minister under this plan need not be obtained by a person staying or residing in the proposed reserve who collects wood to make a campfire.

No such authorization need be obtained by a person to collect wood to meet domestic needs

(a) if the wood is collected within a sector reserved by the Minister of Natural Resources and Wildlife as a sector for which a permit for the harvest of firewood for domestic purposes under the Forest Act (R.S.Q., c. F-4.1) may be issued and which has already been reserved as such by the Minister on the date on which the protection status as a proposed reserve takes effect;

(b) if the wood is collected by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the proposed reserve; or

(c) if the wood is collected by a person in accordance with the conditions set out in the permit for the harvest of firewood for domestic purposes issued by the Minister of Natural Resources and Wildlife under the Forest Act.

(3) Despite subsection 1, no authorization need be obtained by a person authorized by lease to occupy land within the proposed reserve, pursuant to this plan, to carry on a forest management activity for the purpose of

(a) clearing permitted harvested areas, maintaining them or creating visual openings, and any other similar removal purposes permitted under the regulation that applies to the sale, lease and granting of immovable rights made under the Act respecting the lands in the domain of the State;

(b) creating and maintaining access roads, stairways or other trails permitted under that regulation; or

(c) clearing the necessary area for the installation, connection, maintenance and repair of power, water, sewer or telecommunication lines, facilities and mains.

When the work referred to in subparagraph *c* of subsection 3 is carried out for or under the responsibility of an enterprise providing any of those services, the work requires the prior authorization of the Minister, other than in the case of the exemptions provided for in sections 3.13 and 3.14.

(4) Despite subsection 1, no authorization need be obtained by a person to carry on a forest management activity to maintain a sugar bush and harvest maple products for domestic purposes

(a) if the activity is carried on by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act allowing the person to carry on the activities of a sugar bush operator within the proposed reserve;

(b) if the activity is carried on within a zone for which the permit obtained allowed the carrying on of sugar bush operations on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years; or

(c) if the activity is carried on by a person in compliance with the conditions set out in the sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act.

3.12. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry out soil development work, including any fill, burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose including recreational and tourism purposes such as the development of trails;

(2) install or construct a new structure, infrastructure or works;

(3) reconstruct or demolish an existing structure, infrastructure or works;

(4) use a pesticide, although no authorization is required for the use of insect repellent for personal purposes;

(5) carry on an activity that is likely to severely degrade the soil or a geological formation or damage the vegetation cover, such as stripping, the digging of trenches or excavation work; or

(6) carry on educational or research-related activities if the activities are likely to significantly damage or disturb the natural environment, in particular by the extent of the moving or removal of natural resources or by the use of explosives.

The conditions of the Minister's authorization for the work may pertain to the location of the authorized activity, the methods used, the areas that may be cleared or deforested, the types of material that may be used including the material taken from the site, and the presence of ancillary works or facilities. The conditions may also include a requirement to ensure periodic follow-up or to report to the Minister, in particular as regards the results obtained from the research to which subparagraph 6 of the first paragraph refers.

Subject to the conditions determined in the authorization, work to repair or maintain trails authorized by the Minister or trails existing on the date on which the protection status as a proposed reserve takes effect may be carried on without an authorization under subparagraph 1 of the first paragraph.

Work to repair or maintain forest roads or roads authorized under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) carried on in accordance with the Forest Act and its regulations that concern standards of forest management may be carried on without an authorization under subparagraph 1 of the first paragraph.

§2.4. Authorization exemptions

3.13. Despite the preceding provisions, no authorization need be obtained by a person to carry on an activity or for any other form of intervention within the proposed reserve if urgent action is required to prevent harm to the health or safety of persons, or to repair or prevent damage caused by a real or apprehended catastrophe. The person concerned must, however, immediately inform the Minister of the activity or intervention that has taken place.

3.14. Despite the preceding provisions, the following activities and interventions involving the production, transmission and distribution of electricity carried out by Hydro-Québec (Société) or by any other person for Hydro-Québec do not require the prior authorization of the Minister under this plan :

(1) any activity or intervention required within the proposed reserve to complete a project which was previously expressly authorized by the Government and the Minister, or only by the latter, in accordance with the requirements of the Environment Quality Act (R.S.Q., c. Q-2), if the activity or intervention is carried out in compliance with the authorizations issued;

(2) any activity or intervention necessary for the preparation and presentation of a pre-project report for a project requiring an authorization under the Environment Quality Act;

(3) any activity or intervention relating to a project requiring the prior authorization of the Minister under the Environment Quality Act, if the activity or intervention is in response to a request for a clarification or for additional information made by the Minister to the Société and it is carried out in accordance with the request;

(4) any activity or intervention by the Société, if the conditions for the carrying out of the activity or intervention have been determined in an agreement between the Minister and the Société and the activity or intervention is carried out in compliance with those conditions.

For the purposes of this section, the activities and interventions of the Société include pre-project studies, analysis work or field research, work required to study and monitor the impact of power transmission and distribution line corridors and rights-of-way, geological or geophysical surveys and survey lines, and the opening and maintenance of roads required for the purpose of access, construction or equipment movement necessary for the carrying on of such work.

§2.5. *General provisions*

3.15. Every person who applies to the Minister for an individual authorization or for an authorization for a group or for a number of persons must provide any information or document requested by the Minister for the examination of the application.

3.16. The Minister's authorization, which is general and can be used by more than one person, may be communicated to the persons concerned by any appropriate means including by a posted notice or appropriate signage at the reception centre or any other location within the proposed reserve that is readily accessible to the public. The Minister is to provide a copy to any person requesting a copy.

§3. *Activities governed by other statutes*

Certain activities likely to be carried on within the proposed reserve are also governed by 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 reserve.

A special legal framework may govern permitted and prohibited activities within the proposed reserve in connection with the following matters:

— Environmental protection: measures set out in particular in the Environment Quality Act (R.S.Q., c. Q-2);

— Archaeological research: measures set out in particular in the Cultural Property Act (R.S.Q., c. B-4);

— Development of wildlife resources: measures set out in particular in the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), including the provisions pertaining to outfitting operations and beaver reserves and the measures contained in applicable federal legislation, including the fishery regulations;

— Removal of species of fauna or flora that are threatened or vulnerable or are likely to be designated as such: measures prohibiting the removal of the species under the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01);

— Access and land rights: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1);

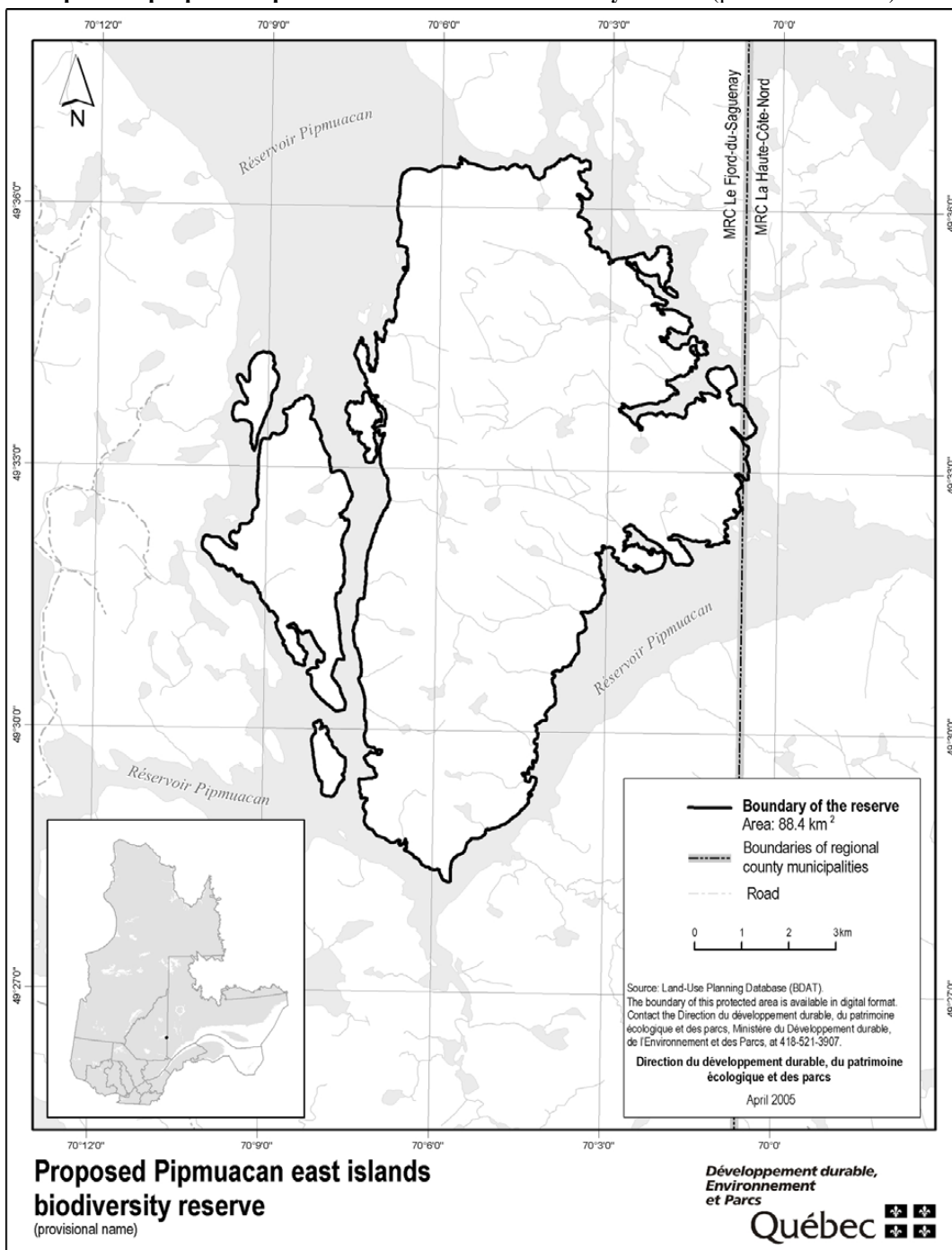
— Operation of vehicles: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and in the regulation on motor vehicle traffic in certain fragile environments made under the Environment Quality Act (R.S.Q., c. Q-2).

4. Responsibilities of the Minister of Sustainable Development, Environment and Parks

The Minister of Sustainable Development, Environment and Parks is responsible for the management of the proposed Pipmuacan east islands biodiversity reserve and is therefore responsible for the supervision and monitoring of the activities that may be carried on within the reserve. The Minister in the management of the reserve works collaboratively with other government representatives having specific responsibilities within the boundaries of the reserve or on adjoining land, such as the Minister of Natural Resources and Wildlife. In the exercise of their powers and functions, the Ministers will take into consideration the protection sought for these natural environments and the protection status that has been granted.

Schedule

Map of the proposed Pipmuacan east islands biodiversity reserve (provisional name)



PROPOSED AKUMUNAN BIODIVERSITY RESERVE

(provisional name)

CONSERVATION PLAN

June 2005

1. Protection status and toponym

The legal status of the reserve described below is that of proposed biodiversity reserve under the Natural Heritage Conservation Act (R.S.Q., c. C-61.01).

The proposed reserve is to have the name “Réserve de biodiversité projetée Akumunan”. The official toponym will be determined at the time of the assignment of permanent protection status to the land.

2. Plan and description

2.1. Location, boundaries and dimensions

The boundaries and location of the proposed Akumunan biodiversity reserve are shown on the plan.

The proposed Akumunan biodiversity reserve is located almost entirely in the Saguenay-Lac-Saint-Jean administrative region within the unorganized territory of Mont-Valin, in *Municipalité régionale de comté de Fjord-du-Saguenay*. A portion to the east is situated in the Côte-Nord administrative region, within the unorganized territory of Lac-au-Brochet, in *Municipalité régionale de comté de La Haute-Côte-Nord*. The proposed biodiversity reserve is situated a little over fifty kilometres north of Tadoussac, between 48°34' and 48°47' north latitude and 70° and 70°16' west longitude. It covers an area of 206.6 km².

The western boundary of the proposed biodiversity reserve runs along the boundaries of the Sainte-Marguerite river controlled zone.

2.2. Geography

The proposed Akumunan biodiversity reserve belongs to the Mont-Valin natural region in the Central Laurentian natural province. It consists mainly of low hills covered with till. Black spruce stands comprise most of the forest cover in the proposed biodiversity reserve along with balsam fir stands and mixed stands dominated by white birch. Various sectors have been logged at different times. Recent inventories have confirmed the presence of more than forty woodland caribou in the area. The territory overlaps a major sector of allopatric distribution of brook

trout. The Sainte-Marguerite Nord-Est river, alongside the boundary of the proposed biodiversity reserve, is recognized as a salmon river. The Barrow's goldeneye has been observed near the lakes high in the proposed biodiversity reserve.

2.3. Occupation, rights and land uses

Eighteen land rights have been granted in the territory of the proposed biodiversity reserve: 11 for a rough shelter, 5 for vacation resort purposes and 2 for trapping camps.

The proposed biodiversity reserve covers part of the Nordique Controlled Zone and includes an outfitting operation with exclusive rights, *Domaine du lac des Cœurs*. The territory overlaps traplines for non-native trappers holding an exclusive lease.

The western portion of the proposed biodiversity reserve is in FAMU-53 and the eastern portion is in FAMU-54. Three traplines are affected by the proposed biodiversity reserve. The traplines are covered by leases granted to the Essipit native community under an agreement signed in 1989.

The land is part of the Nitassinan of Essipit.

The Sainte-Marguerite Nord-Est river that borders the south-western limit is recognized as a canoe-kayak route.

A few forest roads are present in the protected area.

3. Activities within the reserve

§1. Introduction

The activities carried on within the proposed reserve are governed for the most part by the provisions of the Natural Heritage Conservation Act.

This Division prohibits activities in addition to those prohibited under the Act and provides a framework for the carrying on of certain permitted activities so as to better ensure the protection of the natural environment. Accordingly, certain activities require the prior authorization of the Minister and compliance with the conditions determined by the Minister.

As provided in the Natural Heritage Conservation Act, the main activities prohibited in an area to which status as a proposed biodiversity or aquatic reserve has been assigned are

— mining, and gas or petroleum development;

— forest management 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.

§2. Prohibitions, prior authorizations and conditions on which certain activities may be carried on in the proposed reserve

§2.1. Protection of resources and the natural environment

3.1. No person may introduce non-native species of flora or fauna into the proposed reserve.

3.2. No person may stock a watercourse or body of water

(1) for aquaculture, sports or commercial fishing or any other commercial purpose;

(2) for any other purpose, if the fish stocked are not from a genetic strain originating from the proposed reserve.

3.3. No person may bury, abandon or dispose of waste, snow or other residual materials other than in waste disposal containers, facilities or sites determined by the Minister or elsewhere, with the authorization of the Minister and in compliance with the conditions the Minister determines.

Despite the first paragraph, no authorization need be obtained by an outfitting operation to use a disposal facility or site in compliance with the Environment Quality Act and its regulations if the outfitting operation was already using the facility or site on the date on which the protection status as a proposed reserve takes effect.

3.4. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry on any activity likely to severely degrade the banks or shores or to otherwise seriously affect the integrity of a watercourse, body of water or other wetland area, in particular by discharging or dumping waste or other pollutant into the watercourse, body of water or wetland area; or

(2) dig, fill, obstruct or divert a watercourse or body of water.

§2.2. Rules of conduct for users

3.5. Every person staying, carrying on an activity or travelling about within the proposed reserve is required to maintain the premises in a satisfactory state and before leaving, return the premises to their natural state to the extent possible.

3.6. Every person who makes a campfire must

(1) clear an area around the fire site sufficient to prevent the fire from spreading by removing all branches, scrub, dry leaves and other combustible materials;

(2) see that there is always a person on the premises to attend the fire; and

(3) ensure that the fire is completely extinguished before leaving the premises.

3.7. In the proposed reserve, no person may

(1) cause any excessive noise; or

(2) behave in a manner that unduly disturbs other persons in the reserve or interferes with their enjoyment of the reserve.

3.8. No person may destroy, remove, move or damage any poster, sign, notice or other type of signage posted by the Minister within the proposed reserve.

3.9. No person may enter, carry on an activity in or operate a vehicle in a given sector of the proposed reserve unless the person has been authorized by the Minister and complies with the conditions determined, if the signage erected by the Minister restricts access, traffic or certain activities in order to protect the public from a danger or to avoid placing the fauna, flora or other components of the natural environment at risk.

§2.3. Activities requiring an authorization

3.10. No person may, unless the person has been authorized by the Minister and complies with the conditions the Minister determines, stay or reside on or otherwise occupy the same site within the proposed reserve for a period of more than three months in the same year. No authorization need be obtained by a person who,

(1) on the date on which the protection status as a proposed reserve takes effect, was a party to a lease or had already obtained another form of permit or authorization allowing the person to occupy the land under the Act respecting the lands in the domain of the State

(R.S.Q., c. T-8.1) or, if applicable, the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), and whose right to occupy the land is renewed or extended;

(2) in accordance with the applicable provisions of law, has entitlement under a sublease, an assignment of a lease or a transfer of an authorization, as referred to in paragraph 1, and whose right to occupy the land is renewed or extended;

(3) avails himself or herself of the possibility of acquiring the land the person legally occupies on the date on which the protection status as a proposed reserve takes effect, pursuant to the Act respecting the lands in the domain of the State.

3.11. (1) No person may carry on forest management activities to meet domestic needs or for the purpose of maintaining biodiversity, unless the person has been authorized by the Minister and carries on the activities in compliance with the conditions the Minister determines.

The conditions of that authorization may pertain, among other things, to species of trees or shrubs, the size of the stems that may be cut, the quantities authorized and the places where the activities may be carried on.

(2) Despite subsection 1, the authorization of the Minister under this plan need not be obtained by a person staying or residing in the proposed reserve who collects wood to make a campfire.

No such authorization need be obtained by a person to collect wood to meet domestic needs

(a) if the wood is collected within a sector reserved by the Minister of Natural Resources and Wildlife as a sector for which a permit for the harvest of firewood for domestic purposes under the Forest Act (R.S.Q., c. F-4.1) may be issued and which has already been reserved as such by the Minister on the date on which the protection status as a proposed reserve takes effect;

(b) if the wood is collected by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the proposed reserve; or

(c) if the wood is collected by a person in accordance with the conditions set out in the permit for the harvest of firewood for domestic purposes issued by the Minister of Natural Resources and Wildlife under the Forest Act.

(3) Despite subsection 1, no authorization need be obtained by a person authorized by lease to occupy land within the proposed reserve, pursuant to this plan, to carry on a forest management activity for the purpose of

(a) clearing permitted harvested areas, maintaining them or creating visual openings, and any other similar removal purposes permitted under the regulation that applies to the sale, lease and granting of immovable rights made under the Act respecting the lands in the domain of the State;

(b) creating and maintaining access roads, stairways or other trails permitted under that regulation; or

(c) clearing the necessary area for the installation, connection, maintenance and repair of power, water, sewer or telecommunication lines, facilities and mains.

When the work referred to in subparagraph *c* of subsection 3 is carried out for or under the responsibility of an enterprise providing any of those services, the work requires the prior authorization of the Minister, other than in the case of the exemptions provided for in sections 3.13 and 3.14.

(4) Despite subsection 1, no authorization need be obtained by a person to carry on a forest management activity to maintain a sugar bush and harvest maple products for domestic purposes

(a) if the activity is carried on by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act allowing the person to carry on the activities of a sugar bush operator within the proposed reserve;

(b) if the activity is carried on within a zone for which the permit obtained allowed the carrying on of sugar bush operations on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years; or

(c) if the activity is carried on by a person in compliance with the conditions set out in the sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act.

3.12. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry out soil development work, including any fill, burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose including recreational and tourism purposes such as the development of trails ;

(2) install or construct a new structure, infrastructure or works ;

(3) reconstruct or demolish an existing structure, infrastructure or works ;

(4) use a pesticide, although no authorization is required for the use of insect repellent for personal purposes ;

(5) carry on an activity that is likely to severely degrade the soil or a geological formation or damage the vegetation cover, such as stripping, the digging of trenches or excavation work ; or

(6) carry on educational or research-related activities if the activities are likely to significantly damage or disturb the natural environment, in particular by the extent of the moving or removal of natural resources or by the use of explosives.

The conditions of the Minister's authorization for the work may pertain to the location of the authorized activity, the methods used, the areas that may be cleared or deforested, the types of material that may be used including the material taken from the site, and the presence of ancillary works or facilities. The conditions may also include a requirement to ensure periodic follow-up or to report to the Minister, in particular as regards the results obtained from the research to which subparagraph 6 of the first paragraph refers.

Subject to the conditions determined in the authorization, work to repair or maintain trails authorized by the Minister or trails existing on the date on which the protection status as a proposed reserve takes effect may be carried on without an authorization under subparagraph 1 of the first paragraph.

Work to repair or maintain forest roads or roads authorized under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) carried on in accordance with the Forest Act and its regulations that concern standards of forest management may be carried on without an authorization under subparagraph 1 of the first paragraph.

§2.4. Authorization exemptions

3.13. Despite the preceding provisions, no authorization need be obtained by a person to carry on an activity or for any other form of intervention within the proposed reserve if urgent action is required to prevent harm to the health or safety of persons, or to repair or prevent damage caused by a real or apprehended catastrophe. The person concerned must, however, immediately inform the Minister of the activity or intervention that has taken place.

3.14. Despite the preceding provisions, the following activities and interventions involving the production, transmission and distribution of electricity carried out by Hydro-Québec (Société) or by any other person for Hydro-Québec do not require the prior authorization of the Minister under this plan :

(1) any activity or intervention required within the proposed reserve to complete a project which was previously expressly authorized by the Government and the Minister, or only by the latter, in accordance with the requirements of the Environment Quality Act (R.S.Q., c. Q-2), if the activity or intervention is carried out in compliance with the authorizations issued ;

(2) any activity or intervention necessary for the preparation and presentation of a pre-project report for a project requiring an authorization under the Environment Quality Act ;

(3) any activity or intervention relating to a project requiring the prior authorization of the Minister under the Environment Quality Act, if the activity or intervention is in response to a request for a clarification or for additional information made by the Minister to the Société and it is carried out in accordance with the request ;

(4) any activity or intervention by the Société, if the conditions for the carrying out of the activity or intervention have been determined in an agreement between the Minister and the Société and the activity or intervention is carried out in compliance with those conditions.

