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DU Québec

Part

2

No. 1

3 January 2007

Laws and Regulations

Volume 139

Summary

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Regulations and other acts

Gouvernement du Québec

O.C. 1114-2006, 6 December 2006

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

Establishment of the “Réserve de biodiversité des Lacs-Vaudray-et Joannès”

WHEREAS, under section 43 of the Natural Heritage Conservation Act (R.S.Q., c. C-61.01), the Minister of Sustainable Development, Environment and Parks may recommend to the Government that permanent biodiversity reserve status be assigned to all or part of land set aside as a biodiversity reserve and that the applicable conservation plan be approved;

WHEREAS, in accordance with section 39 of the Act, following the setting aside of the proposed Vaudray and Joannès lakes biodiversity reserve, the Bureau d’audiences publiques sur l’environnement held a public consultation and made its report public on 18 March 2005;

WHEREAS the report recommends the assigning of permanent biodiversity reserve status, considering in particular public support for the project, and proposes among other things the boundaries of the proposed reserve be reviewed, mainly to increase the area of protection;

WHEREAS, taking into consideration the recommendations in the report, the Minister has prepared a new conservation plan and has revised and extended the total protected area and revised the proposed conservation plan for the biodiversity reserve and the plan and land description attached to this Order in Council;

WHEREAS the land included in the protected area is part of the domain of the State and is not part of a reserved area or an agricultural zone established under the Act respecting the preservation of agricultural land and agricultural activities (R.S.Q., c. P-41.1);

WHEREAS the Commission de toponymie has approved the use of the name “Réserve de biodiversité des Lacs-Vaudray-et-Joannès”;

WHEREAS Ville de Rouyn-Noranda, within the scope of its regional county municipality powers, has certified that the proposed biodiversity reserve is consistent with the objectives of its land use planning and development plan;

WHEREAS, to facilitate the preservation of biodiversity, it is expedient to assign permanent biodiversity reserve status to the land described in the plan and the land description attached to this Order in Council, under the name “Réserve de biodiversité des Lacs-Vaudray-et-Joannès”, and to approve the proposed conservation plan for the biodiversity reserve;

WHEREAS section 45 of the Natural Heritage Conservation Act provides that permanent protection status for land and the applicable conservation plan take effect on the date of publication of the order in the *Gazette officielle du Québec* or on any later date specified in the order;

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

THAT permanent biodiversity reserve status be assigned to the land, the boundaries of which appear on the plan and in the land description attached to this Order in Council, under the name “Réserve de biodiversité des Lacs-Vaudray-et Joannès”;

THAT the proposed conservation plan for the area, the text of which is attached to this Order in Council, be approved;

THAT the biodiversity reserve status and the conservation plan of the reserve take effect on the date of the publication of this Order in Council in the *Gazette officielle du Québec*.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

PROVINCE OF QUÉBEC
REGISTRATION DIVISION OF ROUYN-NORANDA

LAND DESCRIPTION

VAUDRAY AND JOANNÈS LAKES
BIODIVERSITY RESERVE

A territory of irregular shape in the territory of Ville de Rouyn-Noranda, a town with regional county municipality powers, in the Abitibi-Témiscamingue administrative region, that includes the following lots and parts of lots with reference to the original survey:

in the **township of Joannès:**

lots 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 58, 59, 60, 61, part of lots 29, 30, 31 and two parts of lots 56 and 57 of Range I;

lots 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 60, 61, part of lots 28, 29, 59, 62, two parts of lot 57 and three parts of lots 27 and 58 of Range II;

lots 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 59, 60, 61, part of lots 24, 25, 26, 27, 28, 55, 62, two parts of lots 23, 56, three parts of lot 58 and four parts of lot 57 of Range III;

lots 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 59, 60, 61, part of lots 22, 23, 25, 57, 58, 62 and two parts of lots 24 and 56 of Range IV;

lots 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, part of lots 21, 22, 23, 24, 25, 26, 52, 54, 55, 57, 60, 61, 62, two parts of lots 56, 58, 59 and three parts of lot 53 of Range V;

in the **township of Bousquet:**

two undivided parts of the township of Bousquet;

in the **township of Montanier:**

one undivided part of the township of Montanier;

in the **township of Vaudray:**

one undivided part of the township of Vaudray;

The cadastral designation is identical to that of the original survey, except for the townships of Bousquet, Montanier and Vaudray in which there is no cadastral designation.

Joannès and Vaudray lakes are included in the territory of the proposed biodiversity reserve.

The perimeter of the territory may be described as follows, to wit:

Commencing at point 1 (5 342 025 m North, 366 239 m East) situated on the range line separating Ranges V and VI of the township of Joannès, at a distance of 15.0876 metres south of the centre of the railway;

Thence, easterly, along the southern right of way, a width of 15.0876 metres from the centre of the railway, to its meeting point with the west side of the right of way of chemin Norbord, which is 40 metres in width, namely point 2 (5 341 983 m North, 367 530 m East);

Thence, in an average southerly direction, along the west side of the right of way of chemin Norbord, which is 40 metres in width, to a point situated 20 metres to the west of the meeting point of Norbord and Joannès-Vaudray roads, namely point 3 (5 324 829 m North, 366 655 m East);

Thence, southerly, along the west side of the right of way of chemin Norbord, which is 40 metres in width, to its meeting point with the left bank of an unnamed intermittent stream, namely point 4 (5 321 999 m North, 366 449 m East);

Thence, successively westerly then southerly along the intermittent stream, whose bed is within the biodiversity reserve, to its meeting point with the high-water mark of the left bank of rivière Kinojévis, namely point 5 (5 321 241 m North, 364 940 m East);

Thence, northwesterly, along the high-water mark of the left bank of rivière Kinojévis, whose bed is excluded from the biodiversity reserve, to its meeting point with the high-water mark of the right bank of ruisseau Picard, namely point 6 (5 326 206 m North, 358 459 m East);

Thence, in an average northerly direction, along the high-water mark of the right bank of ruisseau Picard, whose bed is within the biodiversity reserve, to its meeting point with the eastern limit of a trail, namely point 7 (5 331 523 m North, 360 363 m East);

Thence, in an average northwesterly direction, along the trail, which is excluded from the biodiversity reserve, to its meeting point with the southern limit of another trail, namely point 8 (5 331 811 m North, 359 909 m East);

Thence, in an average northerly direction, along the trail, which is excluded from the biodiversity reserve, to its meeting point with the left bank of an unnamed intermittent stream, namely point 9 (5 333 490 m North, 360 085 m East);

Thence, northwesterly, along a straight line to point 10 situated on the eastern limit of a trail whose coordinates are: 5 333 826 m North, (359 866 m East);

Thence, in an average northerly direction, along the trail, which is excluded from the biodiversity reserve, to its meeting point with the high-water mark of the left bank of an unnamed stream, namely point 11 (5 335 831 m North, 359 153 m East);

Thence, in an average westerly direction, along the high-water mark of the left bank of the unnamed stream, whose bed is within the biodiversity reserve, to its meeting point with the high-water mark of the left bank of an unnamed stream, namely point 12 (5 335 832 m North, 359 068 m East);

Thence, in an average northerly direction, along the high-water mark of the left bank of the unnamed stream, whose bed is within the biodiversity reserve, to its meeting point with the high-water mark of the left bank of an unnamed stream, namely point 13 (5 336 504 m North, 358 943 m East);

Thence, in an average westerly direction, along the high-water mark of the left bank of the unnamed stream, whose bed is within the biodiversity reserve, to its meeting point with the high-water mark of the left bank of an unnamed stream, namely point 14 (5 336 517 m North, 358 897 m East);

Thence, in an average northerly direction, along the high-water mark of the left bank of the unnamed stream, whose bed is within the biodiversity reserve, to its meeting point with the high-water mark of an unnamed lake, namely point 15 (5 337 119 m North, 358 910 m East);

Thence, in an average northwesterly direction, along the high-water mark of the western shore of the unnamed lake, whose bed is within the biodiversity reserve, to its meeting point with the high-water mark of the left bank of an unnamed stream, namely point 16 (5 337 321 m North, 358 645 m East);

Thence, in an average northwesterly direction, along the high-water mark of the left bank of the unnamed stream, whose bed is within the biodiversity reserve, to its meeting point with the high-water mark of an unnamed lake, namely point 17 (5 337 615 m North, 358 460 m East);

Thence, in an average northwesterly direction, along the high-water mark of the western shore of the unnamed lake, whose bed is within the biodiversity reserve, to its meeting point with the high-water mark of the left bank of an unnamed stream, namely point 18 (5 337 709 m North, 358 347 m East);

Thence, in an average northerly direction, along the high-water mark of the left bank of the unnamed stream, whose bed is within the biodiversity reserve, to its meeting point with the high-water mark of the left bank of an unnamed stream, namely point 19 (5 338 105 m North, 358 320 m East);

Thence, in an average northwesterly direction, along the high-water mark of the left bank of the unnamed stream, whose bed is within the biodiversity reserve, to its meeting point with the line separating lots 23 and 24 of Range III of the township of Joannès, namely point 20 (5 338 418 m North, 357 877 m East);