For the purposes of this section, the activities and interventions of the Société include pre-project studies, analysis work or field research, work required to study and monitor the impact of power transmission and distribution line corridors and rights-of-way, geological or geophysical surveys and survey lines, and the opening and maintenance of roads required for the purpose of access, construction or equipment movement necessary for the carrying on of such work.

§2.5. *General provisions*

3.15. Every person who applies to the Minister for an individual authorization or for an authorization for a group or for a number of persons must provide any information or document requested by the Minister for the examination of the application.

3.16. The Minister's authorization, which is general and can be used by more than one person, may be communicated to the persons concerned by any appropriate means including by a posted notice or appropriate signage at the reception centre or any other location within the proposed reserve that is readily accessible to the public. The Minister is to provide a copy to any person requesting a copy.

§3. *Activities governed by other statutes*

Certain activities likely to be carried on within the proposed reserve are also governed by 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 reserve.

A special legal framework may govern permitted and prohibited activities within the proposed reserve in connection with the following matters:

— Environmental protection: measures set out in particular in the Environment Quality Act (R.S.Q., c. Q-2);

— Archaeological research: measures set out in particular in the Cultural Property Act (R.S.Q., c. B-4);

— Development of wildlife resources: measures set out in particular in the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), including the provisions pertaining to outfitting operations and beaver reserves and the measures contained in applicable federal legislation, including the fishery regulations;

— Removal of species of fauna or flora that are threatened or vulnerable or are likely to be designated as such: measures prohibiting the removal of the species under the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01);

— Access and land rights: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1);

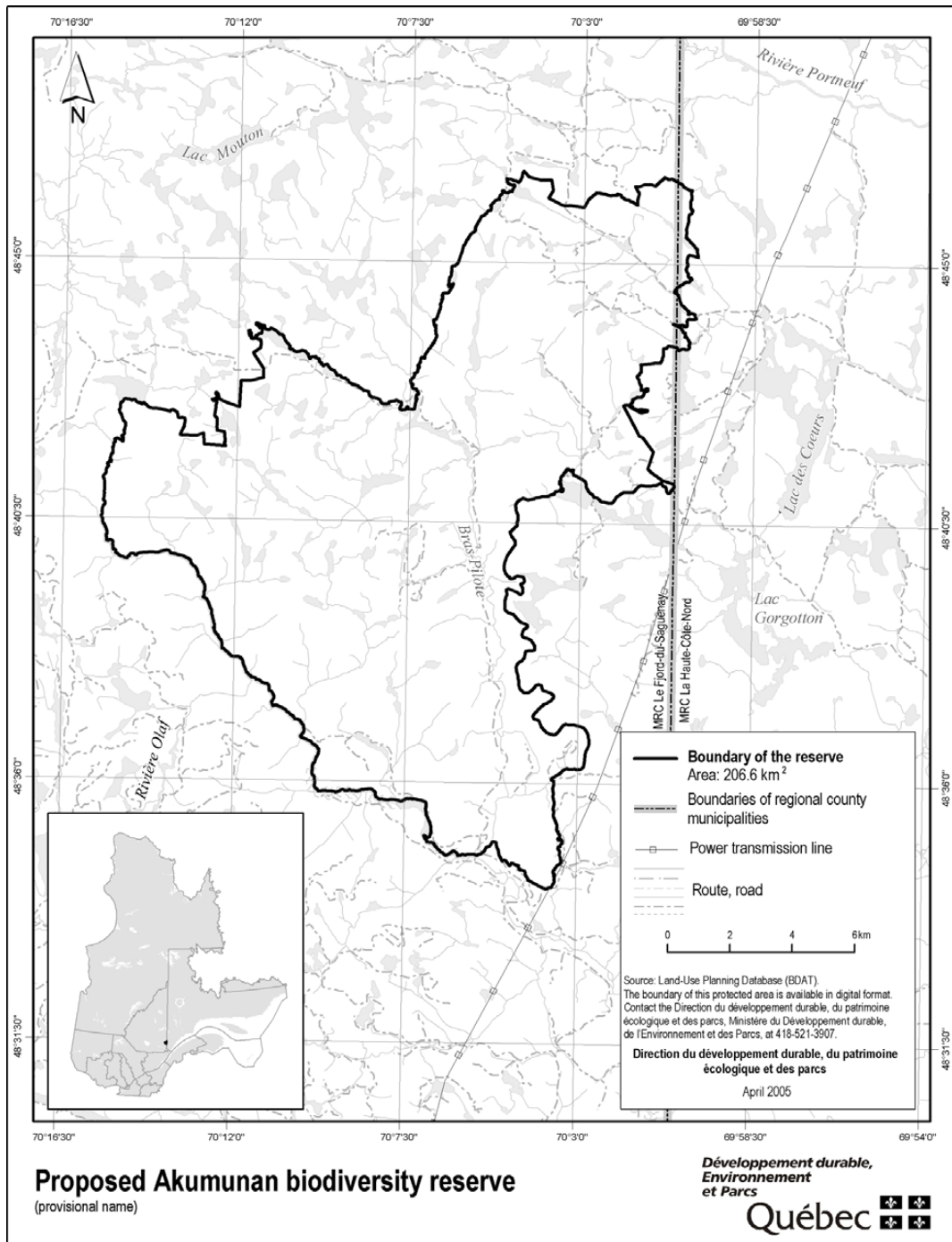
— Operation of vehicles: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and in the regulation on motor vehicle traffic in certain fragile environments made under the Environment Quality Act (R.S.Q., c. Q-2).

4. Responsibilities of the Minister of Sustainable Development, Environment and Parks

The Minister of Sustainable Development, Environment and Parks is responsible for the management of the proposed Akumunan biodiversity reserve and is therefore responsible for the supervision and monitoring of the activities that may be carried on within the reserve. The Minister in the management of the reserve works collaboratively with other government representatives having specific responsibilities within the boundaries of the reserve or on adjoining land, such as the Minister of Natural Resources and Wildlife. In the exercise of their powers and functions, the Ministers will take into consideration the protection sought for these natural environments and the protection status that has been granted.

Schedule

Map of the proposed Akumunan biodiversity reserve (provisional name)



PROPOSED MÉNISTOUC LAKE BIODIVERSITY
RESERVE
(provisional name)

CONSERVATION PLAN

June 2005

1. Protection status and toponym

The legal status of the reserve described below is that of proposed biodiversity reserve under the Natural Heritage Conservation Act (R.S.Q., c. C-61.01).

The proposed reserve is to have the name “Réserve de biodiversité projetée du lac Ménistouc”. The official toponym will be determined at the time of the assignment of permanent protection status to the land.

2. Plan and description

2.1. Location, boundaries and dimensions

The boundaries and location of the proposed Ménistouc lake biodiversity reserve are shown on the plan.

The proposed Ménistouc lake biodiversity reserve is located in the Côte-Nord administrative region, between 52°43' and 53°04' north latitude and 66°15' and 66°38' west longitude. It is situated some 40 km east of Fermont. The proposed biodiversity reserve covers an area of 354.7 km² in the unorganized territory of Rivière-Mouchalagane in Municipalité régionale de comté de Caniapiscau.

2.2. Geography

The proposed Ménistouc lake biodiversity reserve is in the Manicouagan reservoir basin natural region in the Central Laurentian natural province. The territory is formed of a subdued topography dominated by a deposit of till. There is also an area characterized by a poorly drained organic deposit. Geologically, the proposed biodiversity reserve is characterized by a dominance of marbles. A great proportion of the territory is covered by Ménistouc lake which is an important headwater lake for the Moisie river. The watershed of the lake constitutes the divide between the waters drained toward the St. Lawrence River and the Atlantic. The proposed biodiversity reserve is covered by open softwood forests, dotted with high-density stands of softwood and burned areas.

Several potential habitats for woodland caribou are found in the proposed biodiversity reserve.

2.3. Occupation, rights and land uses

No land right has been granted in the territory of the proposed biodiversity reserve.

The proposed Ménistouc lake biodiversity reserve lies within the Saguenay beaver reserve, in which the Innu communities have special rights regarding the hunting and trapping of fur-bearing animals.

Ménistouc lake is recognized as a headwater lake where a canoe-kayak route begins along the Moisie river.

3. Activities within the reserve

§1. Introduction

The activities carried on within the proposed reserve are governed for the most part by the provisions of the Natural Heritage Conservation Act.

This Division prohibits activities in addition to those prohibited under the Act and provides a framework for the carrying on of certain permitted activities so as to better ensure the protection of the natural environment. Accordingly, certain activities require the prior authorization of the Minister and compliance with the conditions determined by the Minister.

As provided in the Natural Heritage Conservation Act, the main activities prohibited in an area to which status as a proposed biodiversity or aquatic reserve has been assigned are

— mining, and gas or petroleum development;

— forest management 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.

§2. Prohibitions, prior authorizations and conditions on which certain activities may be carried on in the proposed reserve

§2.1. Protection of resources and the natural environment

3.1. No person may introduce non-native species of flora or fauna into the proposed reserve.

3.2. No person may stock a watercourse or body of water

(1) for aquaculture, sports or commercial fishing or any other commercial purpose;

(2) for any other purpose, if the fish stocked are not from a genetic strain originating from the proposed reserve.

3.3. No person may bury, abandon or dispose of waste, snow or other residual materials other than in waste disposal containers, facilities or sites determined by the Minister or elsewhere, with the authorization of the Minister and in compliance with the conditions the Minister determines.

Despite the first paragraph, no authorization need be obtained by an outfitting operation to use a disposal facility or site in compliance with the Environment Quality Act and its regulations if the outfitting operation was already using the facility or site on the date on which the protection status as a proposed reserve takes effect.

3.4. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry on any activity likely to severely degrade the banks or shores or to otherwise seriously affect the integrity of a watercourse, body of water or other wetland area, in particular by discharging or dumping waste or other pollutant into the watercourse, body of water or wetland area; or

(2) dig, fill, obstruct or divert a watercourse or body of water.

§2.2. *Rules of conduct for users*

3.5. Every person staying, carrying on an activity or travelling about within the proposed reserve is required to maintain the premises in a satisfactory state and before leaving, return the premises to their natural state to the extent possible.

3.6. Every person who makes a campfire must

(1) clear an area around the fire site sufficient to prevent the fire from spreading by removing all branches, scrub, dry leaves and other combustible materials;

(2) see that there is always a person on the premises to attend the fire; and

(3) ensure that the fire is completely extinguished before leaving the premises.

3.7. In the proposed reserve, no person may

(1) cause any excessive noise; or

(2) behave in a manner that unduly disturbs other persons in the reserve or interferes with their enjoyment of the reserve.

3.8. No person may destroy, remove, move or damage any poster, sign, notice or other type of signage posted by the Minister within the proposed reserve.

3.9. No person may enter, carry on an activity in or operate a vehicle in a given sector of the proposed reserve unless the person has been authorized by the Minister and complies with the conditions determined, if the signage erected by the Minister restricts access, traffic or certain activities in order to protect the public from a danger or to avoid placing the fauna, flora or other components of the natural environment at risk.

§2.3. *Activities requiring an authorization*

3.10. No person may, unless the person has been authorized by the Minister and complies with the conditions the Minister determines, stay or reside on or otherwise occupy the same site within the proposed reserve for a period of more than three months in the same year. No authorization need be obtained by a person who,

(1) on the date on which the protection status as a proposed reserve takes effect, was a party to a lease or had already obtained another form of permit or authorization allowing the person to occupy the land under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) or, if applicable, the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), and whose right to occupy the land is renewed or extended;

(2) in accordance with the applicable provisions of law, has entitlement under a sublease, an assignment of a lease or a transfer of an authorization, as referred to in paragraph 1, and whose right to occupy the land is renewed or extended;

(3) avails himself or herself of the possibility of acquiring the land the person legally occupies on the date on which the protection status as a proposed reserve takes effect, pursuant to the Act respecting the lands in the domain of the State.

3.11. (1) No person may carry on forest management activities to meet domestic needs or for the purpose of maintaining biodiversity, unless the person has been authorized by the Minister and carries on the activities in compliance with the conditions the Minister determines.

The conditions of that authorization may pertain, among other things, to species of trees or shrubs, the size of the stems that may be cut, the quantities authorized and the places where the activities may be carried on.

(2) Despite subsection 1, the authorization of the Minister under this plan need not be obtained by a person staying or residing in the proposed reserve who collects wood to make a campfire.

No such authorization need be obtained by a person to collect wood to meet domestic needs

(a) if the wood is collected within a sector reserved by the Minister of Natural Resources and Wildlife as a sector for which a permit for the harvest of firewood for domestic purposes under the Forest Act (R.S.Q., c. F-4.1) may be issued and which has already been reserved as such by the Minister on the date on which the protection status as a proposed reserve takes effect;

(b) if the wood is collected by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the proposed reserve; or

(c) if the wood is collected by a person in accordance with the conditions set out in the permit for the harvest of firewood for domestic purposes issued by the Minister of Natural Resources and Wildlife under the Forest Act.

(3) Despite subsection 1, no authorization need be obtained by a person authorized by lease to occupy land within the proposed reserve, pursuant to this plan, to carry on a forest management activity for the purpose of

(a) clearing permitted harvested areas, maintaining them or creating visual openings, and any other similar removal purposes permitted under the regulation that applies to the sale, lease and granting of immovable rights made under the Act respecting the lands in the domain of the State;

(b) creating and maintaining access roads, stairways or other trails permitted under that regulation; or

(c) clearing the necessary area for the installation, connection, maintenance and repair of power, water, sewer or telecommunication lines, facilities and mains.

When the work referred to in subparagraph *c* of subsection 3 is carried out for or under the responsibility of an enterprise providing any of those services, the work requires the prior authorization of the Minister, other than in the case of the exemptions provided for in sections 3.13 and 3.14.

(4) Despite subsection 1, no authorization need be obtained by a person to carry on a forest management activity to maintain a sugar bush and harvest maple products for domestic purposes

(a) if the activity is carried on by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act allowing the person to carry on the activities of a sugar bush operator within the proposed reserve;

(b) if the activity is carried on within a zone for which the permit obtained allowed the carrying on of sugar bush operations on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years; or

(c) if the activity is carried on by a person in compliance with the conditions set out in the sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act.

3.12. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry out soil development work, including any fill, burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose including recreational and tourism purposes such as the development of trails;

(2) install or construct a new structure, infrastructure or works;

(3) reconstruct or demolish an existing structure, infrastructure or works;

(4) use a pesticide, although no authorization is required for the use of insect repellent for personal purposes;

(5) carry on an activity that is likely to severely degrade the soil or a geological formation or damage the vegetation cover, such as stripping, the digging of trenches or excavation work; or

(6) carry on educational or research-related activities if the activities are likely to significantly damage or disturb the natural environment, in particular by the extent of the moving or removal of natural resources or by the use of explosives.

The conditions of the Minister's authorization for the work may pertain to the location of the authorized activity, the methods used, the areas that may be cleared or deforested, the types of material that may be used including the material taken from the site, and the presence of ancillary works or facilities. The conditions may also include a requirement to ensure periodic follow-up or to report to the Minister, in particular as regards the results obtained from the research to which subparagraph 6 of the first paragraph refers.

Subject to the conditions determined in the authorization, work to repair or maintain trails authorized by the Minister or trails existing on the date on which the protection status as a proposed reserve takes effect may be carried on without an authorization under subparagraph 1 of the first paragraph.

Work to repair or maintain forest roads or roads authorized under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) carried on in accordance with the Forest Act and its regulations that concern standards of forest management may be carried on without an authorization under subparagraph 1 of the first paragraph.

§2.4. Authorization exemptions

3.13. Despite the preceding provisions, no authorization need be obtained by a person to carry on an activity or for any other form of intervention within the proposed reserve if urgent action is required to prevent harm to the health or safety of persons, or to repair or prevent damage caused by a real or apprehended catastrophe. The person concerned must, however, immediately inform the Minister of the activity or intervention that has taken place.

3.14. Despite the preceding provisions, the following activities and interventions involving the production, transmission and distribution of electricity carried out by Hydro-Québec (Société) or by any other person for Hydro-Québec do not require the prior authorization of the Minister under this plan:

(1) any activity or intervention required within the proposed reserve to complete a project which was previously expressly authorized by the Government and the Minister, or only by the latter, in accordance with the requirements of the Environment Quality Act (R.S.Q., c. Q-2), if the activity or intervention is carried out in compliance with the authorizations issued;

(2) any activity or intervention necessary for the preparation and presentation of a pre-project report for a project requiring an authorization under the Environment Quality Act;

(3) any activity or intervention relating to a project requiring the prior authorization of the Minister under the Environment Quality Act, if the activity or intervention is in response to a request for a clarification or for additional information made by the Minister to the Société and it is carried out in accordance with the request;

(4) any activity or intervention by the Société, if the conditions for the carrying out of the activity or intervention have been determined in an agreement between the Minister and the Société and the activity or intervention is carried out in compliance with those conditions.

For the purposes of this section, the activities and interventions of the Société include pre-project studies, analysis work or field research, work required to study and monitor the impact of power transmission and distribution line corridors and rights-of-way, geological or geophysical surveys and survey lines, and the opening and maintenance of roads required for the purpose of access, construction or equipment movement necessary for the carrying on of such work.

§2.5. General provisions

3.15. Every person who applies to the Minister for an individual authorization or for an authorization for a group or for a number of persons must provide any information or document requested by the Minister for the examination of the application.

3.16. The Minister's authorization, which is general and can be used by more than one person, may be communicated to the persons concerned by any appropriate means including by a posted notice or appropriate signage at the reception centre or any other location within the proposed reserve that is readily accessible to the public. The Minister is to provide a copy to any person requesting a copy.

§3. *Activities governed by other statutes*

Certain activities likely to be carried on within the proposed reserve are also governed by 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 reserve.

A special legal framework may govern permitted and prohibited activities within the proposed reserve in connection with the following matters:

— Environmental protection: measures set out in particular in the Environment Quality Act (R.S.Q., c. Q-2);

— Archaeological research: measures set out in particular in the Cultural Property Act (R.S.Q., c. B-4);

— Development of wildlife resources: measures set out in particular in the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), including the provisions pertaining to outfitting operations and beaver reserves and the measures contained in applicable federal legislation, including the fishery regulations;

— Removal of species of fauna or flora that are threatened or vulnerable or are likely to be designated as such: measures prohibiting the removal of the species under the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01);

— Access and land rights: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1);

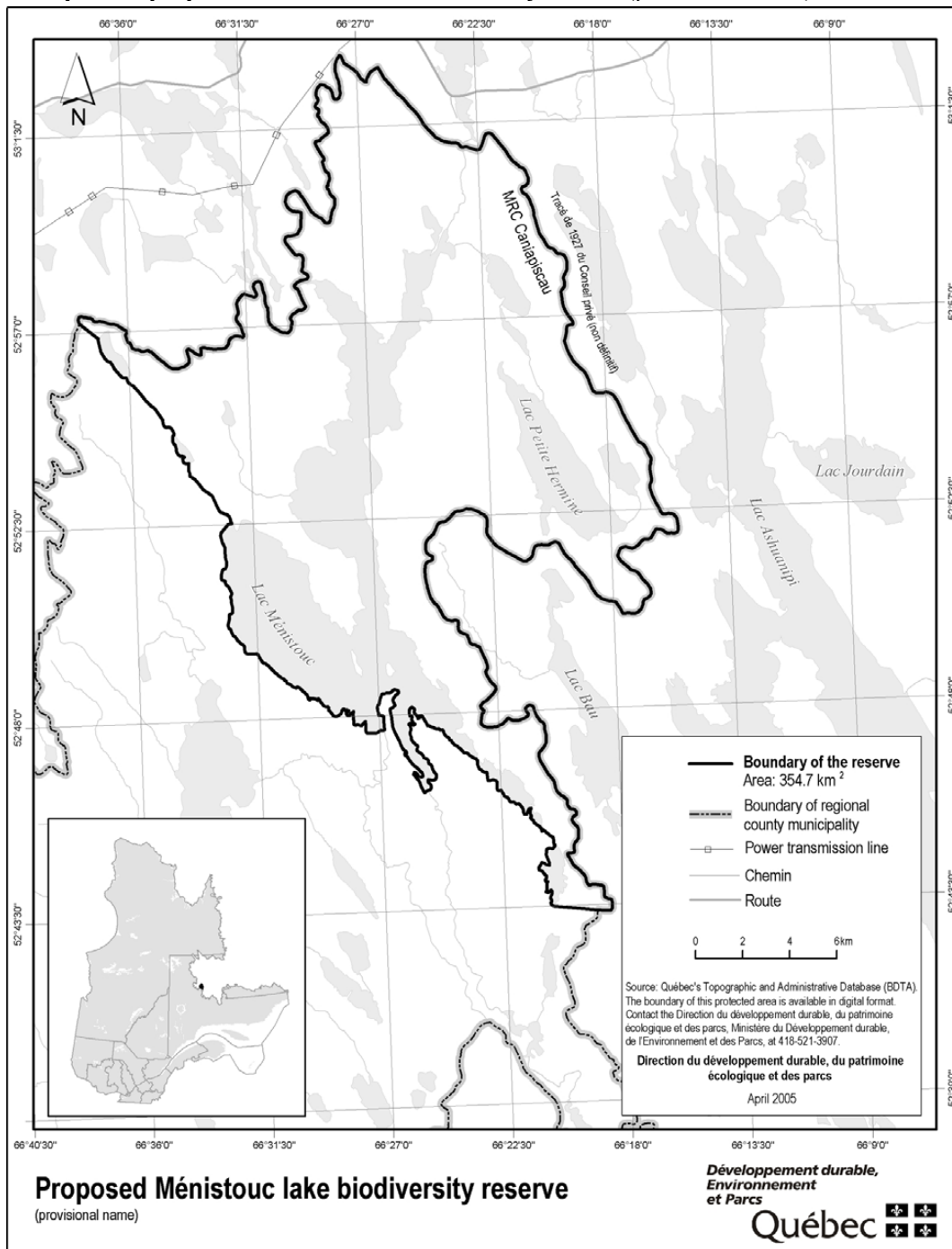
— Operation of vehicles: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and in the regulation on motor vehicle traffic in certain fragile environments made under the Environment Quality Act (R.S.Q., c. Q-2).

4. Responsibilities of the Minister of Sustainable Development, Environment and Parks

The Minister of Sustainable Development, Environment and Parks is responsible for the management of the proposed Ménéstouc lake biodiversity reserve and is therefore responsible for the supervision and monitoring of the activities that may be carried on within the reserve. The Minister in the management of the reserve works collaboratively with other government representatives having specific responsibilities within the boundaries of the reserve or on adjoining land, such as the Minister of Natural Resources and Wildlife. In the exercise of their powers and functions, the Ministers will take into consideration the protection sought for these natural environments and the protection status that has been granted.

Schedule

Map of the proposed Ménistouc lake biodiversity reserve (provisional name)



PROPOSED RACINE DE BOULEAU RIVER
BIODIVERSITY RESERVE
(provisional name)

CONSERVATION PLAN

June 2005

1. Protection status and toponym

The legal status of the reserve described below is that of proposed biodiversity reserve under the Natural Heritage Conservation Act (R.S.Q., c. C-61.01).

The proposed reserve is to have the name “Réserve de biodiversité projetée de la rivière de la Racine de Bouleau”. The official toponym will be determined at the time of the assignment of permanent protection status to the land.

2. Plan and description

2.1. Location, boundaries and dimensions

The boundaries and location of the proposed Racine de Bouleau river biodiversity reserve are shown on the plan.

The proposed Racine de Bouleau river biodiversity reserve is located in the Côte-Nord administrative region, between 52°05' and 52°28' north latitude and 68°19' and 68°42' west longitude. It is situated some 45 km north of the Manicouagan reservoir. The proposed biodiversity reserve covers an area of 529.2 km² in the unorganized territory of Rivière-Mouchalagane in Municipalité régionale de comté de Caniapiscau.

2.2. Geography

The proposed Racine de Bouleau river biodiversity reserve is in the Manicouagan reservoir basin natural region in the Central Laurentian natural province. Its geology is of interest because it is mainly formed of marbles. The region also has quartzites, schists and gneiss. The topography is formed mainly of mounds and low hills covered by till. The forest cover is characterized by an open softwood forest, through which there are some high-density stands of softwood, heaths and peat bogs. The habitats present in the territory are favourable to the presence of woodland caribou and intersect a small part of a sector of interest for that species. One of the tributaries of the Manicouagan reservoir that runs through the western part of the proposed biodiversity reserve is home to lake trout, a unique fish species.

2.3. Occupation, rights and land uses

One right for vacation resort purposes has been granted in the territory of the proposed biodiversity reserve.

The proposed Racine de Bouleau river biodiversity reserve lies within the Bersimis and Saguenay beaver reserves, in which the Innu communities have special rights regarding the hunting and trapping of fur-bearing animals.

3. Activities within the reserve

§1. Introduction

The activities carried on within the proposed reserve are governed for the most part by the provisions of the Natural Heritage Conservation Act.

This Division prohibits activities in addition to those prohibited under the Act and provides a framework for the carrying on of certain permitted activities so as to better ensure the protection of the natural environment. Accordingly, certain activities require the prior authorization of the Minister and compliance with the conditions determined by the Minister.

As provided in the Natural Heritage Conservation Act, the main activities prohibited in an area to which status as a proposed biodiversity or aquatic reserve has been assigned are

- mining, and gas or petroleum development;
- forest management 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.

§2. Prohibitions, prior authorizations and conditions on which certain activities may be carried on in the proposed reserve

§2.1. Protection of resources and the natural environment

3.1. No person may introduce non-native species of flora or fauna into the proposed reserve.

3.2. No person may stock a watercourse or body of water

(1) for aquaculture, sports or commercial fishing or any other commercial purpose;

(2) for any other purpose, if the fish stocked are not from a genetic strain originating from the proposed reserve.

3.3. No person may bury, abandon or dispose of waste, snow or other residual materials other than in waste disposal containers, facilities or sites determined by the Minister or elsewhere, with the authorization of the Minister and in compliance with the conditions the Minister determines.

Despite the first paragraph, no authorization need be obtained by an outfitting operation to use a disposal facility or site in compliance with the Environment Quality Act and its regulations if the outfitting operation was already using the facility or site on the date on which the protection status as a proposed reserve takes effect.

3.4. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry on any activity likely to severely degrade the banks or shores or to otherwise seriously affect the integrity of a watercourse, body of water or other wetland area, in particular by discharging or dumping waste or other pollutant into the watercourse, body of water or wetland area; or

(2) dig, fill, obstruct or divert a watercourse or body of water.

§2.2. *Rules of conduct for users*

3.5. Every person staying, carrying on an activity or travelling about within the proposed reserve is required to maintain the premises in a satisfactory state and before leaving, return the premises to their natural state to the extent possible.

3.6. Every person who makes a campfire must

(1) clear an area around the fire site sufficient to prevent the fire from spreading by removing all branches, scrub, dry leaves and other combustible materials;

(2) see that there is always a person on the premises to attend the fire; and

(3) ensure that the fire is completely extinguished before leaving the premises.

3.7. In the proposed reserve, no person may

(1) cause any excessive noise; or

(2) behave in a manner that unduly disturbs other persons in the reserve or interferes with their enjoyment of the reserve.

3.8. No person may destroy, remove, move or damage any poster, sign, notice or other type of signage posted by the Minister within the proposed reserve.

3.9. No person may enter, carry on an activity in or operate a vehicle in a given sector of the proposed reserve unless the person has been authorized by the Minister and complies with the conditions determined, if the signage erected by the Minister restricts access, traffic or certain activities in order to protect the public from a danger or to avoid placing the fauna, flora or other components of the natural environment at risk.

§2.3. *Activities requiring an authorization*

3.10. No person may, unless the person has been authorized by the Minister and complies with the conditions the Minister determines, stay or reside on or otherwise occupy the same site within the proposed reserve for a period of more than three months in the same year. No authorization need be obtained by a person who,

(1) on the date on which the protection status as a proposed reserve takes effect, was a party to a lease or had already obtained another form of permit or authorization allowing the person to occupy the land under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) or, if applicable, the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), and whose right to occupy the land is renewed or extended;

(2) in accordance with the applicable provisions of law, has entitlement under a sublease, an assignment of a lease or a transfer of an authorization, as referred to in paragraph 1, and whose right to occupy the land is renewed or extended;

(3) avails himself or herself of the possibility of acquiring the land the person legally occupies on the date on which the protection status as a proposed reserve takes effect, pursuant to the Act respecting the lands in the domain of the State.

3.11. (1) No person may carry on forest management activities to meet domestic needs or for the purpose of maintaining biodiversity, unless the person has been authorized by the Minister and carries on the activities in compliance with the conditions the Minister determines.

The conditions of that authorization may pertain, among other things, to species of trees or shrubs, the size of the stems that may be cut, the quantities authorized and the places where the activities may be carried on.

(2) Despite subsection 1, the authorization of the Minister under this plan need not be obtained by a person staying or residing in the proposed reserve who collects wood to make a campfire.

No such authorization need be obtained by a person to collect wood to meet domestic needs

(a) if the wood is collected within a sector reserved by the Minister of Natural Resources and Wildlife as a sector for which a permit for the harvest of firewood for domestic purposes under the Forest Act (R.S.Q., c. F-4.1) may be issued and which has already been reserved as such by the Minister on the date on which the protection status as a proposed reserve takes effect;

(b) if the wood is collected by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the proposed reserve; or

(c) if the wood is collected by a person in accordance with the conditions set out in the permit for the harvest of firewood for domestic purposes issued by the Minister of Natural Resources and Wildlife under the Forest Act.

(3) Despite subsection 1, no authorization need be obtained by a person authorized by lease to occupy land within the proposed reserve, pursuant to this plan, to carry on a forest management activity for the purpose of

(a) clearing permitted harvested areas, maintaining them or creating visual openings, and any other similar removal purposes permitted under the regulation that applies to the sale, lease and granting of immovable rights made under the Act respecting the lands in the domain of the State;

(b) creating and maintaining access roads, stairways or other trails permitted under that regulation; or

(c) clearing the necessary area for the installation, connection, maintenance and repair of power, water, sewer or telecommunication lines, facilities and mains.

When the work referred to in subparagraph *c* of subsection 3 is carried out for or under the responsibility of an enterprise providing any of those services, the work requires the prior authorization of the Minister, other than in the case of the exemptions provided for in sections 3.13 and 3.14.

(4) Despite subsection 1, no authorization need be obtained by a person to carry on a forest management activity to maintain a sugar bush and harvest maple products for domestic purposes

(a) if the activity is carried on by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act allowing the person to carry on the activities of a sugar bush operator within the proposed reserve;

(b) if the activity is carried on within a zone for which the permit obtained allowed the carrying on of sugar bush operations on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years; or

(c) if the activity is carried on by a person in compliance with the conditions set out in the sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act.

3.12. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry out soil development work, including any fill, burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose including recreational and tourism purposes such as the development of trails;

(2) install or construct a new structure, infrastructure or works;

(3) reconstruct or demolish an existing structure, infrastructure or works;

(4) use a pesticide, although no authorization is required for the use of insect repellent for personal purposes;

(5) carry on an activity that is likely to severely degrade the soil or a geological formation or damage the vegetation cover, such as stripping, the digging of trenches or excavation work; or

(6) carry on educational or research-related activities if the activities are likely to significantly damage or disturb the natural environment, in particular by the extent of the moving or removal of natural resources or by the use of explosives.

The conditions of the Minister's authorization for the work may pertain to the location of the authorized activity, the methods used, the areas that may be cleared or deforested, the types of material that may be used including the material taken from the site, and the presence of ancillary works or facilities. The conditions may also include a requirement to ensure periodic follow-up or to report to the Minister, in particular as regards the results obtained from the research to which subparagraph 6 of the first paragraph refers.

Subject to the conditions determined in the authorization, work to repair or maintain trails authorized by the Minister or trails existing on the date on which the protection status as a proposed reserve takes effect may be carried on without an authorization under subparagraph 1 of the first paragraph.

Work to repair or maintain forest roads or roads authorized under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) carried on in accordance with the Forest Act and its regulations that concern standards of forest management may be carried on without an authorization under subparagraph 1 of the first paragraph.

§2.4. *Authorization exemptions*

3.13. Despite the preceding provisions, no authorization need be obtained by a person to carry on an activity or for any other form of intervention within the proposed reserve if urgent action is required to prevent harm to the health or safety of persons, or to repair or prevent damage caused by a real or apprehended catastrophe. The person concerned must, however, immediately inform the Minister of the activity or intervention that has taken place.

3.14. Despite the preceding provisions, the following activities and interventions involving the production, transmission and distribution of electricity carried out by Hydro-Québec (Société) or by any other person for Hydro-Québec do not require the prior authorization of the Minister under this plan:

(1) any activity or intervention required within the proposed reserve to complete a project which was previously expressly authorized by the Government and the Minister, or only by the latter, in accordance with the requirements of the Environment Quality Act (R.S.Q., c. Q-2), if the activity or intervention is carried out in compliance with the authorizations issued;

(2) any activity or intervention necessary for the preparation and presentation of a pre-project report for a project requiring an authorization under the Environment Quality Act;

(3) any activity or intervention relating to a project requiring the prior authorization of the Minister under the Environment Quality Act, if the activity or intervention is in response to a request for a clarification or for additional information made by the Minister to the Société and it is carried out in accordance with the request;

(4) any activity or intervention by the Société, if the conditions for the carrying out of the activity or intervention have been determined in an agreement between the Minister and the Société and the activity or intervention is carried out in compliance with those conditions.

For the purposes of this section, the activities and interventions of the Société include pre-project studies, analysis work or field research, work required to study and monitor the impact of power transmission and distribution line corridors and rights-of-way, geological or geophysical surveys and survey lines, and the opening and maintenance of roads required for the purpose of access, construction or equipment movement necessary for the carrying on of such work.

§2.5. *General provisions*

3.15. Every person who applies to the Minister for an individual authorization or for an authorization for a group or for a number of persons must provide any information or document requested by the Minister for the examination of the application.

3.16. The Minister's authorization, which is general and can be used by more than one person, may be communicated to the persons concerned by any appropriate means including by a posted notice or appropriate signage at the reception centre or any other location within the proposed reserve that is readily accessible to the public. The Minister is to provide a copy to any person requesting a copy.

§3. *Activities governed by other statutes*

Certain activities likely to be carried on within the proposed reserve are also governed by 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 reserve.

A special legal framework may govern permitted and prohibited activities within the proposed reserve in connection with the following matters:

— Environmental protection: measures set out in particular in the Environment Quality Act (R.S.Q., c. Q-2);

— Archaeological research: measures set out in particular in the Cultural Property Act (R.S.Q., c. B-4);

— Development of wildlife resources: measures set out in particular in the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), including the provisions pertaining to outfitting operations and beaver reserves and the measures contained in applicable federal legislation, including the fishery regulations;

— Removal of species of fauna or flora that are threatened or vulnerable or are likely to be designated as such: measures prohibiting the removal of the species under the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01);

— Access and land rights: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1);

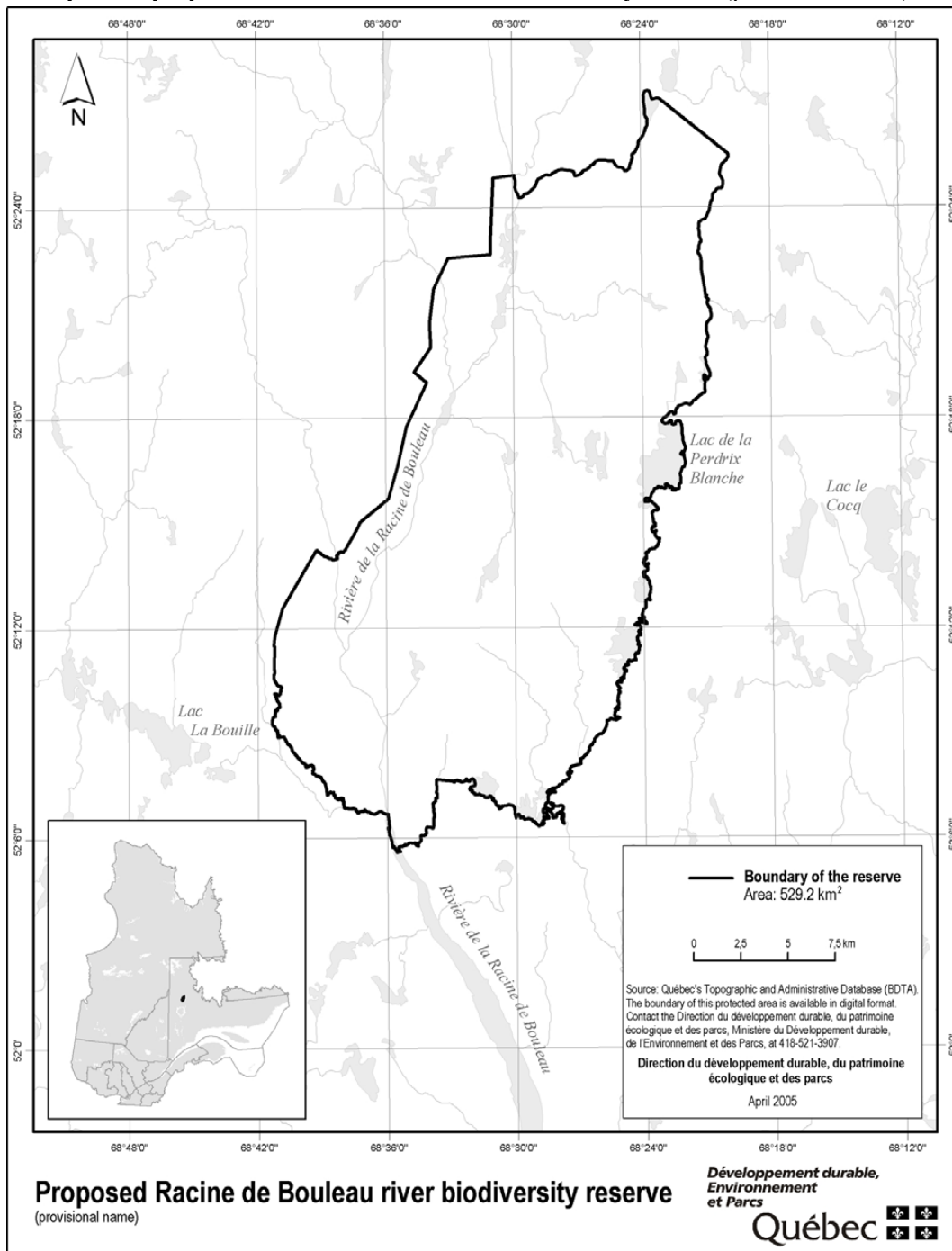
— Operation of vehicles: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and in the regulation on motor vehicle traffic in certain fragile environments made under the Environment Quality Act (R.S.Q., c. Q-2).

4. Responsibilities of the Minister of Sustainable Development, Environment and Parks

The Minister of Sustainable Development, Environment and Parks is responsible for the management of the proposed Racine de Bouleau river biodiversity reserve and is therefore responsible for the supervision and monitoring of the activities that may be carried on within the reserve. The Minister in the management of the reserve works collaboratively with other government representatives having specific responsibilities within the boundaries of the reserve or on adjoining land, such as the Minister of Natural Resources and Wildlife. In the exercise of their powers and functions, the Ministers will take into consideration the protection sought for these natural environments and the protection status that has been granted.

Schedule

Map of the proposed Racine de Bouleau river biodiversity reserve (provisional name)



PROPOSED CLÉRAC LAKE DRUMLINS
BIODIVERSITY RESERVE
(provisional name)

CONSERVATION PLAN

June 2005

1. Protection status and toponym

The legal status of the reserve described below is that of proposed biodiversity reserve under the Natural Heritage Conservation Act (R.S.Q., c. C-61.01).

The proposed reserve is to have the name “Réserve de biodiversité projetée des drumlins du lac Clérac”. The official toponym will be determined at the time of the assignment of permanent protection status to the land.

2. Plan and description

2.1. Location, boundaries and dimensions

The boundaries and location of the proposed Clérac lake drumlins biodiversity reserve are shown on the plan.

The proposed Clérac lake drumlins biodiversity reserve is located in the Saguenay-Lac-Saint-Jean administrative region, between 50°26' and 50°44' north latitude and 72°42' and 73°06' west longitude. It is situated a little over thirty kilometres south-east of Albanel lake. It covers an area of 375.4 km² and lies almost entirely within the unorganized territory of Rivière-Mistassini in Municipalité régionale de comté de Maria-Chapdelaine. A small portion to the north-west lies within the territory of Municipalité de Baie-James.

2.2. Geography

The proposed Clérac lake drumlins biodiversity reserve forms part of the Manouane Lake Depression natural region in the Central Laurentian natural province. The topography is nearly level and glacial and glaciofluvial deposits and peat bogs dominate. Dry heaths are also prevalent. The rest of the vegetation cover consists mainly of black spruce and jack pine stands. Recent inventories have confirmed the presence of woodland caribou in the area.

2.3. Occupation, rights and land uses

Two land rights have been granted in the territory of the proposed biodiversity reserve: 1 for vacation resort purposes and 1 for a hydrometric station (Alcan).

The proposed Clérac lake drumlins biodiversity reserve covers traplines M46A and M46B that belong to the Cree community of Mistissini. The proposed reserve lies within the Mistassini beaver reserve. The land is also part of the Nitassinan of Mashteuiatsh.

The Nestaocano river that borders the proposed biodiversity reserve to the west is a recognized canoe-kayak route.

3. Activities within the reserve

§1. *Introduction*

The activities carried on within the proposed reserve are governed for the most part by the provisions of the Natural Heritage Conservation Act.

This Division prohibits activities in addition to those prohibited under the Act and provides a framework for the carrying on of certain permitted activities so as to better ensure the protection of the natural environment. Accordingly, certain activities require the prior authorization of the Minister and compliance with the conditions determined by the Minister.

As provided in the Natural Heritage Conservation Act, the main activities prohibited in an area to which status as a proposed biodiversity or aquatic reserve has been assigned are

- mining, and gas or petroleum development;
- forest management 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.

§2. *Prohibitions, prior authorizations and conditions on which certain activities may be carried on in the proposed reserve*

§2.1. *Protection of resources and the natural environment*

3.1. No person may introduce non-native species of flora or fauna into the proposed reserve.

3.2. No person may stock a watercourse or body of water

(1) for aquaculture, sports or commercial fishing or any other commercial purpose;

(2) for any other purpose, if the fish stocked are not from a genetic strain originating from the proposed reserve.

3.3. No person may bury, abandon or dispose of waste, snow or other residual materials other than in waste disposal containers, facilities or sites determined by the Minister or elsewhere, with the authorization of the Minister and in compliance with the conditions the Minister determines.

Despite the first paragraph, no authorization need be obtained by an outfitting operation to use a disposal facility or site in compliance with the Environment Quality Act and its regulations if the outfitting operation was already using the facility or site on the date on which the protection status as a proposed reserve takes effect.

3.4. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry on any activity likely to severely degrade the banks or shores or to otherwise seriously affect the integrity of a watercourse, body of water or other wetland area, in particular by discharging or dumping waste or other pollutant into the watercourse, body of water or wetland area; or

(2) dig, fill, obstruct or divert a watercourse or body of water.

§2.2. *Rules of conduct for users*

3.5. Every person staying, carrying on an activity or travelling about within the proposed reserve is required to maintain the premises in a satisfactory state and before leaving, return the premises to their natural state to the extent possible.

3.6. Every person who makes a campfire must

(1) clear an area around the fire site sufficient to prevent the fire from spreading by removing all branches, scrub, dry leaves and other combustible materials;

(2) see that there is always a person on the premises to attend the fire; and

(3) ensure that the fire is completely extinguished before leaving the premises.