Thence, northerly, along the line separating lots 23 and 24 of Range III of the township of Joannès to point 21 whose coordinates are: 5 338 435 m North, 357 876 m East;

Thence, northwesterly, along a straight line to point 22 whose coordinates are: 5 338 439 m North, 357 874 m East;

Thence, northwesterly, along a straight line to the meeting point with the high-water mark of the left bank of an unnamed stream, namely point 23 (5 338 491 m North, 357 864 m East);

Thence, in an average northerly direction, along the high-water mark of the left bank of the unnamed stream, whose bed is within the biodiversity reserve, to point 24 whose coordinates are: 5 338 498 m North, 357 862 m East;

Thence, northwesterly, along a straight line to the meeting point with the high-water mark of the right bank of an unnamed stream, namely point 25 (5 338 501 m North, 357 862 m East);

Thence, in an average northerly direction, along the high-water mark of the right bank of the unnamed stream, whose bed is within the biodiversity reserve, to point 26 whose coordinates are: 5 338 559 m North, 357 850 m East;

Thence, northwesterly, along a straight line to the meeting point with the high-water mark of the right bank of an unnamed stream, namely point 27 (5 338 576 m North, 357 846 m East);

Thence, in an average northeasterly direction, along the high-water mark of the right bank of the unnamed stream, whose bed is within the biodiversity reserve, to point 28 situated on the high-water mark of the right bank of the unnamed stream whose coordinates are: (5 338 851 m North, 358 023 m East);

Thence, northeasterly, along a straight line to point 29 situated on the eastern limit of a trail whose coordinates are: 5 339 041 m North, 357 943 m East;

Thence, in an average northeasterly direction, along the trail, which is excluded from the biodiversity reserve, to its meeting point with the northern limit of another trail, namely point 30 (5 339 466 m North, 358 253 m East);

Thence, in an average northwesterly direction, along the trail, which is excluded from the biodiversity reserve, to its meeting point with the high-water mark of the right bank of an intermittent stream, namely point 31 (5 339 838 m North, 357 563 m East);

Thence, in an average northeasterly direction, along the high-water mark of the right bank of the intermittent stream, which is within the biodiversity reserve, to point 32 situated on the high-water mark of the right bank of the intermittent stream whose coordinates are: 5 340 112 m North, 357 758 m East;

Thence, northwesterly, along a straight line to point 33 situated on the eastern limit of a trail whose coordinates are: 5 340 699 m North, 357 464 m East;

Thence, in an average northerly direction, along the trail, which is excluded from the biodiversity reserve, to its meeting point with the southern limit of another trail, namely point 34 (5 341 451 m North, 357 340 m East);

Thence, in an average northeasterly direction, along the trail, which is excluded from the biodiversity reserve, to its meeting point with the southern limit of another trail, namely point 35 (5 341 506 m North, 357 423 m East);

Thence, in an average easterly direction, along the trail, which is excluded from the biodiversity reserve, to its meeting point with the southern limit of another trail, namely point 36 (5 341 522 m North, 357 474 m East);

Thence, in an average northeasterly direction, along the trail, which is excluded from the biodiversity reserve, to its meeting point with the south side of the right of way of highway 117, which is 27.44 metres in width, namely point 37 (5 341 662 m North, 357 583 m East);

Thence, easterly, along the south side of the right of way of highway 117, which is 27.44 metres in width, to its meeting point with the line separating Ranges V and VI of the township of Joannès, namely point 38 (5 341 948 m North, 358 407 m East);

Thence, easterly, along the line separating Ranges V and VI of the township of Joannès to point of commencement 1.

An irregular polygon is excluded from the territory described above. For the purposes of the description, the polygon is divided into three parts: part 1 made up of all the regulated roads described below; part 2 made up of the resort area of lac Joannès; and part 3 made up of the resort area of lac Vaudray;

Part 1:

All the regulated roads, namely Joannès-Vaudray, des Bouleaux, des Sapins, des Cèdres and des Vallons roads, are excluded from the biodiversity reserve. The right of way of the roads is 21 metres, 10.5 metres on either side of the centreline of the current roadway;

Chemin Joannès-Vaudray ends at the south at its meeting point with an unnamed road and the meeting point of those two roads is situated at the following coordinates: 5 325 364 m North, 366 680 m East;

To that exclusion is added a parcel of private land bordering chemin Joannès-Vaudray in the northern part of the biodiversity reserve, that land being known and designated as lot 56-9 of Range V of the township of Joannès;

Part 2:

Exclusion of the resort area of lac Joannès to the right of way of des Bouleaux and Joannès-Vaudray roads excluded in Part 1;