3.7. In the proposed reserve, no person may

(1) cause any excessive noise; or

(2) behave in a manner that unduly disturbs other persons in the reserve or interferes with their enjoyment of the reserve.

3.8. No person may destroy, remove, move or damage any poster, sign, notice or other type of signage posted by the Minister within the proposed reserve.

3.9. No person may enter, carry on an activity in or operate a vehicle in a given sector of the proposed reserve unless the person has been authorized by the Minister and complies with the conditions determined, if the signage erected by the Minister restricts access, traffic or certain activities in order to protect the public from a danger or to avoid placing the fauna, flora or other components of the natural environment at risk.

§2.3. *Activities requiring an authorization*

3.10. No person may, unless the person has been authorized by the Minister and complies with the conditions the Minister determines, stay or reside on or otherwise occupy the same site within the proposed reserve for a period of more than three months in the same year. No authorization need be obtained by a person who,

(1) on the date on which the protection status as a proposed reserve takes effect, was a party to a lease or had already obtained another form of permit or authorization allowing the person to occupy the land under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) or, if applicable, the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), and whose right to occupy the land is renewed or extended;

(2) in accordance with the applicable provisions of law, has entitlement under a sublease, an assignment of a lease or a transfer of an authorization, as referred to in paragraph 1, and whose right to occupy the land is renewed or extended;

(3) avails himself or herself of the possibility of acquiring the land the person legally occupies on the date on which the protection status as a proposed reserve takes effect, pursuant to the Act respecting the lands in the domain of the State.

3.11. (1) No person may carry on forest management activities to meet domestic needs or for the purpose of maintaining biodiversity, unless the person has been authorized by the Minister and carries on the activities in compliance with the conditions the Minister determines.

The conditions of that authorization may pertain, among other things, to species of trees or shrubs, the size of the stems that may be cut, the quantities authorized and the places where the activities may be carried on.

(2) Despite subsection 1, the authorization of the Minister under this plan need not be obtained by a person staying or residing in the proposed reserve who collects wood to make a campfire.

No such authorization need be obtained by a person to collect wood to meet domestic needs

(a) if the wood is collected within a sector reserved by the Minister of Natural Resources and Wildlife as a sector for which a permit for the harvest of firewood for domestic purposes under the Forest Act (R.S.Q., c. F-4.1) may be issued and which has already been reserved as such by the Minister on the date on which the protection status as a proposed reserve takes effect;

(b) if the wood is collected by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the proposed reserve; or

(c) if the wood is collected by a person in accordance with the conditions set out in the permit for the harvest of firewood for domestic purposes issued by the Minister of Natural Resources and Wildlife under the Forest Act.

(3) Despite subsection 1, no authorization need be obtained by a person authorized by lease to occupy land within the proposed reserve, pursuant to this plan, to carry on a forest management activity for the purpose of

(a) clearing permitted harvested areas, maintaining them or creating visual openings, and any other similar removal purposes permitted under the regulation that applies to the sale, lease and granting of immovable rights made under the Act respecting the lands in the domain of the State;

(b) creating and maintaining access roads, stairways or other trails permitted under that regulation; or

(c) clearing the necessary area for the installation, connection, maintenance and repair of power, water, sewer or telecommunication lines, facilities and mains.

When the work referred to in subparagraph *c* of subsection 3 is carried out for or under the responsibility of an enterprise providing any of those services, the work

requires the prior authorization of the Minister, other than in the case of the exemptions provided for in sections 3.13 and 3.14.

(4) Despite subsection 1, no authorization need be obtained by a person to carry on a forest management activity to maintain a sugar bush and harvest maple products for domestic purposes

(a) if the activity is carried on by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act allowing the person to carry on the activities of a sugar bush operator within the proposed reserve;

(b) if the activity is carried on within a zone for which the permit obtained allowed the carrying on of sugar bush operations on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years; or

(c) if the activity is carried on by a person in compliance with the conditions set out in the sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act.

3.12. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry out soil development work, including any fill, burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose including recreational and tourism purposes such as the development of trails;

(2) install or construct a new structure, infrastructure or works;

(3) reconstruct or demolish an existing structure, infrastructure or works;

(4) use a pesticide, although no authorization is required for the use of insect repellent for personal purposes;

(5) carry on an activity that is likely to severely degrade the soil or a geological formation or damage the vegetation cover, such as stripping, the digging of trenches or excavation work; or

(6) carry on educational or research-related activities if the activities are likely to significantly damage or disturb the natural environment, in particular by the extent of the moving or removal of natural resources or by the use of explosives.

The conditions of the Minister's authorization for the work may pertain to the location of the authorized activity, the methods used, the areas that may be cleared or deforested, the types of material that may be used including the material taken from the site, and the presence of ancillary works or facilities. The conditions may also include a requirement to ensure periodic follow-up or to report to the Minister, in particular as regards the results obtained from the research to which subparagraph 6 of the first paragraph refers.

Subject to the conditions determined in the authorization, work to repair or maintain trails authorized by the Minister or trails existing on the date on which the protection status as a proposed reserve takes effect may be carried on without an authorization under subparagraph 1 of the first paragraph.

Work to repair or maintain forest roads or roads authorized under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) carried on in accordance with the Forest Act and its regulations that concern standards of forest management may be carried on without an authorization under subparagraph 1 of the first paragraph.

§2.4. *Authorization exemptions*

3.13. Despite the preceding provisions, no authorization need be obtained by a person to carry on an activity or for any other form of intervention within the proposed reserve if urgent action is required to prevent harm to the health or safety of persons, or to repair or prevent damage caused by a real or apprehended catastrophe. The person concerned must, however, immediately inform the Minister of the activity or intervention that has taken place.

3.14. Despite the preceding provisions, the following activities and interventions involving the production, transmission and distribution of electricity carried out by Hydro-Québec (Société) or by any other person for Hydro-Québec do not require the prior authorization of the Minister under this plan:

(1) any activity or intervention required within the proposed reserve to complete a project which was previously expressly authorized by the Government and the

Minister, or only by the latter, in accordance with the requirements of the Environment Quality Act (R.S.Q., c. Q-2), if the activity or intervention is carried out in compliance with the authorizations issued;

(2) any activity or intervention necessary for the preparation and presentation of a pre-project report for a project requiring an authorization under the Environment Quality Act;

(3) any activity or intervention relating to a project requiring the prior authorization of the Minister under the Environment Quality Act, if the activity or intervention is in response to a request for a clarification or for additional information made by the Minister to the Société and it is carried out in accordance with the request;

(4) any activity or intervention by the Société, if the conditions for the carrying out of the activity or intervention have been determined in an agreement between the Minister and the Société and the activity or intervention is carried out in compliance with those conditions.

For the purposes of this section, the activities and interventions of the Société include pre-project studies, analysis work or field research, work required to study and monitor the impact of power transmission and distribution line corridors and rights-of-way, geological or geophysical surveys and survey lines, and the opening and maintenance of roads required for the purpose of access, construction or equipment movement necessary for the carrying on of such work.

§2.5. *General provisions*

3.15. Every person who applies to the Minister for an individual authorization or for an authorization for a group or for a number of persons must provide any information or document requested by the Minister for the examination of the application.

3.16. The Minister's authorization, which is general and can be used by more than one person, may be communicated to the persons concerned by any appropriate means including by a posted notice or appropriate signage at the reception centre or any other location within the proposed reserve that is readily accessible to the public. The Minister is to provide a copy to any person requesting a copy.

§3. *Activities governed by other statutes*

Certain activities likely to be carried on within the proposed reserve are also governed by 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 reserve.

A special legal framework may govern permitted and prohibited activities within the proposed reserve in connection with the following matters:

— Environmental protection: measures set out in particular in the Environment Quality Act (R.S.Q., c. Q-2);

— Archaeological research: measures set out in particular in the Cultural Property Act (R.S.Q., c. B-4);

— Development of wildlife resources: measures set out in particular in the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), including the provisions pertaining to outfitting operations and beaver reserves and the measures contained in applicable federal legislation, including the fishery regulations;

— Removal of species of fauna or flora that are threatened or vulnerable or are likely to be designated as such: measures prohibiting the removal of the species under the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01);

— Access and land rights: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1);

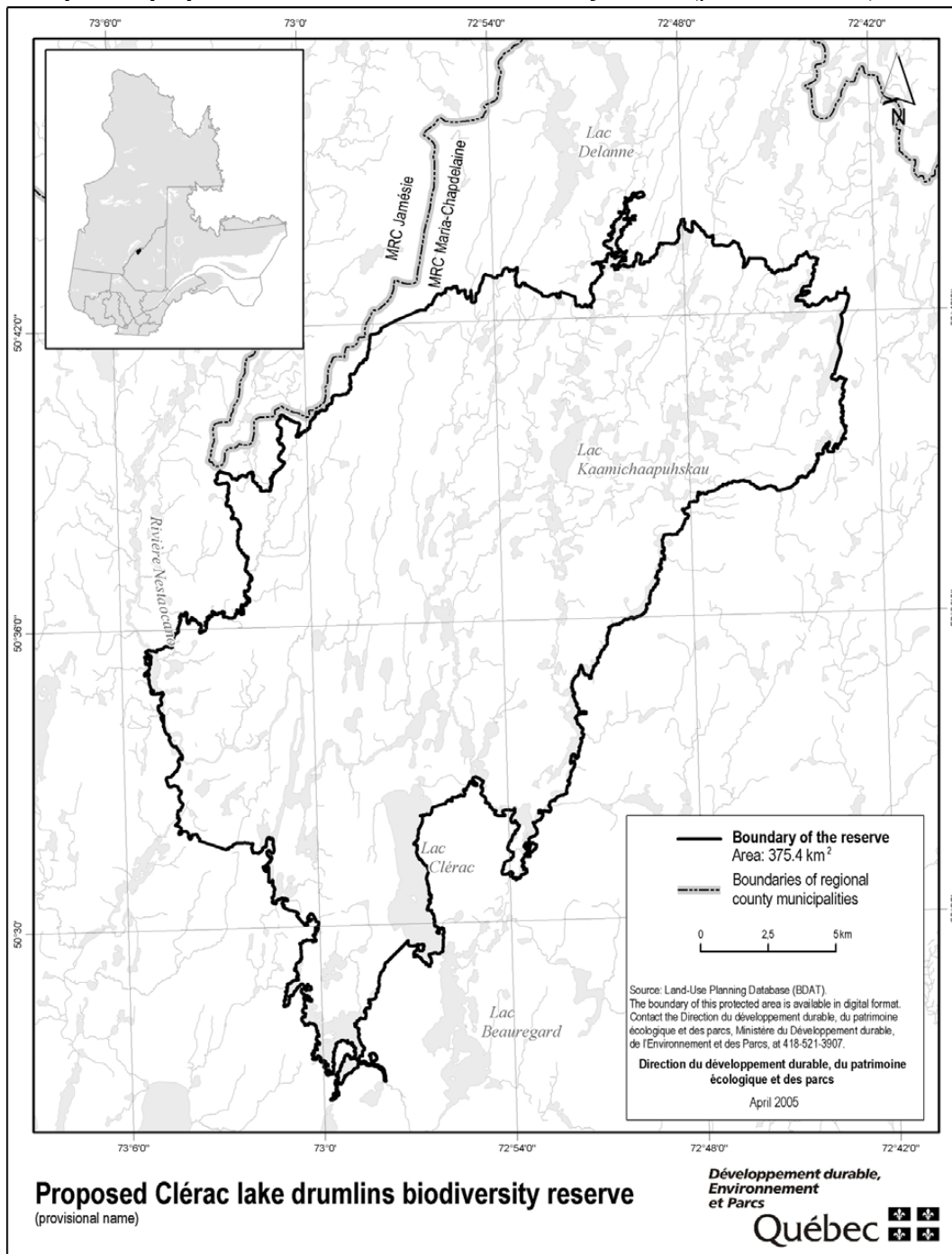
— Operation of vehicles: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and in the regulation on motor vehicle traffic in certain fragile environments made under the Environment Quality Act (R.S.Q., c. Q-2).

4. Responsibilities of the Minister of Sustainable Development, Environment and Parks

The Minister of Sustainable Development, Environment and Parks is responsible for the management of the proposed Clérac lake drumlins biodiversity reserve and is therefore responsible for the supervision and monitoring of the activities that may be carried on within the reserve. The Minister in the management of the reserve works collaboratively with other government representatives having specific responsibilities within the boundaries of the reserve or on adjoining land, such as the Minister of Natural Resources and Wildlife. In the exercise of their powers and functions, the Ministers will take into consideration the protection sought for these natural environments and the protection status that has been granted.

Schedule

Map of the proposed Clérac lake drumlins biodiversity reserve (provisional name)



PROPOSED SAINT-ELZÉAR KARST
BIODIVERSITY RESERVE
(provisional name)

CONSERVATION PLAN

June 2005

1. Protection status and toponym

The legal status of the reserve described below is that of proposed biodiversity reserve under the Natural Heritage Conservation Act (R.S.Q., c. C-61.01).

The proposed reserve is to have the name “Réserve de biodiversité projetée du karst de Saint-Elzéar”. The official toponym will be determined at the time of the assignment of permanent protection status to the land.

The proposed biodiversity reserve protects a scientifically unique and exceptional heritage, in particular from the perspective of its geology. The area is a mosaic of forest ecosystems of great ecological interest owing to the evolution of the vegetation cover that prevents degradation of underground karst formations. The reserve also is a landscape of great quality.

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

- conservation of a portion of land having a physiography characteristic of the Appalachians natural province;
- preservation of an area of geological interest (recognized or potential);
- protection of the biodiversity of forest ecosystems;
- acquisition of additional knowledge about that natural heritage, in particular karst phenomena and the evolution of the vegetation cover.

2. Plan et description

2.1. Location, boundaries and dimensions

The boundaries and location of the proposed Saint-Elzéar karst biodiversity reserve are shown on the attached plan.

The proposed Saint-Elzéar karst biodiversity reserve is located between 48°13' and 48°19' north latitude and 65°17' and 65°25' west longitude, immediately north of Municipalité de Saint-Elzéar, in the unorganized territory of Municipalité régionale de comté de Bonaventure, in the Gaspésie-Îles-de-la-Madeleine administrative region.

The proposed biodiversity reserve covers an area of 44.5 km² and lies within the north-eastern portion of the Duval river watershed. It also includes bluffs to the north-west that border on the left shore of the Garin river. The proposed biodiversity reserve is accessible by public and forest roads from Municipalité de Saint-Elzéar. The forest road, crossing the proposed reserve from the Garin escarpment in the south-west towards the north-east, having a 30-metre right-of-way as shown on the attached plan, is excluded from the proposed biodiversity reserve.

2.2. Geography

The protected area is in the Appalachians natural province. The general topography is characterized by an undulating plateau sloping slightly towards the south, deeply scored by a lattice network of streams running along the fractures in the geological base, and bordered on the south by a steep escarpment referred to as the Garin escarpment. The elevation of the proposed reserve ranges between 135 and 605 metres.

2.2.1. Representative elements

Climate : The proposed biodiversity reserve is characterized by a subpolar and subhumid continental climate, with an average growing season. It is located in an area that belongs to the bioclimatic domain of fir stands with yellow birch.

Geology and geomorphology : The proposed biodiversity reserve is part of the Appalachians geologic province, whose Paleozoic basement (545 to 250 million years) was severely deformed during successive orogenies. The bedrock consists of strata of Ordovician and Silurian sedimentary rock (450-420 million years) deformed during the Acadian orogeny (between 400 and 360 million years) and which contain relatively pure limestone of La Vieille Formation. The limestone is sensitive to chemical erosion (dissolution) and the formation of karsts. The strata are in anticlinal and synclinal folds so that the limestone units reappear in long north-east – south-west parallel bands, 200 to 300 metres wide. The surface area of the limestone outcrops is increased because the hinge lines of the folds are not always horizontal but undulate slightly, plunging alternately to the north-east and the south-west.

The extent of the rock outcrop, generally covered with vegetation, is approximately 25% of the area between the Garin escarpment and the Garin river to the north. Elsewhere, the rock is covered with a thin layer of sedimentary rock derived till or well-drained very stony sandy till. Sandy loams that are well or badly drained

cover the valley floors. Very stony sand and gravel and peat moss border the Duval river.

The Garin escarpment extending some 450 metres above the plateau of the Saint-Elzéar region, which is at an elevation of some 250 metres, delimits the southern portion of the proposed reserve. North of the escarpment, the surface rises gradually to an elevation of some 600 metres forming the Garin plateau.

Hydrography: The major part of the proposed biodiversity reserve is in the Duval river watershed, a tributary of the Bonaventure river. The Duval Est stream drains the northern half of the proposed biodiversity reserve. A small portion of the territory located to the north-west is drained by the Garin river. The Garin escarpment is drained to the west by the Duval river and to the east by the Hall Ouest river, a tributary of the Bonaventure river.

A lattice hydrographic network sometimes highly entrenched along the geological strata (generally limestone) cuts into the land or uses the nearly perpendicular fractures. The proposed biodiversity reserve will ensure the conservation of a representative, relatively uneven physiographic unit that is distinct from the rest of the southern part of Gaspésie.

Vegetation: The forest consisting of mixed hardwoods and softwoods covers approximately 60% of the territory. The forest was nearly completely burned in 1924. Some 90% of the forest is between 20 and 80 years old. Forest areas dominated by hardwoods cover some 30% of the area. A few softwood forests, covering approximately 7% of the area, and some 3% of the hardwood forests are over 80 years old, and cover especially the valley floors; they probably escaped the fires. The youngest forests, less than 20 years old, are a product of logging and are found mostly in the north-western portion of the reserve that is drained by the Garin river.

White birch (*Betula papyrifera*) and trembling aspen (*Populus tremuloides*) dominate most of the area. Softwoods are represented mainly by balsam fir (*Abies balsamea*), white spruce (*Picea glauca*), red spruce (*Picea rubens*) and black spruce (*Picea mariana*). In well-drained soils, the herbaceous and arbustive flora of the forest floor consists of about twenty species that characterize boreal forests. The few tree clumps consisting of eastern white cedar (*Thuja occidentalis*), balsam fir and white spruce are confined to the north of the territory at the bottom of the valleys and along the Duval river. Yellow birch (*Betula alleghaniensis*) forms up to 5% of the mixed stands, growing on slopes in the western and north-western portions. The sugar maple-yellow birch stand covers only 0.2% of the area, in a valley lying across the Duval river, at low elevation.

2.2.2. Outstanding elements

The Garin plateau is the only place in Québec and Eastern Canada where it is possible to observe active karst phenomena and other karst phenomena 200,000 years old dating back to the middle Pleistocene. Karst phenomena, the variety and the age difference of which are unique to Québec, are found in the area between the village of Saint-Elzéar and the Garin river. It is the only place where major karst phenomena active today coexist in the same limestone with surface and underground karst forms, either inactive or fossilized by deposits. The latest studies show that karst phenomena are identified throughout the proposed biodiversity reserve. The Saint-Elzéar cave and dolines near the cave, in the interior of the proposed biodiversity reserve, and karst phenomena (swallow holes, resurgences) around the village of Saint-Elzéar are the local karst phenomena most studied over the last 20 years and the best known in the Gaspésie region.

The presence of hundreds of closed depressions and numerous dolines would indicate that the cave network is larger than the network currently known.

2.3. Occupation, rights and land uses

Nine land rights have been granted by the Ministère des Ressources naturelles et de la Faune within the perimeter of the proposed biodiversity reserve. They are apportioned as follows:

- 2 for the construction of a rough shelter in the forest;
- 2 for personal vacation resort purposes (cottages), situated near the north-west limit of the proposed reserve;
- 2 for a trail for hiking and observing the karst phenomena;
- 3 for recreational equipment (access to the Saint-Elzéar cave), the construction of a lookout and observation tower.

Part of the territory is served by forest roads and a road and hiking trail leading to the Saint-Elzéar cave. In the fall, the local population hunts moose in the area.

Saint-Elzéar cave was “officially” discovered by Saint-Elzéar residents in 1976, but local legend has it that the cave entrance was observed long before. Since then, a number of researchers from the Government of Québec, Québec universities and the Société québécoise de spéléologie have studied the cave and karst phenomena of the Saint-Elzéar region. Local organizations such as the Comité de promotion des ressources naturelles de

Saint-Elzéar inc. and Habitafor are also involved in the understanding of karst phenomena in the area. The significance of the phenomena justified in 1977 the proposed assigning of conservation status (ecological reserve) to part of the area. The local population, however, under the Comité de promotion des ressources naturelles de Saint-Elzéar inc., sought to have the Saint-Elzéar cave developed for educational, recreational and tourism purposes. The descriptive work and management plans of the Saint-Elzéar cave were consequently carried out between 1983 and 1985 in close collaboration with the Ministère de l'Environnement. In 1980, the Comité de promotion des Ressources naturelles de Saint-Elzéar inc. established a cave museum in the village of Saint-Elzéar where educational and recreo-touristic activities centred on the discovery of the Saint-Elzéar cave and karst phenomena in the area have been carried on for approximately fifteen years.

3. Activities within the reserve

§1. Introduction

The activities carried on within the proposed reserve are governed for the most part by the provisions of the Natural Heritage Conservation Act.

This Division prohibits activities in addition to those prohibited under the Act and provides a framework for the carrying on of certain permitted activities so as to better ensure the protection of the natural environment. Accordingly, certain activities require the prior authorization of the Minister and compliance with the conditions determined by the Minister.

As provided in the Natural Heritage Conservation Act, the main activities prohibited in an area to which status as a proposed biodiversity or aquatic reserve has been assigned are

- mining, and gas or petroleum development;
- forest management 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.

§2. Prohibitions, prior authorizations and conditions on which certain activities may be carried on in the proposed reserve

§2.1. Protection of resources and the natural environment

3.1. No person may introduce non-native species of flora or fauna into the proposed reserve.

3.2. No person may stock a watercourse or body of water

(1) for aquaculture, sports or commercial fishing or any other commercial purpose;

(2) for any other purpose, if the fish stocked are not from a genetic strain originating from the proposed reserve.

3.3. No person may bury, abandon or dispose of waste, snow or other residual materials other than in waste disposal containers, facilities or sites determined by the Minister or elsewhere, with the authorization of the Minister and in compliance with the conditions the Minister determines.

Despite the first paragraph, no authorization need be obtained by an outfitting operation to use a disposal facility or site in compliance with the Environment Quality Act and its regulations if the outfitting operation was already using the facility or site on the date on which the protection status as a proposed reserve takes effect.

3.4. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry on any activity likely to severely degrade the banks or shores or to otherwise seriously affect the integrity of a watercourse, body of water or other wetland area, in particular by discharging or dumping waste or other pollutant into the watercourse, body of water or wetland area; or

(2) dig, fill, obstruct or divert a watercourse or body of water.

§2.2. Rules of conduct for users

3.5. Every person staying, carrying on an activity or travelling about within the proposed reserve is required to maintain the premises in a satisfactory state and before leaving, return the premises to their natural state to the extent possible.

3.6. Every person who makes a campfire must

(1) clear an area around the fire site sufficient to prevent the fire from spreading by removing all branches, scrub, dry leaves and other combustible materials;

(2) see that there is always a person on the premises to attend the fire; and

(3) ensure that the fire is completely extinguished before leaving the premises.

3.7. In the proposed reserve, no person may

(1) cause any excessive noise; or

(2) behave in a manner that unduly disturbs other persons in the reserve or interferes with their enjoyment of the reserve.

3.8. No person may destroy, remove, move or damage any poster, sign, notice or other type of signage posted by the Minister within the proposed reserve.

3.9. No person may enter, carry on an activity in or operate a vehicle in a given sector of the proposed reserve unless the person has been authorized by the Minister and complies with the conditions determined, if the signage erected by the Minister restricts access, traffic or certain activities in order to protect the public from a danger or to avoid placing the fauna, flora or other components of the natural environment at risk.

§2.3. *Activities requiring an authorization*

3.10. No person may establish a campsite, a shelter or otherwise stay in the proposed reserve, or occupy a site by installing or leaving property, unless the person has been authorized by the Minister and complies with the conditions determined by the Minister. No authorization need be obtained by a person who,

(1) on the date on which the protection status as a proposed reserve takes effect, was a party to a lease or had already obtained another form of permit or authorization allowing the person to occupy the land under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) or, if applicable, the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), and whose right to occupy the land is renewed or extended;

(2) in accordance with the applicable provisions of law, has entitlement under a sublease, an assignment of a lease or a transfer of an authorization, as referred to in paragraph 1, and whose right to occupy the land is renewed or extended;

(3) avails himself or herself of the possibility of acquiring the land the person legally occupies on the date on which the protection status as a proposed reserve takes effect, pursuant to the Act respecting the lands in the domain of the State.

3.11. (1) No person may carry on forest management activities to meet domestic needs or for the purpose of maintaining biodiversity, unless the person has been authorized by the Minister and carries on the activities in compliance with the conditions the Minister determines.

The conditions of that authorization may pertain, among other things, to species of trees or shrubs, the size of the stems that may be cut, the quantities authorized and the places where the activities may be carried on.

(2) Despite subsection 1, the authorization of the Minister under this plan need not be obtained by a person staying or residing in the proposed reserve who collects wood to make a campfire.

No such authorization need be obtained by a person to collect wood to meet domestic needs

(a) if the wood is collected within a sector reserved by the Minister of Natural Resources and Wildlife as a sector for which a permit for the harvest of firewood for domestic purposes under the Forest Act (R.S.Q., c. F-4.1) may be issued and which has already been reserved as such by the Minister on the date on which the protection status as a proposed reserve takes effect;

(b) if the wood is collected by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the proposed reserve; or

(c) if the wood is collected by a person in accordance with the conditions set out in the permit for the harvest of firewood for domestic purposes issued by the Minister of Natural Resources and Wildlife under the Forest Act.

(3) Despite subsection 1, no authorization need be obtained by a person authorized by lease to occupy land within the proposed reserve, pursuant to this plan, to carry on a forest management activity for the purpose of

(a) clearing permitted harvested areas, maintaining them or creating visual openings, and any other similar removal purposes permitted under the regulation that applies to the sale, lease and granting of immovable rights made under the Act respecting the lands in the domain of the State;

(b) creating and maintaining access roads, stairways or other trails permitted under that regulation; or

(c) clearing the necessary area for the installation, connection, maintenance and repair of power, water, sewer or telecommunication lines, facilities and mains.

When the work referred to in subparagraph *c* of subsection 3 is carried out for or under the responsibility of an enterprise providing any of those services, the work requires the prior authorization of the Minister, other than in the case of the exemptions provided for in sections 3.13 and 3.14.

(4) Despite subsection 1, no authorization need be obtained by a person to carry on a forest management activity to maintain a sugar bush and harvest maple products for domestic purposes

(a) if the activity is carried on by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act allowing the person to carry on the activities of a sugar bush operator within the proposed reserve;

(b) if the activity is carried on within a zone for which the permit obtained allowed the carrying on of sugar bush operations on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years; or

(c) if the activity is carried on by a person in compliance with the conditions set out in the sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act.

3.12. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry out soil development work, including any fill, burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose including recreational and tourism purposes such as the development of trails;

(2) install or construct a new structure, infrastructure or works;

(3) reconstruct or demolish an existing structure, infrastructure or works;

(4) use a pesticide, although no authorization is required for the use of insect repellent for personal purposes;

(5) carry on an activity that is likely to severely degrade the soil or a geological formation or damage the vegetation cover, such as stripping, the digging of trenches or excavation work; or

(6) carry on educational or research-related activities if the activities are likely to significantly damage or disturb the natural environment, in particular by the extent of the moving or removal of natural resources or by the use of explosives.

The conditions of the Minister's authorization for the work may pertain to the location of the authorized activity, the methods used, the areas that may be cleared or deforested, the types of material that may be used including the material taken from the site, and the presence of ancillary works or facilities. The conditions may also include a requirement to ensure periodic follow-up or to report to the Minister, in particular as regards the results obtained from the research to which subparagraph 6 of the first paragraph refers.

Subject to the conditions determined in the authorization, work to repair or maintain trails authorized by the Minister or trails existing on the date on which the protection status as a proposed reserve takes effect may be carried on without an authorization under subparagraph 1 of the first paragraph.

Work to repair or maintain forest roads or roads authorized under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) carried on in accordance with the Forest Act and its regulations that concern standards of forest management may be carried on without an authorization under subparagraph 1 of the first paragraph.

§2.4. Authorization exemptions

3.13. Despite the preceding provisions, no authorization need be obtained by a person to carry on an activity or for any other form of intervention within the proposed reserve if urgent action is required to prevent harm to the health or safety of persons, or to repair or prevent damage caused by a real or apprehended catastrophe. The person concerned must, however, immediately inform the Minister of the activity or intervention that has taken place.

3.14. Despite the preceding provisions, the following activities and interventions involving the production, transmission and distribution of electricity carried out by Hydro-Québec (Société) or by any other person for Hydro-Québec do not require the prior authorization of the Minister under this plan:

(1) any activity or intervention required within the proposed reserve to complete a project which was previously expressly authorized by the Government and the Minister, or only by the latter, in accordance with the requirements of the Environment Quality Act (R.S.Q., c. Q-2), if the activity or intervention is carried out in compliance with the authorizations issued;

(2) any activity or intervention necessary for the preparation and presentation of a pre-project report for a project requiring an authorization under the Environment Quality Act;

(3) any activity or intervention relating to a project requiring the prior authorization of the Minister under the Environment Quality Act, if the activity or intervention is in response to a request for a clarification or for additional information made by the Minister to the Société and it is carried out in accordance with the request;

(4) any activity or intervention by the Société, if the conditions for the carrying out of the activity or intervention have been determined in an agreement between the Minister and the Société and the activity or intervention is carried out in compliance with those conditions.

For the purposes of this section, the activities and interventions of the Société include pre-project studies, analysis work or field research, work required to study and monitor the impact of power transmission and distribution line corridors and rights-of-way, geological or geophysical surveys and survey lines, and the opening and maintenance of roads required for the purpose of access, construction or equipment movement necessary for the carrying on of such work.

§2.5. *General provisions*

3.15. Every person who applies to the Minister for an individual authorization or for an authorization for a group or for a number of persons must provide any information or document requested by the Minister for the examination of the application.

3.16. The Minister's authorization, which is general and can be used by more than one person, may be communicated to the persons concerned by any appropriate means including by a posted notice or appropriate signage at the reception centre or any other location within the proposed reserve that is readily accessible to the public. The Minister is to provide a copy to any person requesting a copy.

§3. *Activities governed by other statutes*

Certain activities likely to be carried on within the proposed reserve are also governed by 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 reserve.

A special legal framework may govern permitted and prohibited activities within the proposed reserve in connection with the following matters:

— Environmental protection: measures set out in particular in the Environment Quality Act (R.S.Q., c. Q-2);

— Archaeological research: measures set out in particular in the Cultural Property Act (R.S.Q., c. B-4);

— Development of wildlife resources: measures set out in particular in the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), including the provisions pertaining to outfitting operations and beaver reserves and the measures contained in applicable federal legislation, including the fishery regulations;

— Removal of species of fauna or flora that are threatened or vulnerable or are likely to be designated as such: measures prohibiting the removal of the species under the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01);

— Access and land rights: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1);

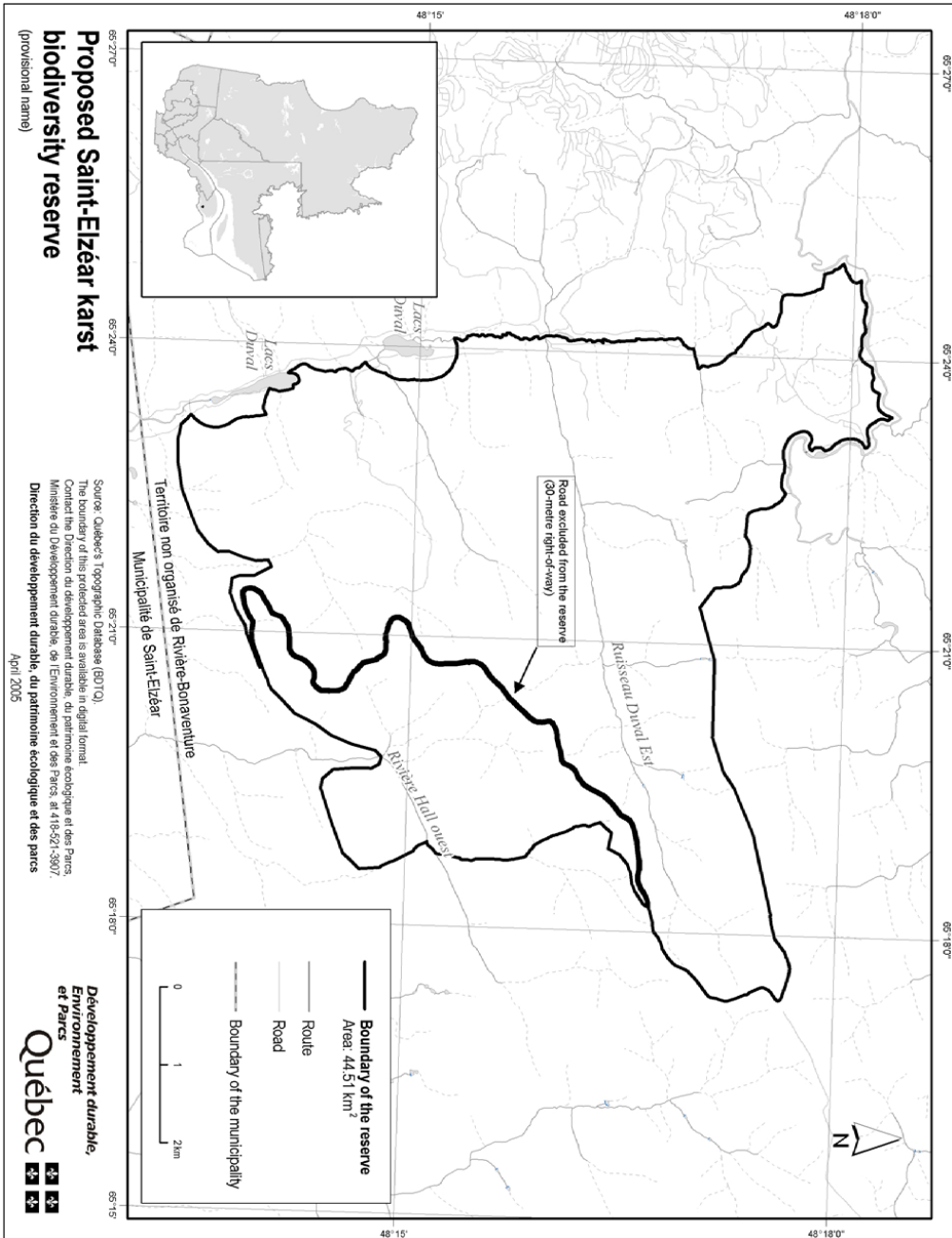
— Operation of vehicles: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and in the regulation on motor vehicle traffic in certain fragile environments made under the Environment Quality Act (R.S.Q., c. Q-2).

4. Responsibilities of the Minister of Sustainable Development, Environment and Parks

The Minister of Sustainable Development, Environment and Parks is responsible for the management of the proposed Saint-Elzéar karst biodiversity reserve and is therefore responsible for the supervision and monitoring of the activities that may be carried on within the reserve. The Minister in the management of the reserve works collaboratively with other government representatives having specific responsibilities within the boundaries of the reserve or on adjoining land, such as the Minister of Natural Resources and Wildlife. In the exercise of their powers and functions, the Ministers will take into consideration the protection sought for these natural environments and the protection status that has been granted.

Schedule

Map of the proposed Saint-Elzéar karst biodiversity reserve (provisional name)



Gouvernement du Québec

O.C. 637-2005, 23 June 2005

Natural Heritage Conservation Act
(R.S.Q., c. C-61.01)

Approval of an amendment to the plans of the proposed Parent lake marshlands, Pasteur lake, Missisicabi plain and Muskuuchii hills biodiversity reserves and to their conservation plans

WHEREAS, under the first paragraph of section 27 of the Natural Heritage Conservation Act (R.S.Q., c. C-61.01), for the purpose of protecting land to be established as a new protected area, the Minister of Sustainable Development, Environment and Parks shall, with the approval of the Government, prepare the plan of that area, establish a conservation plan and assign temporary protection status to the area as a proposed aquatic reserve, biodiversity reserve, ecological reserve or man-made landscape;

WHEREAS, under section 31 of the Act, the Minister may, on the same conditions, amend, replace or revoke the plan of land set aside under the first paragraph of section 27 or the conservation plan established for that land, and no amendment to or replacement of a plan may affect the period of time for which the land has been set aside;

WHEREAS, in accordance with the provisions of the Act, under Minister's Order dated 17 June 2004 (2004, *G.O.* 2, 2301), the proposed Parent lake marshlands biodiversity reserve was assigned temporary protection status, the plan of that area and its conservation plan being those approved by the Government by Order in Council 484-2004 dated 19 May 2004 (2004, *G.O.* 2, 1745) and attached thereto;

WHEREAS, in accordance with the provisions of the Act, under Minister's Order dated 18 March 2003 (2003, *G.O.* 2, 2301), the proposed Pasteur lake, Missisicabi plain and Muskuuchii hills biodiversity reserves were assigned temporary protection status, the plans of those areas and their conservation plans being those approved by the Government by Order in Council 109-2003 dated 6 February 2003 (2003, *G.O.* 2, 1049) and attached thereto;

WHEREAS it is expedient to extend the limits of those proposed biodiversity reserves to improve the protection of biodiversity and to include in some of them portions of territory that have been recently released from their mining titles;

WHEREAS, in order to make the amendments, the Minister has prepared a revised plan for each of the four proposed biodiversity reserves and made changes to their respective conservation plan, the amended plans being attached to this Order in Council;

WHEREAS it is expedient that the amended plans come into force on the date of their publication in the *Gazette officielle du Québec*;

IT IS ORDERED, therefore, on the recommendation of the Minister of Sustainable Development, Environment and Parks:

THAT the plans of the proposed Parent lake marshlands, Pasteur lake, Missisicabi plain and Muskuuchii hills biodiversity reserves be approved, as amended, as well as their conservation plans, attached hereto;

THAT the amended plans take effect on the date of their publication in the *Gazette officielle du Québec* with this Order in Council.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

PROPOSED PARENT LAKE MARSHLANDS
BIODIVERSITY RESERVE
(provisional name)

CONSERVATION PLAN

June 2005

1. Protection status and toponym

The legal status of the reserve described below is that of proposed biodiversity reserve under the Natural Heritage Conservation Act (R.S.Q., c. C-61.01).

The proposed reserve is to have the name "Réserve de biodiversité projetée des marais du lac Parent". The official toponym will be determined at the time of the assignment of permanent protection status to the land.

2. Plan and description

2.1. Location, boundaries and dimensions

The boundaries and location of the proposed Parent lake marshlands biodiversity reserve are shown on the plan. This conservation plan enlarges by 348.3 km² the area of the proposed biodiversity reserve created in March 2004.

The proposed Parent lake marshlands biodiversity reserve is located in the Abitibi-Témiscamingue administrative region, between 48°36' and 48°51' north latitude and 76°40' and 77°05' west longitude. It is situated some 25 km to the south of Lebel-sur-Quévillon. With the enlargement, the proposed biodiversity reserve covers an area of 402.7 km². It lies within the territory of Municipalité de Senneterre, in Municipalité régionale de comté de La Vallée-de-l'Or.

2.2. Geography

The western half of the proposed Parent lake marshlands biodiversity reserve is in the Abitibi Plain natural region in the Abitibi and James Bay Lowlands natural province, while the eastern half is in the Mégiscane Lake Hills natural region in the Mistassini Highlands natural province. The proposed biodiversity reserve is composed of well-drained till hummocks and glacio-lacustrine plains. The vegetation is characterized by softwood forests, with black spruce and jack pine as dominant species. The territory also has some mixed stands dominated by white birch and trembling aspen.

The marshlands northeast of Parent lake are a major habitat and a recognized staging area for aquatic avifauna, in particular the Canada goose (*Branta canadensis*) and the American black duck (*Anas rubripes*). The marshlands are also frequented by bird species of particular heritage significance, including the bald eagle (*Haliaeetus leucocephalus*) – a bird of prey designated as vulnerable in Québec – and the osprey (*Pandion haliaetus*).

2.3. Occupation, rights and land uses

Fifty-six land rights have been granted in the territory of the proposed biodiversity reserve: 4 for vacation resort purposes, 50 for rough shelters and 2 for trapping camps.

The land in the proposed biodiversity reserve is classified as Category III land under the James Bay and Northern Québec Agreement (JBNQA), signed in 1975, and the Act respecting land regime in the James Bay and

New Québec territories (R.S.Q., c. R-13.1) enacted in 1978. The territory of the proposed biodiversity reserve lies within the territory covered by the hunting, fishing and trapping regime applicable pursuant to section 24 of the JBNQA (see the Act respecting hunting and fishing rights in the James Bay and New Québec territories (R.S.Q., c. D-13.1)).

The territory of the proposed biodiversity reserve lies wholly within the fur-bearing animal management unit (FAMU) 05 and straddles fourteen trapezines.

3. Activities within the reserve

The activities carried on within the proposed Parent lake marshlands biodiversity reserve are governed by the Natural Heritage Conservation Act (R.S.Q., c. C-61.01).

This conservation plan does not specify any prohibited activity other than those prohibited in a proposed biodiversity reserve 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

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 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; and
- earthwork or construction work.

3.2. Activities governed by other statutes

All activities likely to be carried on within the boundaries of the proposed Parent lake marshlands biodiversity reserve also 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.

A special legal framework may, within boundaries of the proposed biodiversity reserve, 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));

— Development 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) and under the regulation concerning motor vehicle traffic in certain fragile environments made under the Environment Protection Act (R.S.Q., c. Q-2));

— Land rights (especially 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 and Wildlife).

3.3. Supervision of activities

The Minister of Sustainable Development, Environment and Parks is responsible for the application of the Natural Heritage Conservation Act, and is therefore 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 prohibited and permitted activities in protected areas.

All other government departments and bodies will retain their responsibilities as set out in the legislative and regulatory texts that apply within a proposed biodiversity reserve, as provided for under the Natural Heritage Conservation Act.

4. Responsibilities of the Minister of Sustainable Development, Environment and Parks

The Minister of Sustainable Development, Environment and Parks is responsible for the management of the proposed Parent lake marshlands biodiversity reserve and is therefore responsible for the supervision and monitoring of the activities that may be carried on within the reserve. The Minister in the management of the reserve works collaboratively with other government representatives having specific responsibilities within the boundaries of the reserve or on adjoining land, such as the Minister of Natural Resources and Wildlife. In the exercise of their powers and functions, the Ministers will take into consideration the protection sought for these natural environments and the protection status that has been granted.

SCHEDULE

MAP OF THE PROPOSED PARENT LAKE MARSHLANDS BIODIVERSITY RESERVE (provisional name)

Proposed Parent lake marshlands biodiversity reserve (provisional name)

Source: Land-Use Planning Database (BDAT).

The boundary of this protected area is available in digital format.

Contact the Direction du développement durable, du patrimoine écologique et des parcs, Ministère du Développement durable, de l'Environnement et des Parcs, at 418-521-3907.