That exclusion ends in the western part of lac Joannès with the last parcel of resort land known and designated as lot 53-5 of Range V of the township of Joannès, where chemin des Bouleaux ends;

That exclusion ends in the southeastern part of lac Joannès with the last parcel of resort land known and designated as lot 56-3 of Range III of the township of Joannès, south of chemin des Sapins;

That exclusion is limited by the high-water mark of lac Joannès whose bed and shores are included in the perimeter of the biodiversity reserve;

To that exclusion is added, in the portion situated along chemin des Bouleaux, a parcel of private land situated north of chemin des Bouleaux known and designated as a remainder of lot 15 of the original survey (township of Joannès), and a parcel of private land situated north of chemin des Bouleaux known and designated as lot 54-2 of Range V of the township of Joannès;

Part 3:

Exclusion of the resort area of lac Vaudray to the right of way of des Vallons and Joannès-Vaudray roads excluded in Part 1;

That exclusion ends in the northwestern part of lac Vaudray with the last parcel of resort land known and designated as lot 1 of Range A of the undivided township of Vaudray, where chemin des Vallons ends;

That exclusion ends in the southeastern part of lac Vaudray at an unnamed road, which is excluded from the biodiversity reserve, and at the southern limit of the resort land known and designated as lot 127 of Range A of the undivided township of Vaudray;

To that exclusion is added a parcel of private resort land situated east of chemin Joannès-Vaudray known and designated as lot 128 of Range A of the undivided township of Vaudray;

The exclusion in Part 3 is limited to the high-water mark of lac Vaudray whose bed and shores are included in the perimeter de la biodiversité reserve.

The territory of the biodiversity reserve within the perimeter described above contains approximately 19,307 hectares (193.07 square kilometres).

The territory is shown on two plans drawn to a scale of 1:20 000 from an extract of the cadastral compilation and plotting chart, sheets 32D 02-200-0101, 32D 02-200-0102, 32D 02-200-0201 and 32D 02-200-0202 and maps of the townships of Bousquet, Joannès, Montanier and Vaudray, produced by the Ministère des Ressources naturelles et de la Faune of Québec. Not having done land surveys, the dimensions of the territory described and their precision are those existing when the plans were prepared. The following documents were also consulted:

— Subdivision plan of a part of lot 56 of Range IV of the township du Joannès;

— Plan of parcels 2 and 3 of lot 52, parcel 12 of lot 53, parcel 7 of lot 54 and parcel 18 of lot 55 of Range V, township of Joannès, filed on 25 September 1989; file: 21375/38-A, sec.2 and 11756 / 35-A, sec.2;

— Plan of parcels 2 to 8 of lot 56 of Range III and parcels 24 to 50 of lot 56 of Range IV, township of Joannès, filed on 12 March 1976; file: 11756 / 35-A;

— Plan of parcels 1 to 16 of lot 57 of Range V, township of Joannès, filed on 12 March 1976; file: 11756 / 35-A;

— Plan of parcel 1 of lot 55 of Range III and parcel 1 of lot 56 of Range III, township of Joannès, filed on 12 March 1976; file: 11756 / 35-A and 87902-T;

— Plan of parcels 2 to 7 of lot 22 of Range A and parcels 2 to 7 of lot 25 of Range A, township of Vaudray; filed on 8 November 1983; File: 11756 / 35-A sec.2;

— Plan of parcels 1 and 2 of lot 1 of Range A, township of Vaudray, filed on 21 October 1981; file: 21375 / 38-A, sec.2;

— Plan showing the subdivision of Range A, township of Vaudray, dated 25 October 1955; file: L21375,38.

NOTES:

— The coordinates in this land description are expressed in metres in relation to the Québec plane coordinate system (SCOPQ), modified transverse Mercator map projection system (MTM), Zone 10 (central meridian at 79°30'00" west), North American Datum 1983 (NAD 83).

— Measures expressed in the International System of Units (SI).

— The perimeter of the biodiversity reserve is based on the actual boundaries of the elements described in this document and must be legally interpreted accordingly. The cartographic boundary of the biodiversity reserve was prepared by the Direction du patrimoine écologique et des parcs, Ministère du Développement durable, de l'Environnement et des Parcs, using the Québec topographical database to the scale of 1:20 000 produced by the Ministère des Ressources naturelles et de la Faune. This land description was prepared in reference to that perimeter.

— The territory of the biodiversity reserve as described in this land description contains only lands in the domain of the State. Any land that is not in the domain of the State is excluded from the biodiversity reserve.

— Sheets 1 and 2 make up the plan that accompanies and is an integral part of this land description. They bear the same minute number.