Direction du développement durable, du patrimoine écologique et des parcs

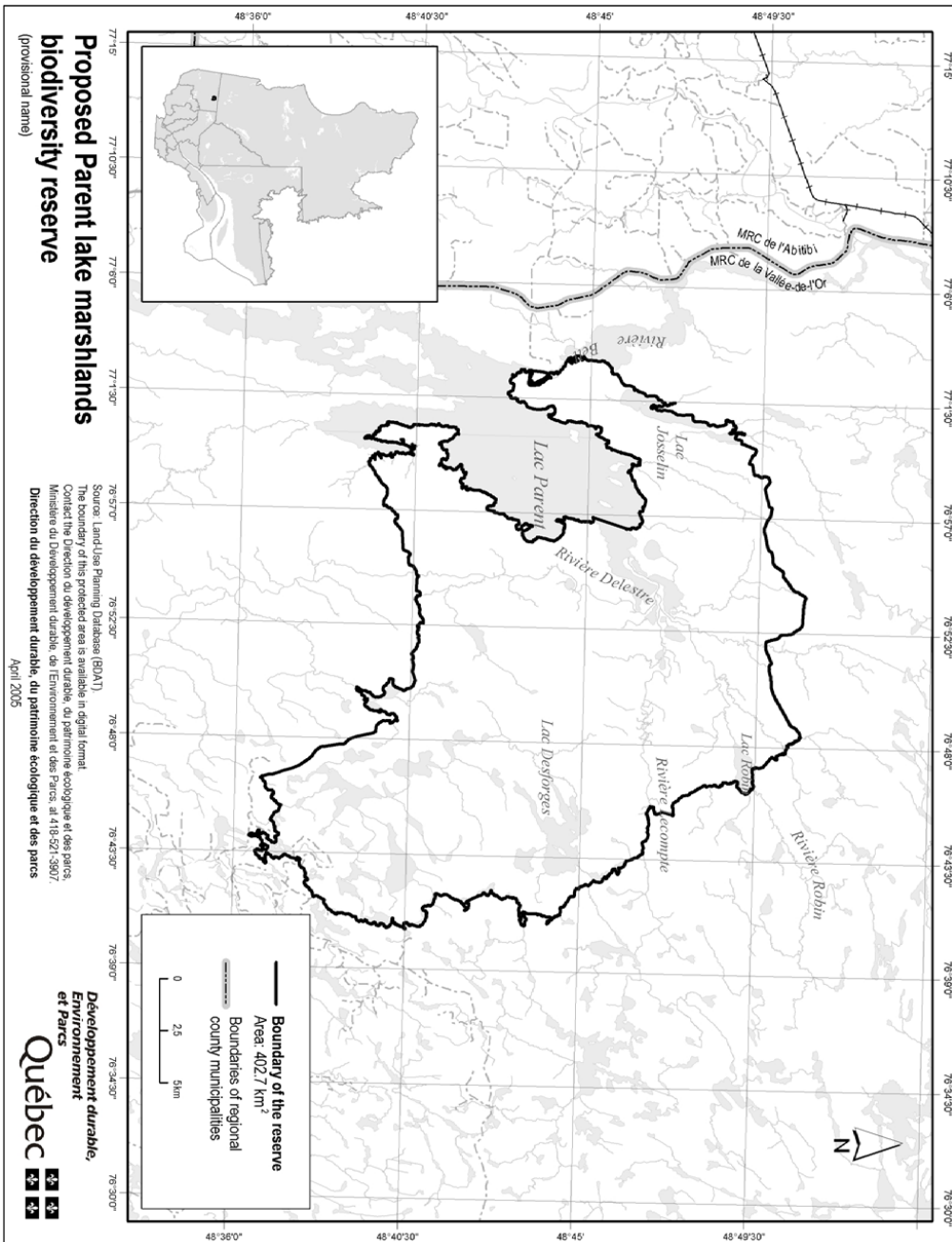
April 2005

Boundary of the reserve
Area: 402.7 km²

Boundaries of regional county municipalities

Schedule

Map of the proposed Parent lake marshlands biodiversity reserve (provisional name)



**Proposed Parent lake marshlands
biodiversity reserve**
(provisional name)

Source: LandUse Planning Database (BDAL).
The boundary of this protected area is available in digital format.
Consult the Direction du développement durable, du patrimoine écologique et des parcs,
Ministère du Développement durable, de l'Environnement et des Parcs, at 418-521-3807,
Direction du développement durable, du patrimoine écologique et des parcs
April 2005

**Développement durable,
Environnement
et Parcs**
Québec

PROPOSED PASTEUR LAKE BIODIVERSITY RESERVE

(provisional name)

CONSERVATION PLAN

June 2005

1. Protection status and toponym

The legal status of the reserve described below is that of proposed biodiversity reserve under the Natural Heritage Conservation Act (R.S.Q., c. C-61.01).

The proposed reserve is to have the name “Réserve de biodiversité projetée du lac Pasteur”. The official toponym will be determined at the time of the assignment of permanent protection status to the land.

2. Plan and description

2.1. Location, boundaries and dimensions

The boundaries and location of the proposed Pasteur lake biodiversity reserve are shown on the plan. This conservation plan enlarges by 225.4 km² the area of the proposed Pasteur lake biodiversity reserve announced in 2002.

The proposed Pasteur lake biodiversity reserve is located in the Côte-Nord administrative region, between 50°08' and 50°28' north latitude and 66°50' and 67°11' west longitude. It is situated some 15 km north of Ville de Port-Cartier. With the enlargement, the proposed reserve covers an area of 536.3 km² in the unorganized territory of Lac-Walker in Municipalité régionale de comté de Sept-Rivières.

2.2. Geography

The proposed Pasteur lake biodiversity reserve is in the Sainte-Marguerite River Plateau natural region in the Central Laurentian natural province. The topography of the area is characterized by hills covered with till and peat. The territory is covered mostly by heaths, black spruce stands and, to a lesser extent, a fir forest. Some peat bogs are scattered throughout the territory, while the few white birch stands and poplar stands are located mostly to the north of the protected area. The woodland caribou is present in the territory. A sector attractive to caribou overlaps the territory of the proposed biodiversity reserve.

2.3. Occupation, rights and land uses

The entire proposed biodiversity reserve lies within the Port-Cartier–Sept-Îles wildlife sanctuary and the Saguenay beaver reserve, in which the Innu communities have special rights with regard to the hunting and trapping of fur-bearing animals.

Two land rights have been granted in the territory of the proposed biodiversity reserve for vacation resort purposes. Six Native camps are also located in the territory.

A private railway crosses the territory of the proposed biodiversity reserve.

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 (R.S.Q., c. C-61.01).

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 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), the regulation on beaver reserves and, where applicable, the measures contained in any 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 and Wildlife).

3.3. Supervision of activities

The Minister of Sustainable Development, Environment and Parks 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 and Wildlife 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 Minister of Natural Resources and Wildlife remains responsible for supervising the activities relating to wildlife protection and management that are under the Minister's 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. Responsibilities of the Minister of Sustainable Development, Environment and Parks

The Minister of Sustainable Development, Environment and Parks is responsible for the management of the proposed Pasteur lake biodiversity reserve and is therefore responsible for the supervision and monitoring of the activities that may be carried on within the reserve. The Minister in the management of the reserve works collaboratively with other government representatives having specific responsibilities within the boundaries of the reserve or on the adjoining land, such as the Minister of Natural Resources and Wildlife. In the exercise of their powers and functions, the Ministers will take into consideration the protection sought for these natural environments and the protection status that has been granted.

SCHEDULE

MAP OF THE PROPOSED PASTEUR LAKE BIODIVERSITY RESERVE (provisional name)

Proposed Pasteur lake biodiversity reserve (provisional name)

Source: Land-Use Planning Database (BDAT).

The boundary of this protected area is available in digital format.

Contact the Direction du développement durable, du patrimoine écologique et des parcs, Ministère du Développement durable, de l'Environnement et des Parcs, at 418-521-3907.

Direction du développement durable, du patrimoine écologique et des parcs

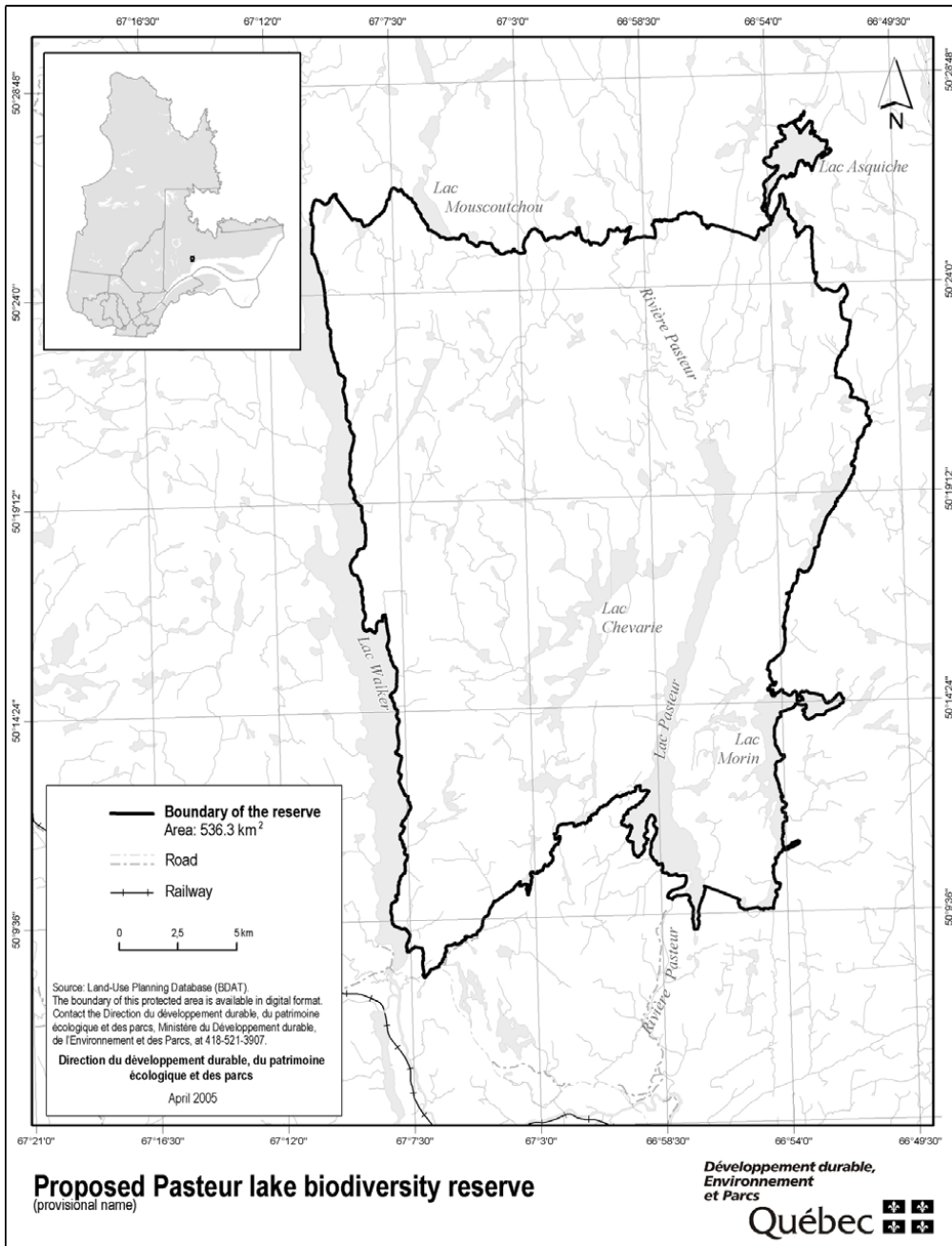
April 2005

Boundary of the reserve
Area: 536.3 km²

Road
Railway

Schedule

Map of the proposed Pasteur lake biodiversity reserve (provisional name)



PROPOSED MISSISICABI PLAIN BIODIVERSITY RESERVE

(provisional name)

CONSERVATION PLAN

June 2005

1. Protection status and toponym

The legal status of the reserve described below is that of proposed biodiversity reserve under the Natural Heritage Conservation Act (R.S.Q., c. C-61.01).

The proposed reserve is to have the name “Réserve de biodiversité projetée de la plaine de la Missisicabi”. The official toponym will be determined at the time of the assignment of permanent protection status to the land.

2. Plan and description

2.1. Location, boundaries and dimensions

The boundaries and location of the proposed Missisicabi plain biodiversity reserve are shown on the plan. This conservation plan enlarges by 92.0 km² the area of the proposed biodiversity reserve created in March 2003.

The proposed Missisicabi plain biodiversity reserve is located in the Nord-du-Québec administrative region, between 50°28' and 50°47' north latitude and 78°27' and 79°55' west longitude. It is situated some 125 km to the north-north-west of Ville de Matagami and 85 km to the south of the Cree village of Waskaganish. With the enlargement, the proposed biodiversity reserve covers an area of 760.8 km². It lies within the territory of Municipalité de Baie-James.

2.2. Geography

The proposed Missisicabi plain biodiversity reserve is in the Turgeon River Plain, the Lower Rupert River Plain and the James Bay Coastal Plain natural regions in the Abitibi and James Bay Lowlands natural province. The protected area is covered mainly by organic deposits, but also by glacial and glaciofluvial sediments of sand, silt and clay. Cochrane till, a limestone deposit of glacial origin, covers 10% of the total area and is found almost exclusively in the Turgeon River Plain natural region. The territory is located on a broad plain whose altitude increases gradually from 115 m to 250 m along a north-west/southeast axis.

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*).

The sandhill crane has been observed in the territory.

2.3. Occupation, rights and land uses

No land right has been granted in the territory of the proposed biodiversity reserve.

Most of the northern half of the proposed biodiversity reserve is classified as Category II land, while the northern half 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). The entire area lies within part of the Nottaway beaver reserve. The Cree community of Waskaganish has special rights regarding hunting, fishing and trapping in the area.

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 (R.S.Q., c. C-61.01).

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 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 and Wildlife).

3.3. Supervision of activities

The Minister of Sustainable Development, Environment and Parks 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 and Wildlife 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 Minister of Natural Resources and Wildlife remains responsible for supervising the activities relating to wildlife protection and management that are under the Minister's responsibility.

4. Responsibilities of the Minister of Sustainable Development, Environment and Parks

The Minister of Sustainable Development, Environment and Parks is responsible for the management of the proposed Missisicabi plain biodiversity reserve and is therefore responsible for the supervision and monitoring of the activities that may be carried on within the reserve. The Minister in the management of the reserve works collaboratively with other government representatives having specific responsibilities within the boundaries of the reserve or on adjoining land, such as the Minister of Natural Resources and Wildlife. In the exercise of their powers and functions, the Ministers will take into consideration the protection sought for these natural environments and the protection status that has been granted.

SCHEDULE

MAP OF THE PROPOSED MISSISICABI PLAIN BIODIVERSITY RESERVE
(provisional name)

Proposed Missisicabi plain biodiversity reserve
(provisional name)

Source: Land-Use Planning Database (BDAT).

The boundary of this protected area is available in digital format.

Contact the Direction du développement durable, du patrimoine écologique et des parcs, Ministère du Développement durable, de l'Environnement et des Parcs, at 418-521-3907.

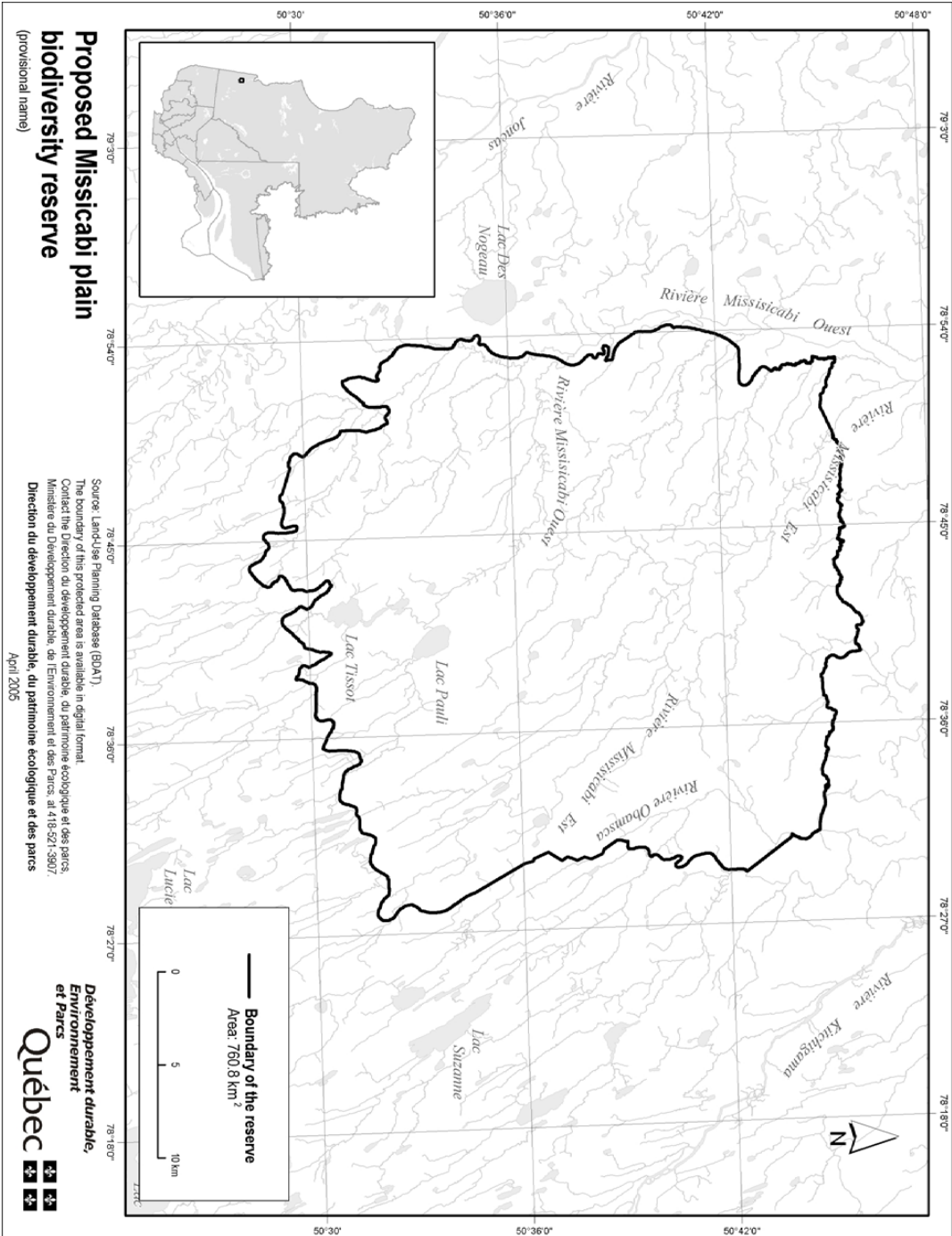
Direction du développement durable, du patrimoine écologique et des parcs

April 2005

Boundary of the reserve
Area: 760.8 km²

Schedule

Map of the proposed Mississicabi plain biodiversity reserve (provisional name)



PROPOSED MUSKUUCHII HILLS BIODIVERSITY RESERVE

(provisional name)

CONSERVATION PLAN

June 2005

1. Protection status and toponym

The legal status of the reserve described below is that of proposed biodiversity reserve under the Natural Heritage Conservation Act (R.S.Q., c. C-61.01).

The proposed reserve is to have the name “Réserve de biodiversité projetée des collines de Muskuuchii”. The official toponym will be determined at the time of the assignment of permanent protection status to the land.

2. Plan and description

2.1. Location, boundaries and dimensions

The boundaries and location of the proposed Muskuuchii biodiversity reserve are shown on the plan. The conservation plan enlarges by 66.1 km² the area of the proposed biodiversity reserve created in March 2003. The new territory is located to the west of the proposed Harricana river aquatic reserve.

The proposed Muskuuchii hills biodiversity reserve is located in the Nord-du-Québec administrative region, between 50°04' and 50°27' north latitude and 78°22' and 78°58' west longitude. It is situated 90 km north-north-west of Ville de Matagami and 105 km south of the Cree village of Waskaganish. With the enlargement, the proposed biodiversity reserve covers an area of 801.1 km². It lies within the territory of Municipalité de Baie-James.

2.2. Geography

The proposed Muskuuchii hills biodiversity reserve is in the Abitibi and James Bay Lowlands natural province. More precisely, it protects natural habitats representative of the Turgeon River Plain natural region. 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 found almost exclusively in the Turgeon River Plain natural region. The average altitude is 244 m, varying between 170 m and 340 m.

Almost half of the area of the proposed biodiversity reserve is covered by oligotrophic and minerotrophic peat bogs. They are established on organic deposits, which are also home to stands of varying density of black spruce in a peat moss understory. On mesic sites and rocky outcrops, dry heathlands have developed with groves 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.

Two vascular plants likely to be designated as threatened or vulnerable species have been identified in the territory of the proposed biodiversity reserve: *Mimulus glabratus* var. *jamesii* and *Thalictrum dasycarpum*.

2.3. Occupation, rights and land uses

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

Six land rights have been granted within the perimeter of the protected area: 1 for vacation resort purposes and 5 for rough shelters.

The territory is accessible by a network of forest roads.

The land in 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). The entire area lies within a beaver reserve. The Cree community of Waskaganish has special rights regarding hunting, fishing and trapping in the area. Approximately two thirds of the proposed biodiversity reserve is in the territory under the Paix des Braves Agreement signed on February 7, 2002 between the Government of Québec and the Crees.

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 (R.S.Q., c. C-61.01).

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 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 and Wildlife).

3.3. Supervision of activities

The Minister of Sustainable Development, Environment and Parks 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 and Wildlife 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 Minister of Natural Resources and Wildlife remains responsible for supervising the activities relating to wildlife protection and management that are under the Minister's responsibility.

4. Responsibilities of the Minister of Sustainable Development, Environment and Parks

The Minister of Sustainable Development, Environment and Parks is responsible for the management of the proposed Muskuuchii hills biodiversity reserve and is therefore responsible for the supervision and monitoring of the activities that may be carried on within the reserve. The Minister in the management of the reserve works collaboratively with other government representatives having specific responsibilities within the boundaries of the reserve or on adjoining land, such as the Minister of Natural Resources and Wildlife. In the exercise of their powers and functions, the Ministers will take into consideration the protection sought for these natural environments and the protection status that has been granted.

SCHEDULE

MAP OF THE PROPOSED MUSKUUCHII HILLS
BIODIVERSITY RESERVE
(provisional name)

Proposed Muskuuchii hills biodiversity reserve
(provisional name)

Source : Land-Use Planning Database (BDAT).

The boundary of this protected area is available in digital format.

Contact the Direction du développement durable, du patrimoine écologique et des parcs, Ministère du Développement durable, de l'Environnement et des Parcs, at 418-521-3907.

Direction du développement durable, du patrimoine écologique et des parcs

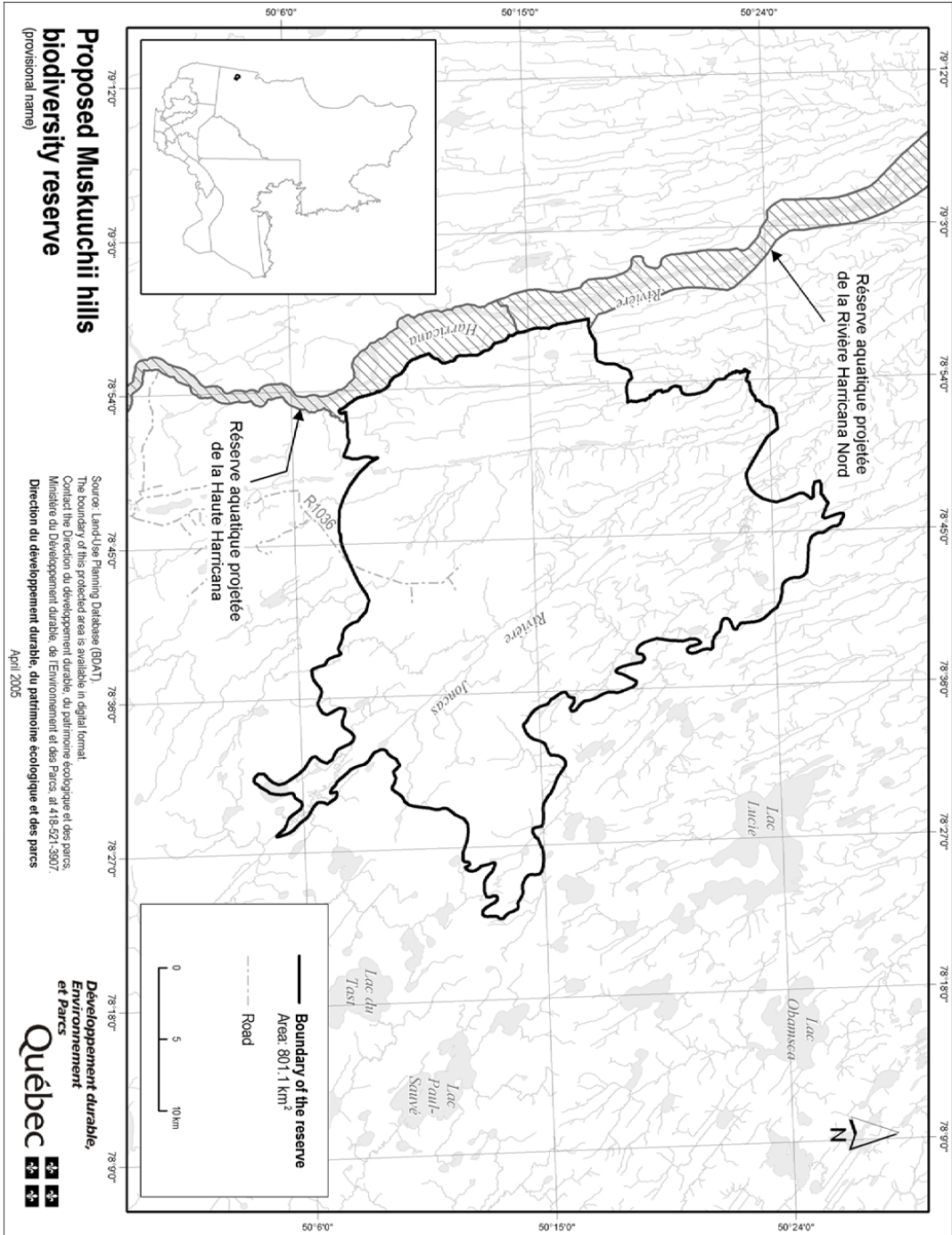
April 2005

Boundary of the reserve
Area : 801.1 km²

Road

Schedule

Map of the proposed Muskouchii hills biodiversity reserve (provisional name)



Gouvernement du Québec

Global Agreement Canada-Québec

An Act respecting Makivik Corporation
(R.S.Q., c. S-18.1)

An Act respecting Northern Villages and the Kativik
Regional Government
(R.S.Q., c. V-6.1)

An Act respecting the Société d'habitation du Québec
(R.S.Q., c. S-8)

Agreement respecting the implementation of the James
Bay and Northern Québec agreement related to
housing in Nunavik entered into May 16th, 2005

Notice is, hereby, given that the Government of
Canada, the Government of Québec, Kativik Municipal
Housing Bureau, Kativik regional Government and
Makivik Corporation have signed, on the 16th day of
May, 2005, an Agreement respecting the implementa-
tion of the James Bay and Northern Québec Agreement
related to housing in Nunavik, reproduction of the text is
joined to the present.

La secrétaire de la
Société d'habitation du Québec,
NATHALIE CAMPEAU

AN AGREEMENT RESPECTING THE IMPLEMENTATION OF THE JAMES BAY AND NORTHERN QUÉBEC AGREEMENT RELATED TO HOUSING IN NUNAVIK

BETWEEN

MAKIVIK CORPORATION, a corporation duly incor-
porated by Special Act of the National Assembly of
Québec, (R.S.Q., c. S-18.1), herein acting for and on
behalf of the Inuit of Québec and on its own behalf and
represented by its undersigned authorized representative

Hereinafter referred to as “Makivik”

AND

KATIVIK REGIONAL GOVERNMENT, an organization
duly incorporated by an Act respecting Northern
Villages and the Kativik Regional Government, (R.S.Q.,
c. V-6.1), herein acting on its own behalf and authorized
to sign this agreement and to represent and act on behalf
of the 14 northern villages in the Kativik Region, corpo-
rations duly incorporated under the same statute

Hereinafter referred to as “the KRG”

AND

KATIVIK MUNICIPAL HOUSING BUREAU, a corpo-
ration duly incorporated by la Loi sur la Société
d'habitation du Québec, (R.S.Q., c. S-8), herein acting
on its own behalf and represented by its undersigned
authorized representative

Hereinafter referred to as “the KMHB”

AND

The GOVERNMENT OF QUÉBEC, as represented by
the ministre des Affaires municipales et des Régions,
le ministre responsable des Affaires intergouvernementales
canadiennes, de la Francophonie canadienne, de l'Accord
sur le commerce intérieur, de la Réforme des institutions
démocratiques et de l'Accès à l'information, and the
ministre délégué aux Affaires autochtones

Hereinafter referred to as “Québec”

AND

The GOVERNMENT OF CANADA as represented by
the Minister of Indian Affairs and Northern Develop-
ment

Hereinafter referred to as “Canada”

Hereinafter referred to as “The Parties”

WHEREAS Canada and Makivik recognize that this
agreement settles any and all disputes related to the
provision of housing under the James Bay and Northern
Québec Agreement (JBNQA) which have been subject
to the Dispute Resolution Mechanism contemplated by
the JBNQA Implementation Agreement (1990) concluded
between Canada and Makivik;

WHEREAS the Parties are committed to arranging a
unified system as contemplated in subsection 29.0.40 of
the JBNQA;

WHEREAS the Parties concluded, in September 2000,
a five-year agreement to provide for the achievement of
Inuit housing in the Kativik Region, i.e. over fiscal years
2000-2001 through 2004-2005, which agreement provided
for the negotiation of the renewal of this agreement;

WHEREAS, pursuant to section 7.2 of the agreement
dated September 2000, the Parties have hereby agreed to
its renewal;

WHEREAS the Parties acknowledge the importance of using the construction, operation and maintenance of housing as an opportunity for Inuit to acquire new skills, while promoting labour force training and job creation for Inuit as well as other economic benefits to Inuit communities;

WHEREAS Québec, acting through and under the leadership of the Société d'habitation du Québec (SHQ), with the agreement of the KRG and the KMHB, agrees to implement a new rent scale which shall be applied by the KMHB to all Nunavik social housing as of July 1st, 2005 or, under exceptional circumstances, no later than January 1st, 2006.

THEREFORE THE PARTIES DO HEREBY AGREE AS FOLLOWS :

1. DEFINITIONS

In this agreement,

1.1 "Capital Costs" means

1.1.1 costs for housing construction site preparation;

1.1.2 costs of acquisition of pre-fabricated houses including transportation costs, packaging and on-site assembly, or, the purchase costs of materials necessary for on-site construction of houses, including transportation, packaging and storage costs;

1.1.3 costs of labour for on-site assembly or construction;

1.1.4 costs of municipal building permits;

1.1.5 insurance costs related to the transportation of building materials or prefabricated houses, as well as insurance costs related to construction and assembly;

1.1.6 honoraria and professional fees related to cost for call for tender, design, construction, and acquisition of housing units;

1.1.7 costs related to obtaining warrantees pursuant to Regulation for the New Residential Building Warranty Plan enacted under the Building Act (R.S.Q., c. B-1.1);

1.1.8 costs to purchase, transport and install a stove and a refrigerator;

1.1.9 while not capital costs per se, Canada recognizes administrative costs as being covered by Canada's contribution, up to a maximum per Inuit housing unit of \$5,000, or any amount subsequently agreed to by the Parties;

1.1.10 interest costs incurred in the pre-purchase of materials and labour prior to April 1 of a given Fiscal Year or prior to that year's construction season;

1.1.11 interest costs incurred due to meeting temporary cash flow shortages as a consequence of the payment of the goods and services tax (GST) and of the Québec sales tax (QST) on eligible Capital Costs.

1.2 "Inuit Beneficiary" means a person eligible to registration as a beneficiary of the James Bay and Northern Quebec Agreement (JBNQA) under Chapter 3 of the JBNQA, which chapter shall be replaced by Chapter 3A of Complementary Agreement No. 18 to the JBNQA, when this Complementary Agreement shall become effective and be implemented.

1.3 "Contribution" means a conditional transfer payment for a specified purpose that is subject to being accounted for and audited for the purpose of determining adherence to terms and conditions of payment and for which unexpended balances or unallowable expenditures are to be reimbursed to Canada.

1.4 "Operating Costs" means actual eligible costs incurred for each Inuit Housing unit, where identifiable, and a pro-rated share of the costs incurred at the portfolio level for Inuit Housing in the following categories:

1.4.1 cost of taxes and nominal land rental;

1.4.2 cost of insurance;

1.4.3 maintenance costs;

1.4.4 management and training costs;

1.4.5 heating costs;

1.4.6 cost of electrical power;

1.4.7 cost of water and sewage;

1.4.8 cost of waste disposal;

1.4.9 modernisation, improvement or restoration costs.

1.5 “Inuit Housing” means any housing unit built under this agreement.

1.6 “Fiscal Year” means the time period extending for one year from April 1st to March 31st.

2. FUNDING

2.1 Funding from Canada

2.1.1 Canada agrees to contribute, for Fiscal Year 2005-2006, \$12.5 million for the Capital Costs of constructing Inuit Housing in Nunavik.

2.1.2 With respect to 2006-2007 and each subsequent Fiscal Year under this Agreement, Canada shall contribute an amount equal to the previous year’s contribution and adjusted for inflation and population. Each year the contribution will be increased by the rate of growth of the Population of Inuit Beneficiaries in the Kativik Region, and by an inflation index based on a three-year moving average of the Final Domestic Demand Implicit Price Index (FDDIPI), as specified in Annex A of this Agreement.

2.1.3 Canada’s annual payments under this agreement shall be paid to Makivik, in the form of Contributions, on April 1st of each Fiscal Year from 2005-2006 to 2009-2010, or as soon after that date as is practicable.

2.2 Funding from Québec

2.2.1. Québec agrees to pay directly, for a period of twenty years, to KMHB or any successor organization the difference between the Operating Costs of each Inuit housing unit and the rental revenues collected thereon, from the date of initial occupancy of each such housing unit. Funding from Québec is estimated to be equivalent to Canada’s contribution under this agreement.

3. PROVISIONS APPLICABLE TO MAKIVIK

3.1 Makivik shall use the annual payments made under this agreement exclusively for the Capital Cost of Inuit Housing.

3.2 With respect to Canada’s contribution for Capital Costs under this agreement, Makivik shall reimburse Canada any unexpended funds or funds not used for the purposes intended under this agreement.

3.3 Any and all interest revenues earned on funding provided by Canada under this agreement shall be spent by Makivik on the construction of Inuit housing units.

3.4 In constructing Inuit Housing, Makivik shall conform to or surpass applicable building standards and codes established by Canada, Québec and by SHQ.

3.5 Upon completion of construction of an Inuit Housing unit, ownership of that housing unit shall be transferred from Makivik to the KMHB for one dollar.

4. MATTERS RELATED TO QUÉBEC PROGRAMMING

4.1 Quebec, acting through and under the leadership of the SHQ, with the agreement of the KRG and the KMHB, and following a consultation conducted among the 14 northern villages of the Kativik Region, agrees to implement a new rent scale over a fifteen year period, which shall be applied by the KMHB to all Nunavik social housing as of July 1st, 2005 or, under exceptional circumstances, no later than January 1st, 2006.

4.2 This agreement shall be in addition to, but shall not affect, existing or future Québec housing programs applicable in Nunavik, including the Home Ownership Program for Residents of the Kativik Region, the Quebec Affordable Housing Program-Kativik Component, the Home Renovation Program for Owners-Occupiers in the Kativik Region, and the Remote Housing Program.

5. NUNAVIK HOUSING COMMITTEE

5.1 A Nunavik Housing Committee (NHC) is established, consisting of two representatives from Canada, two from Québec, and one from each of Makivik, the KRG and the KMHB. The NHC shall meet three times yearly and shall monitor, advise, and assist the Parties on the implementation of this agreement.

5.2 The NHC may suggest to the Parties any initiative or measure to ensure that the financial resources provided under this agreement are used in such a manner that Makivik and the KMHB, respectively undertaking the construction and operation of Inuit housing units, may construct an optimum number of Inuit housing units while allowing Inuit to acquire skills to promote labour force training, job creation as well as other long term economic benefits to the Inuit of Nunavik.

6. INFORMATION EXCHANGE AND REPORTING

6.1 Subject to applicable access to information and protection of personal information, the Parties shall collect, maintain, share, and disclose, in a timely manner, information reasonably required for the purposes of implementation, monitoring, and renewal of this agreement.

6.2 Makivik shall make available to the Parties, by June 30th of each Fiscal Year, a detailed annual audited financial statement of Capital Costs of Inuit Housing for the immediately preceding Fiscal Year. This audit shall certify that Makivik used all interest earned on contribution funding on the construction of Inuit housing units, as required by para 3.3.

Makivik shall make available to the NHC the specific planning and information elements listed in Annex B within the timeframes specified therein.

6.3 The NHC shall agree upon the necessary information to be provided by the KMHB to monitor the implementation of this agreement.

6.4 Québec, through the SHQ, shall provide to the Parties, by May 31st of each Fiscal Year, a detailed annual audited financial statement of Operating Costs, rental revenues and funding on Inuit Housing for the immediately preceding year.

7. COMMITMENT TO A PROCESS OF RENEWAL

7.1 The NHC shall undertake a program evaluation of the results of this agreement during its implementation and shall formulate, where relevant, recommendations to the Parties. This evaluation shall be completed no later than March 31st, 2009.

7.2 The Parties shall begin negotiating a successor agreement to this agreement prior to the beginning of the fifth Fiscal Year of this agreement and shall undertake all reasonable steps to conclude a successor agreement by December 31st, 2009.

8. DISPUTE RESOLUTION

8.1 Any dispute respecting the implementation of this agreement shall first be referred by the Parties to the NHC which shall make every reasonable effort to resolve the dispute by cooperation and agreement. This in no way precludes Canada and Makivik from subsequently pursuing such disputes through the Dispute Resolution Mechanism specified in Annex H of the JBNQA Implementation Agreement (1990).

9. ACKNOWLEDGMENT

9.1 Provided that Canada fulfills all its' obligations under this agreement, including the negotiation of a successor to this agreement, it will be deemed to have fulfilled all obligations it may have related to housing pursuant to the JBNQA for the past and during the term of this agreement.

9.2 Provided that Québec fulfills all its' obligations under this agreement, including the negotiation of a successor to this agreement, it will be deemed to have fulfilled all obligations it may have related to housing pursuant to the JBNQA for the past and during the term of this agreement.

10. FINAL PROVISIONS

10.1 No member of the House of Commons of Canada, the Senate of Canada, or the National Assembly of Québec shall be admitted to take part in any contract or agreement concluded or commission obtained under this agreement or take advantage from any benefit arising therefrom.

10.2 Notwithstanding any other provision of this agreement, any funding provided pursuant to this agreement shall be subject to appropriation by the Parliament of Canada and by the National Assembly of Québec.

10.3 It is the express intent of the Parties to this agreement that nothing herein be considered an amendment to, modification of, or derogation from the JBNQA, and without limiting the generality of the foregoing, that nothing herein affects the application of subsections 2.11 and 2.12 of the JBNQA. The Parties to this agreement expressly agree that nothing herein constitutes a supplementary amending agreement or a complementary agreement within the meaning of, respectively, Section 4 of the James Bay Native Claims Settlement Act (S.C. 1976-1977, c. 32) and section 3 of An Act approving the Agreement concerning James Bay and Northern Quebec (R.S.Q., c. C-67) and of subsection 2.15 of the JBNQA. The Parties hereto further agree that this agreement constitutes a contract between the parties for the implementation of certain provisions of the JBNQA related to housing. Moreover, the present agreement does not constitute an agreement or treaty pursuant to Section 35 of the Constitution Act, 1982 and should not be interpreted in any way as giving effect to an abrogation, a derogation, a negation or a recognition of an aboriginal or treaty right or such other native right.

10.4 This agreement does not affect the terms of the agreement signed respectively by Québec and Canada on February 10th, 1981 and on February 13th, 1981.

10.5 Canada and Québec are entering into this agreement pursuant to any obligations they may have pursuant to the JBNQA in relation to housing.

10.6 There will be a French, an English and an Inuktitut version of this agreement. The French and English versions will be considered authoritative.

10.7 This agreement may be executed in one or more counterparts, each of which when so executed shall be deemed to be an original, and such counterparts shall constitute the one and the same instrument, shall be deemed to be dated as of the date of this agreement.

10.8 This agreement shall be governed and interpreted in accordance with the laws of the province of Québec, and any law of Canada as may apply.

IN WITNESS THEREOF, THE PARTIES HAVE SIGNED,

FOR MAKIVIK

PITA AATAMI,
President, Makivik Corporation

Witness

FOR THE KATIVIK REGIONAL GOVERNMENT AND THE 14 NORTHERN VILLAGES IN THE KATIVIK REGION

JOHNNY N. ADAMS,
Chairman, Kativik Regional Government

Witness

INA GORDON,
Corporate Secretary, Kativik Regional Government

Witness

FOR THE KATIVIK MUNICIPAL HOUSING BUREAU

MAGGIE EMUDLUK,
President, Kativik Municipal Housing Bureau

Witness

FOR QUÉBEC

NATHALIE NORMANDEAU,
Ministre des Affaires municipales et des Régions

Witness

BENOÎT PELLETIER,
Ministre responsable des Affaires intergouvernementales canadiennes, de la Francophonie canadienne, de l'Accord sur le commerce intérieur, de la Réforme des institutions démocratiques et de l'Accès à l'information

Witness

GEOFFREY KELLEY,
Ministre délégué aux Affaires autochtones

Witness

FOR CANADA

ANDY SCOTT,
Minister, Indian Affairs and Northern Development

Witness

SCHEDULE A

ANNUAL ADJUSTMENT FORMULA

Description :

Canada's Contribution in any Fiscal Year of this Agreement, following the 2005-2006 Base Year, will be adjusted by applying inflation adjustors and population adjustors (based on population change), as specified below :

Population Change Adjustor : (Percentage rounded to the third decimal place)

On or before the coming into force and implementation of Complementary Agreement No. 18 to the JBNQA, the population change adjustor shall be measured on the basis of the year to year changes in the population of eligible Inuit beneficiaries in the Kativik Region, as shown in the Register of Inuit Beneficiaries, maintained by the ministère de la Santé et des Services sociaux du Québec, for June 30th of the Most Recent Year, extracted from the database on September 15th of that year. For the purposes of the population change adjustor, the "Most Recent Year" is the year prior to the year in which the

payment is being made. After the coming into force and implementation of the Complementary Agreement No. 18 to the JBNQA, the Register of Inuit Beneficiaries shall be maintained in accordance with its provisions.

Inflation Adjustor: (Percentage rounded to the third decimal place)

The inflation adjustor is measured on the basis of the three-year moving average in the FDDIPI (Final Domestic Demand Implicit Price Index – seasonally adjusted), which on the date of signing of this Agreement is reported in the Statistics Canada Catalogue #13-001-XPB, titled The National Income and Expenditure Accounts, Table 30 on May 6th, 2004. This is calculated on the basis of the FDDIPI values for the most recent year and the three previous years thereto. For the purposes of the inflation adjustor, the “Most Recent Year” shall be the calendar year two years prior to the Fiscal Year in which the payment is to be made (therefore, if the payment is to be made in Fiscal Year 2006-2007, the most recent calculation year is 2004).

Calculation steps:

1. Use previous year’s contribution amount.
2. Derive the percentage increase for population by dividing the year over year increase in the Population of Inuit Beneficiaries in the Kativik Region by the population in the year prior to the Most Recent Year, using June 30th as the reference point.
3. Multiply the percentage increase in population calculated above by the prior year funding base amount obtained in Step 1, to arrive at the volume adjustment.
4. The above volume adjustment is then added to the prior year Contribution to give the adjusted funding base amount **BEFORE THE INFLATION ADJUSTMENT**.
5. Derive the percentage increase for inflation by dividing the year over year increase in the four most recently available Final FDDIPI values. For the purposes of this Annex, the “Most Recent Year” shall be the calendar year two years prior to the Fiscal Year in which the payment is to be made (therefore, if the payment is to be made in Fiscal Year 2006-2007, the most recent calculation year is 2004). Then calculate the average of these three annual increases and this percentage determines the annual percentage increase for inflation. Each year the reference period moves forward one year.