— In accordance with the instructions of the representative of the Direction du patrimoine écologique et des parcs, the information in the base documents supplied by the mandator, from which this land description was prepared, was taken to be true.

— Land survey of the boundaries of the territory will if needed more precisely define the perimeter of the biodiversity reserve.

Prepared at Québec, this ninth day of June 2006, under number 9381 of my minutes.

DENIS VAILLANCOURT,
Land Surveyor

Place of signing: Québec
File: 71-00
Minute: 9381

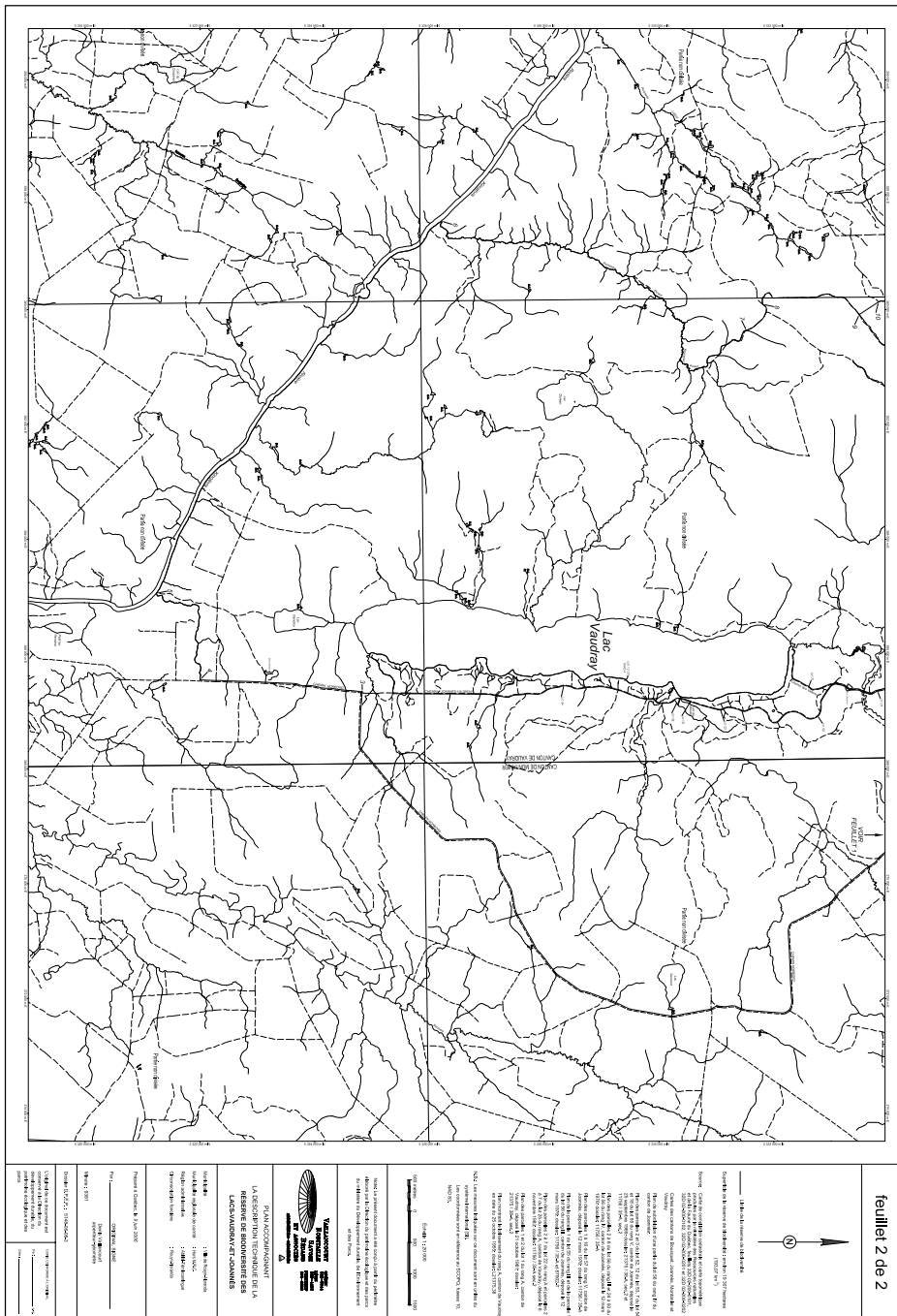
Ministère du Développement durable, de
l'Environnement et des Parcs du Québec

File No. at the Direction du patrimoine écologique et
des parcs: 5148-06-08-3

TRUE COPY OF THE ORIGINAL
Québec, this 12th day of June 2006

.....(signed)....., l.s.

APPENDIX 1 (suite)



feuille 2 de 2



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MINISTÈRE DE L'ENVIRONNEMENT ET DES FORÊTS
 LA RÉSERVE DE BIEN-ÊTRE DE LA
 LAC-BEAUPORT ET LA
 LAC-VAUDRY

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STRATÉGIE QUÉBÉCOISE SUR LES AIRES PROTÉGÉES



Vaudray & Joannès Lakes Biodiversity Reserve

Plan de conservation



December 2006

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Introduction

By granting the Vaudray and Joannès Lakes Biodiversity Reserve permanent status as a conservation area, the Government of Quebec is taking definitive action to protect representative samples of the biological diversity of the natural province of the Abitibi and James

Bay lowlands, and more specifically the representative ecosystems of the natural region of Lake Témiscamingue's lowlands. This biodiversity reserve joins a vast network of representative and exceptional conservation areas covering various Quebec ecosystems.

The Vaudray and Joannès Lakes Biodiversity Reserve was chosen principally for its range of vegetation, particularly its forests of black spruce, mixed stands and birch, but also for its pine forests and barrens, which are relatively uncommon in the region. Several old-growth forests and larch stands are present as well as sand dunes. The biodiversity reserve protects part of an esker, which hosts six kettles including four small kettle lakes. It also protects aquatic and shoreline ecosystems, particularly those of Vaudray and Joannès Lakes, which are relatively significant in size and whose eastern shores are densely populated and used.

The biodiversity reserve is unique for its location within a populated area. Its proximity to the urban centre of Rouyn-Noranda requires management that balances biodiversity conservation with recreational land use and occupation.

1. Official toponym

The biodiversity reserve's official name is "Réserve de biodiversité des Lacs-Vaudray-et-Joannès", referring to the two main lakes within its territory.

2. Plan and description**2.1 Location, boundary and dimensions**

The boundaries and location of the Vaudray and Joannès Lakes Biodiversity Reserve appear on the map in Appendix 1.

The reserve is located within the municipal jurisdiction of the City of Rouyn-Noranda, in the Abitibi-Témiscamingue administrative region, between 48°01'30" and 48°13'00" latitude north, and 78°35'30" and 78°47'30" longitude west. Downtown Rouyn-Noranda is less than 20 kilometres west of the reserve, which can be accessed via Route 117. The reserve covers an area of 193.07 km².

The Vaudray and Joannès Lakes Biodiversity Reserve is bounded to the east by Norbord Road, to the northeast by the Canadian National railway, to the north by a primitive survey line separating two ranges, to the northwest by Route 117, to the west by a combination of impassable roads and streams, to the southwest by Picard Brook and the Kinojévis River, and to the south by a nameless stream.

2.2 Ecological profile

The Vaudray and Joannès Lakes Biodiversity Reserve is part of the natural province of the Abitibi and James Bay lowlands. According to Li and Ducruc (1999), this natural province consists of a plain slightly inclined toward James Bay. The reserve protects representative ecosystems of the natural region of the Lake Témiscamingue lowlands and is part of the physiography of Lake Vaudray's hummocky plain.

2.2.1. Representative elements

Geology: The bedrock within the Vaudray and Joannès Lakes Biodiversity Reserve is largely sedimentary and more specifically detrital rock such as sandstone, arkose and graywacke. There are also areas of granite (granite, granodiorite, monzonite, syenite) to the east of Vaudray and Joannès Lakes, and an area of ultramafic volcanic rock (komatiite, magnesian basalt) to the west of Joannès Lake. This rock system belongs to the geological sub-province of the Pontiac. The sub-province is bounded to the north by the Cadillac fault, north of which is the sub-province of the Abitibi. The Pontiac and Abitibi sub-provinces belong to the Superior geological province, which forms the central part of the Canadian Shield and whose basement is Archean (more than 2.5 billion years old). The Canadian Shield contains rock systems among the oldest on earth.

Geomorphology: When the former Ojibway-Barlow glacial lake melted about 8500 years ago, the rock basement was covered with a thick layer of poorly drained glaciolacustrine (silt and clay) and glaciofluvial (sand and gravel) sediments. A subglacial river left a long and sinuous trail of sand and gravel to form the esker, and glacial deposits formed a moraine of no particular morphology. A series of thin, moderately drained hummocks of till surround the depression holding Vaudray and Joannès Lakes. Erosion from the waves of Barlow-Ojibway Lake created the highest buttes of silt (Veillette, 2000). Only the finest sediments were carried where the current was strongest, and sand is all that remains. When the glacial lake dropped, stretches of sand were revealed. West winds then carried the sand into dunes. Once active but now fixed, the sand dunes are an uncommon deposit across the reserve's natural region. They are located to the east of Vaudray and Joannès Lakes.