6. Multiply the percentage increase in inflation calculated in Step 5 by the adjusted base funding after volume indexation calculated in Step 4.

7. Add the above inflation adjustment as calculated to the adjusted base funding amount as calculated in Step 4 to obtain the amount of the Contribution.

8. The amount determined in the above steps constitutes the amount of the Contribution for the year in which the payment is being made.

SCHEDULE B

PLANNING AND INFORMATION ELEMENTS

The following elements will be made available to the NHC.

5-year Housing Construction Plan

By September 15th, 2005, Makivik, in conjunction with the KMHB, shall submit an Inuit Housing Construction Plan covering the years of the Agreement, specifying the total numbers and size of the housing units to be constructed.

Annual Housing Construction Plan

By February 1st of each year, starting in 2005, Makivik, in conjunction with the KRG, shall provide to the NHC a plan specifying the number and size of housing units to be constructed, and their locations, for the upcoming fiscal year. Changes from the 5-year Housing Construction Plan should be explained in the Annual Housing Plan.

Annual Housing Construction Report

By June 1st of each year, Makivik shall provide a report on the number and size of housing units constructed in the just-completed fiscal year, and their locations.

Annual Employment and Training Report

By June 1st of each year, Makivik shall provide a report, with respect to the construction year just completed, which will provide the necessary data related to the acquisition of skills and job creation for the benefit of the Inuit population of Nunavik under this agreement.

M.O., 2005**Order number 2005-003 of the Minister of Transport dated 8 July 2005**

Highway Safety Code
(R.S.Q., c. C-24.2)

Regulation to amend the Regulation respecting road signs

THE MINISTER OF TRANSPORT AND MINISTER RESPONSIBLE FOR THE CAPITALE-NATIONALE REGION,

CONSIDERING section 289 of the Highway Safety Code which provides that the meaning of a road or traffic sign, whatever the medium, is the meaning assigned to the sign by the Minister in an order published in the *Gazette officielle du Québec*;

CONSIDERING that the Regulation respecting road signs was made by Order of the Minister of Transport on 15 June 1999;

CONSIDERING that is expedient to amend the Regulation;

CONSIDERING, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that a draft Regulation to amend the Regulation respecting road signs was published in the *Gazette officielle du Québec* of 25 August 2004, with a notice that it could be made by the Minister of Transport on the expiry of 45 days following that publication;

CONSIDERING that it is expedient to make the draft Regulation with amendments;

THEREFORE MAKES

The Regulation to amend the Regulation respecting road signs, attached hereto.

Québec, 8 July 2005

MICHEL DESPRÉS,
Minister of Transport and Minister responsible for the Capitale-Nationale region

Regulation to amend the Regulation respecting road signs*

Highway Safety Code
(R.S.Q., c. C-24.2, s. 289)

1. Section 1.1 of the Regulation respecting road signs is amended by inserting the following definition after “equipment transport vehicle”:

“farm motor vehicle” means a motor vehicle of the truck, pickup truck or small van type owned by a farmer and used mainly for the transportation of farm products or material required to produce them;”.

2. Section 4.1 is amended by inserting “, tow trucks” after “trucks”.

3. Section 24 is amended

(1) by adding the following signs after the first paragraph:



(2) by adding the following paragraph at the end:

“P-120-12 to P-120-14 signs do not apply to tow trucks, farm motor vehicles, farm machinery, farm tractors or oversized vehicles travelling under a special permit expressly authorizing access to a public road. “.

4. Section 25 is amended

(1) by adding “or on a tab sign” after “sign” at the end of the first paragraph;

* The Regulation respecting road signs was made by Order of the Minister of Transport dated 15 June 1999 (M.O., 1999) (1999, *G.O.* 2, 1642) and has been amended once by Order of the Minister of Transport dated 13 December 2000 (M.O., 2000) (2000, *G.O.* 2, 5911).

(2) by replacing the second paragraph by the following :

“P-130-1, P-130-2, P-130-15 to P-130-20 and P-130-25 to P-130-27 signs do not apply to tow trucks, farm motor vehicles, farm machinery, farm tractors or outsized vehicles travelling under a special permit expressly authorizing access to a public road.”.

5. Section 26 is amended by adding the following paragraph at the end :

“The P-130-24 sign does not apply to tow trucks.”.

6. Section 34 is amended by adding the following paragraph at the end :

“On P-200 signs, the silhouette located at the bottom also applies to all combinations of three vehicles or more.”.

7. Section 35 is amended by replacing the second paragraph by the following :

“The P-240 signs also apply to combinations of vehicles with a trailer or semi-trailer that is more than 10 m in length. The signs do not apply to trailers more than 10 m in length used for recreational purposes.”.

8. Section 44 is revoked.

9. Schedule 1 is amended

(1) by inserting the following P-130-P-2 tab sign after the P-130-P sign :



P-130-P-2

(2) by replacing “P-130-P” by “P-130-P-1”.

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

Draft Regulations

Draft Regulation

Food Products Act
(R.S.Q., c. P-29)

Food

— Amendments

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 Regulation respecting food, the text of which appears below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation indexes and harmonizes the cost of the fees payable for most permits in force in the food sector. It also fixes the fees for the service industry, specifically on the basis of the number of installations that keep certain foods hot or cold. It eliminates certain exemptions under the current regime and contains various consequential and transitional provisions.

To date, study of the matter has shown there to be very little direct economic impact on consumers. For enterprises, the draft Regulation entails an additional cost of \$3.4 million.

Further information may be obtained by contacting Daniel Tremblay, Direction de la normalisation et de l'appui à l'inspection des aliments, at (418) 380-2100, extension 3743, or Jean-Pierre Mailhot, Direction du service à la clientèle, at (418) 380-2100, extension 3406, both at the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation, 200, chemin Sainte-Foy, 11^e étage, Québec (Québec) G1R 4X6.

Any interested person having comments to make on the draft Regulation is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Agriculture, Fisheries and Food, 200, chemin Sainte-Foy, 12^e étage, Québec (Québec) G1R 4X6.

YVON VALLIÈRES,

Minister of Agriculture, Fisheries and Food

Regulation to amend the Regulation respecting food*

Food Products Act
(R.S.Q., c. P-29, s. 40, pars. *f*, *g* and *n*)

1. The Regulation respecting food is amended in section 1.1.1 by inserting the following after subparagraph *j* of the first paragraph:

“(k) “hot or cold unit”: for the purpose of establishing the fees payable for the permits referred to in subparagraphs 1 and 2 of the first paragraph and subparagraphs 1 and 3 of the second paragraph of section 1.3.6.7, a device, container or other installation designed to keep food hot at 60 °C or above, or to keep food cold at 13 °C or below and containing food offered to consumers in a self-service environment.

A device, container or installation referred to in the first paragraph that is at least 1.5 metres high and not more than 3.65 metres long constitutes a unit. If the device, container or installation is longer than 3.65 metres, the number of units is calculated by adding the lengths of each side accessible to the public and dividing the result obtained by 3.65 metres. The latter result is then rounded up to the next whole number; if the fraction is 0.5, the number is rounded up to the next higher whole number.

A device, container or installation not referred to in the second paragraph constitutes a unit if its surface area is 3.35 square metres or less. If that surface area exceeds 3.35 square metres, it constitutes more than one unit, namely the number obtained by dividing the surface area by 3.35 square metres. The result is then rounded up to the next whole number; if the fraction is 0.5, the number is rounded up to the next higher whole number.

In the case of devices, containers or installations referred to in the third paragraph placed side by side with no space in between, the surface area for the purpose of determining the number of units they constitute is the sum of the surface areas of each device, container or installation.

* The Regulation respecting food (R.R.Q., 1981, c. P-29, r.1) was last amended by the regulation made by Order in Council 466-2005 dated 18 May 2005 (2005, G.O. 2, 1224). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2005, updated to 1 March 2005.

Despite this subparagraph and for the purposes of the third paragraph of section 1.3.6.7, a device, container or any other installation that keeps food cold consisting solely of fresh whole, cut, peeled, grated or sliced fruit or vegetables is not taken into consideration in the calculation of the number of hot or cold units.

This subparagraph does not apply to the hot or cold units in the rooms of tourist accommodation establishments as defined in section 1 of the Regulation respecting tourist accommodation establishments made by Order in Council 1111-2001 dated 19 September 2001.”.

2. Section 1.3.1.1 is amended

(1) in the second paragraph,

(a) by replacing subparagraph 2 by the following:

“(2) where applicable, the registration number assigned to the person under the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons (R.S.Q., c. P-45);”;

(b) by inserting the following after subparagraph 6:

“(6.1) for the purpose of establishing the fees payable for the permits referred to in subparagraphs 1 and 2 of the first paragraph and subparagraphs 1 and 3 of the second paragraph of section 1.3.6.7, the total number of hot or cold units containing food offered to consumers in a self-service environment, other than units that keep food cold consisting solely of fresh whole, cut, peeled, grated or sliced fruit or vegetables, calculated in the manner described in subparagraph *k* of the first paragraph of section 1.1.1;”;

(2) by replacing the third paragraph by the following:

“Every permit application must be accompanied by payment to the Minister of Finance of the amount of the fees payable for the issue of each permit and by payment of the costs for the opening of a file for a permit application.

Despite the third paragraph, no costs for the opening of a file are payable for the permits referred to in paragraphs 3 and 4 of section 1.3.5.B.1 and paragraphs 3 and 4 of section 1.3.5.C.1.”.

3. Section 1.3.1.5 is amended by replacing “by money order or certified cheque, payable to the order of the Minister of Finance, at least 60 days prior to the date of expiry of the permit” by “to the Minister of Finance. The application and the fees payable must be received by the Minister before the permit expiry date.”.

4. Section 1.3.1.8 is amended by inserting “the number of hot or cold units,” after “validity period of the permit,” in the second paragraph.

5. Section 1.3.5.C.1 is amended

(1) by replacing “4” in the part before paragraph 1 by “6”;

(2) by replacing paragraphs 1 and 2 by the following:

“(1) “general preparation without buffet” permit;

(1.1) “general preparation with buffet” permit;

(2) “keep hot or cold without buffet” permit;

(2.1) “keep hot or cold with buffet” permit;”.

6. Section 1.3.5.C.2 is amended

(1) by inserting “without buffet” after “general preparation”;

(2) by adding “, without consumers being able to serve themselves unwrapped food in bulk for consumption on the premises other than beverages, soups, condiments such as ketchup, mustard or cut onions or dessert toppings such as cherries, peanuts or caramel sauce” at the end.

7. The following is inserted after section 1.3.5.C.2:

“**1.3.5.C.2.1.** A “general preparation with buffet” permit authorizes the holder to operate premises or a vehicle where the food preparations referred to in subparagraph *j* of the first paragraph and in the second paragraph of section 1.1.1 are carried on as part of the restaurateur’s business where consumers may serve themselves unwrapped food in bulk for consumption on the premises. The holder of the permit may also carry on the restaurateur’s business described in section 1.3.5.C.2.”.

8. Section 1.3.5.C.3 is amended

(1) by inserting “without buffet” after “keep hot or cold”;

(2) by adding “, without consumers being able to serve themselves unwrapped food in bulk for consumption on the premises other than beverages, soups, condiments such as ketchup, mustard or cut onions or dessert toppings such as cherries, peanuts or caramel sauce” at the end.

9. The following is inserted after section 1.3.5.C.3 :

“**1.3.5.C.3.1.** A “keep hot or cold with buffet” permit authorizes the holder to operate premises or a vehicle where the only preparation carried out is keeping food referred to in the second paragraph of section 1.1.1 hot or cold for the purposes of the restaurateur’s business, where consumers may serve themselves unwrapped food in bulk for consumption on the premises. The holder of the permit may also carry on the restaurateur’s business described in section 1.3.5.C.3.”.

10. Section 1.3.5.C.6 is amended by replacing ““general preparation” or “keep hot or cold” permits provided for respectively in sections 1.3.5.C.2 and 1.3.5.C.3” by ““general preparation without buffet”, “general preparation with buffet”, “keep hot or cold without buffet” and “keep hot or cold with buffet” permits provided for respectively in sections 1.3.5.C.2, 1.3.5.C.2.1, 1.3.5.C.3 and 1.3.5.C.3.1.”.

11. Section 1.3.5.D.1 is replaced by the following :

“**1.3.5.D.1.** An operator who is required to hold a permit under subparagraphs *m* and *n* of the first paragraph of section 9 of the Act for the same premises or vehicle need hold only one permit, which is the permit for the principal activity of the operation. When applying for the permit, the operator must indicate which of the two subparagraphs corresponds to the principal activity of the operation for which the permit is to be issued. The operator is then exempt from the application of the other paragraph.”.

12. Section 1.3.5.D.2 is amended

(1) by replacing “subparagraphs *m* or” in the first paragraph by “subparagraph”;

(2) by replacing “any of those permits” in subparagraph 2 of the first paragraph by “the permit”;

(3) by deleting subparagraph 3 of the first paragraph;

(4) by deleting the third paragraph.

13. The following is inserted after section 1.3.5.D.2 :

“**1.3.5.D.2.1.** An operator of premises who holds a permit under subparagraph *m* or *n* of the first paragraph of section 9 of the Act is exempt, for the duration of the permit, from the application of the subparagraph requiring that permit for other premises if the permit is a “non-profit” category permit and two or more premises are operated under the permit.

The operator must satisfy, however, in respect of each of the premises operated, the conditions of the fourth paragraph of section 1.3.1.3 for a permit to be obtained.”.

14. Section 1.3.5.D.3 is deleted.

15. The heading of subdivision 1.3.6 is replaced by “**§1.3.6. Fees payable**”.

16. Section 1.3.6.1 is amended by replacing paragraphs *a*, *b*, *c*, *e* and *f* by the following :

“(a) \$450 for an A-1 slaughterhouse permit ;

(b) \$450 for an A-1B slaughterhouse permit ;

(c) \$450 for an A-1P slaughterhouse permit ;

(e) \$450 for an A-3 slaughterhouse permit ;

(f) \$450 for an A-4 slaughterhouse permit.”.

17. Section 1.3.6.2 is amended by replacing paragraphs *a* and *c* to *g* by the following :

“(a) \$450 for a “general delicatessen” permit ;

(c) \$450 for a “meat cutting and mincing” permit ;

(d) \$450 for a “pizza preparation” permit ;

(e) \$450 for a “canned meat” permit ;

(f) \$450 for a “hare meat preparation” permit ;

(g) \$450 for a “canned hare meat” permit.”.

18. Section 1.3.6.3 is amended by replacing paragraphs *a* and *c* to *h* by the following :

“(a) \$450 for a “rendering plant” category permit ;

(c) \$450 for an “animal food cannery” category permit ;

(d) \$450 for a “depot” category permit ;

(e) \$450 for a “boning” category permit ;

(f) \$450 for a “raw meat” category permit ;

(g) \$450 for a “general preparation” category permit ;

(h) \$450 for a “special preparation” category permit.”.

19. Section 1.3.6.5 is amended by replacing paragraphs 1 to 5 by the following:

“(1) \$450 for a “salting and drying,” “salting or drying” category permit;

(2) \$450 for a “fresh, frozen or semi-preserved” category permit;

(3) \$450 for a “treatment shop” category permit;

(4) \$450 for a “hard-smoking shop” category permit;

(5) \$450 for a “sturgeon shop” category permit.”.

20. Section 1.3.6.6 is amended by replacing “\$350” by “\$450”.

21. Section 1.3.6.7 is replaced by the following:

“**1.3.6.7.** The fees payable for the issue or renewal of the permit prescribed in section 1.3.5.B.1 to operate premises or a vehicle where food is prepared to be sold at retail or to furnish services for remuneration related to food intended for human consumption are fixed at

(1) \$260 for a “general preparation” permit;

(2) \$200 for a “keep hot or cold” permit;

(3) \$28 for a “non-profit” permit; and

(4) \$28 for the first day of operation and an additional \$8 per day for each subsequent day for a “special events” permit.

The fees payable for the issue or renewal of the permit to operate premises or a vehicle where restaurateur activities provided for in section 1.3.5.C.1 are carried on are fixed at

(1) \$260 for a “general preparation without buffet” permit;

(2) \$400 for a “general preparation with buffet” permit;

(3) \$200 for a “keep hot or cold without buffet” permit;

(4) \$400 for a “keep hot or cold with buffet” permit;

(5) \$28 for a “non-profit” permit; and

(6) \$28 for the first day of operation and an additional \$8 per day for each subsequent day for a “special events” permit.

The fees provided for in subparagraphs 1 and 2 of the first paragraph are increased by \$12 per hot or cold unit as defined in subparagraph *k* of the first paragraph of section 1.1.1 where there are more than 5 units which contain food offered to consumers in a self-service environment on premises or in a vehicle referred to in this section.”.

22. Section 1.3.6.8 is amended in the French text by replacing “les droits exigibles” by “les droits et frais exigibles” and by replacing “Ces droits sont diminués” by “Ces droits et frais sont diminués”.

23. Section 1.3.6.9 is amended by adding the following paragraph:

“A person who applies for the issue of a permit may not be reimbursed for all or part of the costs paid for the opening of a file.”.

24. Section 1.3.6.10 is amended by replacing “\$75” by “\$200”.

25. The following is inserted after section 1.3.6.11:

“**1.3.6.12.** The costs for the opening of a file for a permit application are \$100 for each permit application. The fees are only \$100 if an application is for the issue of more than one permit.

Despite the first paragraph, no fees for the opening of a file are payable for the permit applications referred to in paragraphs 3 and 4 of section 1.3.5.B.1 and in paragraphs 3 and 4 of section 1.3.5.C.1.”.

26. Schedule 1.3.A is amended by striking out all that appears after “Made at... On...” in paragraph E.

27. Schedule 1.3.B is amended by striking out all that appears after “Made at... On...” at the end of the Schedule.

28. Schedule 1.3.C is amended by replacing “- The application for renewal must be received by the Minister 60 days before the expiry of the present permit.” by “- The application for renewal must be received by the Minister before the expiry of this permit.”.

29. Despite the first paragraph of section 1.3.6.8 of the Regulation respecting food, the fees payable under the Regulation, as modified by this Regulation, are indexed on 1 April 2006 in the manner provided in that section.

30. Every operator of premises or a vehicle who holds a permit required under subparagraph *m* or *n* of the first paragraph of section 9 of the Act that expires in the 90-day period following the coming into force of this Regulation is deemed, subject to the provisions of section 15 of the Act, to hold a valid permit until the permit is renewed following a renewal application and payment of the fees prescribed or until the expiry of the ninetieth day following the day of coming into force of this Regulation, if the application has not been received by the Minister and the fees have not been paid before that date. The permit renewal date is the date of the day after the day on which the permit expires.

31. Every holder of a permit required under subparagraph *a*, *b* or *e* of the first paragraph of section 9 of the Act who, on the premises where the permit holder carries on the activities indicated on the permit, prepares food intended for human consumption to be sold at retail or used to furnish services for remuneration, or who carries on a restaurateur business is deemed, subject to the provisions of section 15 of the Act, to hold the permit required under subparagraph *m* or *n* of the first paragraph of section 9 of the Act, until the permit holder has applied for the permit and paid the fees prescribed for its issuance or until the expiry of the ninetieth day following the day of coming into force of this Regulation, if the application has not been received by the Minister and the fees have not been paid before that date.

32. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*, except paragraph 2 of section 2 and section 25 of this Regulation which come into force on the one hundred twentieth day after the date of coming into force of this Regulation (*insert the date that occurs 120 days after the date of coming into force of this Regulation*).

Index

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

	Page	Comments
Agreement respecting the implementation of the James Bay and Northern Québec agreement related to housing in Nunavik (An Act respecting Makivik Corporation, R.S.Q., c. S-18.1)	2629	N
Agreement respecting the implementation of the James Bay and Northern Québec agreement related to housing in Nunavik (An Act respecting Northern Villages and the Kativik Regional Government, R.S.Q., c. V-6.1)	2629	N
Agreement respecting the implementation of the James Bay and Northern Québec agreement related to housing in Nunavik (An Act respecting the Société d'habitation du Québec, R.S.Q., c. S-8)	2629	N
Approval of an amendment to the plans of the proposed Parent lake marshlands, Pasteur lake, Missisicabi plain and Muskuuchii hills biodiversity reserves and to their conservation plans (Natural Heritage Conservation Act, R.S.Q., c. C-61.01)	2615	N
Authorization to assign temporary protection status to certain lands in the domain of the State as a proposed aquatic reserve or a proposed biodiversity reserve and approval of their plans and conservation plans (Natural Heritage Conservation Plan, R.S.Q., c. C-61.01)	2503	N
Food (Food Products Act, R.S.Q., c. P-29)	2637	Draft
Food Products Act — Food (R.S.Q., c. P-29)	2637	Draft
Highway Safety Code — Road signs (R.S.Q., c. C-24.2)	2635	M
Makivik Corporation, An Act respecting... — Agreement respecting the implementation of the James Bay and Northern Québec agreement related to housing in Nunavik (R.S.Q., c. S-18.1)	2629	N
Natural Heritage Conservation Act — Approval of an amendment to the plans of the proposed Parent lake marshlands, Pasteur lake, Missisicabi plain and Muskuuchii hills biodiversity reserves and to their conservation plans (R.S.Q., c. C-61.01)	2615	N
Natural Heritage Conservation Plan — Authorization to assign temporary protection status to certain lands in the domain of the State as a proposed aquatic reserve or a proposed biodiversity reserve and approval of their plans and conservation plans (R.S.Q., c. C-61.01)	2503	N
Northern Villages and the Kativik Regional Government, An Act respecting... — Agreement respecting the implementation of the James Bay and Northern Québec agreement related to housing in Nunavik (R.S.Q., c. V-6.1)	2629	N
Road signs (Highway Safety Code, R.S.Q., c. C-24.2)	2635	M

Société d'habitation du Québec, An Act respecting the... — Agreement respecting the implementation of the James Bay and Northern Québec agreement related to housing in Nunavik	2629	N
(R.S.Q., c. S-8)		