Today, the region features a rolling plain of impervious silty clay soil, punctuated by low, rocky hills. This series of till buttes hems in the depression holding Vaudray and Joannès Lakes. Ombrotrophic peat bogs have developed in the poorly drained hollows, with the peat covering fine deposits. The relief varies from 267 to 412 metres, and the average altitude is 316 metres.

Six kettles are found within the reserve, consisting of cauldron-shaped depressions in glaciofluvial deposits such as eskers. Some of the depressions are deeper than the esker's body of groundwater. Such kettles are therefore filled with water, forming kettle lakes. Other kettles are also full of water even though no stream feeds them and their bottom is much higher than the level at which the esker's waters circulate. These are perched lakes, since their water level is higher than the esker's. Among the reserve's four kettle lakes one is a perched lake.

Hydrography: The biodiversity reserve is part of the Outaouais River watershed; Vaudray and Joannès Lakes are among the river's headwaters. The reserve includes about 140 lakes covering an area of 14 km², which represents 7.3 % of the reserve's total area. The lakes have not significantly been affected by acid rain. Many of the bodies of water were created by beaver dams.

Formed in a fracture of the earth's crust, Vaudray and Joannès Lakes both run north-south. The two sandy bottomed lakes differ from other Abitibi region lakes, whose bottoms are often of clay, by their significant depth and greater transparency (1.5 to 2.5 m).

The well-developed drainage system consists mainly of intermittent bodies of water. The Vaudray River, which winds through the territory over roughly 6 kilometres, is the largest watercourse. The imperviousness of the water-laid clay and the low relief foster wetlands in the low-lying areas: such wetlands cover 12.6 km², or 7.1% of the reserve's terrestrial surface.

Climate: The Vaudray and Joannès Lakes watershed are found at the junction of two continental climates: the southwest sector (2/3 of the territory) is under the influence of a mild, subhumid subpolar climate with a long growing season, while the northeastern part (1/3) is subhumid subpolar with an average growing season. The territory belongs to the balsam fir-white birch bioclimatic domain. Overall, the reserve's climate features relatively hard winters, fairly hot summers, heavier precipitation during the summer and no dry season.

Vegetation: Belonging to the balsam fir-white birch bioclimatic domain, the forest occupies 75% of the biodiversity reserve, and consists mainly of softwood stands (47%) in the higher elevations and mixed stands on the slopes (23%). Black spruce (*Picea mariana*) is the dominant species. It is most often accompanied by white spruce (*Picea glauca*), balsam fir (*Abies balsamea*), white birch (*Betula papyrifera*), and aspen poplar (*Populus tremuloides*). American black ash (*Fraxinus nigrus*) and cedar (*Thuja occidentalis*) grow along certain shorelines. Black spruce groves (about 62% of

the forest), mixed stands (about 23%) and white birch stands (about 16%) are the most abundant. Rarer are those of the jack pine (*Pinus banksiana*) and tamarack (*Larix laricina*). Only 1% of the reserve is covered with pure jack pine forests, and another 1% have a certain proportion of the species. Less than 1% of the reserve has forests with tamarack. Mature and old-growth forests – having stands of 90 years or older – represent 17% of the forest cover; they are most common in the western sector. Such old forests provide habitat for species not found elsewhere in the protected area since the quantity of coarse woody debris increases as a function of a forest's maturity. Insects and mushrooms associated with dead wood are more abundant and diversified than those associated with live trees.

The imperviousness of the water-laid clay and the low-lying relief foster the development of numerous wetlands and alder groves in the troughs. The depressions covered in poorly drained organic matter are occupied by peat bogs. An acidic ecosystem, peat bogs feature deposits between two and five metres thick consisting entirely of preserved organic debris, including black spruce and tamarack, from underwater decomposition. Roughly 120 wetlands in the reserve cover a total area of about 20 km². Barrens and forest barrens occupy less than half a percent of the reserve's surface area (0.8 km²), with the heaths growing on rocky areas and thin tills on the buttes. These sparsely wooded habitats are dominated by ericaceous plants and lichens.

Wildlife: Joannès Lake holds at least 14 species of fish: yellow walleye, sauger, perch, monk fish, rock bass, northern pike, slimy sculpin, lake herring, log perch, whitefish, white sucker, trout-perch, spottail shiner and shorthead redhorse. Vaudray Lake holds only eight species, two of which are not found in Joannès Lake: mottled sculpin and black johnny darter.

The reserve's mammals include black bear, American porcupine, long-tailed weasel, Canadian beaver, coyote, red squirrel, snowshoe hare, grey wolf, river otter, Canadian lynx, American marten, fisher, striped skunk, muskrat, red fox, ermine, American mink, moose, and northern flying squirrel.

Among 118 species of birds identified, 98 nest in the reserve (SLOA, 2004a). The rare sandhill crane (*Grus canadensis*) is occasionally seen. Thanks to its many wetlands, the reserve provides good habitat for nesting waterfowl. Beaver ponds, which tend to breed cattails, are considered highly productive, with as many as 2.4 broods of duck per hectare. The following species nest in the reserve: American black duck, green-winged teal, common merganser, ring-necked duck and common

goldeneye. Other species of waterfowl are observed in the reserve, but are considered potential nesters only: blue-winged teal, hooded merganser, bufflehead and American wigeon (S. Gagnon, CIC, comm. pers.).

Many species associated with mature and overmature forests are present, among them the northern goshawk and pileated woodpecker in hardwood stands, and the brown creeper in the softwood forests.

2.3 Occupation and land use

The various forms of occupation and land use within the Vaudray and Joannès Lakes Biodiversity Reserve appear on the map in Appendix 2.

The territory includes 45 land rights, distributed as follows:

- 1 cottage lease;
- 41 rough shelter leases;
- 1 telecommunications tower;
- 1 lease for a community vacation camp (Centre éducatif forestier du lac Joannès);
- 1 right of way for a network of hiking trails (Centre éducatif forestier du lac Joannès).

The site of the Centre éducatif forestier (CEF) du lac Joannès is governed by the charter of a private organization, the Association forestière de l'Abitibi-Témiscamingue, and is recognized as a protected area.

The entire reserve land is part of the fur-animal management unit 04 (unité de gestion des animaux à fourrure – UGAF 04). It covers 12 trapping lands.

A canoe-kayak route begins at Le Jeune Lake, traveling via Joannès Lake to its end at Bousquet Lake, which is outside the reserve.

There is also a small network of bicycle trails within the reserve, which use existing logging roads.

There is a major network of trails that run through the reserve, mainly for all-terrain vehicles, which are used to access hunting camps.

A historic portage route is located at the reserve's southern limit, linking Gendron Lake to the Kinojévis River.

3. Conservation and development of the Vaudray and Joannès Lakes Biodiversity Reserve

This section describes the specific conservation and development priorities and goals which are unique to the Vaudray and Joannès Lakes Biodiversity Reserve.

Protecting the biodiversity

The goal of the biodiversity reserve's management shall be to protect the ecosystems and species which depend on the reserve, in other words, the processes governing their lives shall be maintained. This also means that currently disrupted ecosystems shall be allowed to return to their natural characteristics and balance.

Biodiversity protection also seeks to safeguard the landscape and current occupation and land use which are compatible with the conservation goals of the biodiversity reserve and protected areas. The goal of managing current occupation and activities shall be to ensure minimal negative impact on the biodiversity.

Specific goals:

1. To re-establish natural balance in disrupted forest ecosystems:

Forest ecosystems in the Vaudray and Joannès Lakes Biodiversity Reserve were subject to diverse logging activities in the 1990s. Such sectors cover 8% (15 km²) of the reserve's land area, located mainly in the eastern sector near Norbord Road and to the south near Gendron Lake. Establishment of the biodiversity reserve will foster a return to these forests' natural balance. However, other anthropogenic impacts from recreational activities should be subject to controls.

2. To rationalize the trail network:

There are many trails in the reserve, totalling approximately 370 linear kilometres, most of which are located in the eastern sector. This represents about 1.9 linear kilometres of trail per square kilometre. However, not all routes are necessarily used and some have already grown over. The highly developed trails and their use by all-terrain vehicles affect the natural environment by fragmenting it, facilitating erosion, leaving traces on sensitive environments, and potentially disrupting wildlife. The trail network should be streamlined to minimize disruption of the natural environment. Rationalization would also be an opportunity to give certain trails a specific vocation to avoid conflicts in their use. A rationalization exercise (inventory, vocation, prioritization) shall be implemented by the reserve manager and regional partners within the first year the reserve is granted permanent status.

3. To protect lake ecosystems and shorelines and preserve water quality in Vaudray and Joannès Lakes:

There are more than 200 vacation cottages on Vaudray and Joannès Lakes, almost entirely located on their eastern shores. About 250 motorized boats and 100 anglers have been estimated. Cottages affect the aquatic and littoral environments when their sanitary facilities function improperly, when shorelines are deforested beyond legal limits, and when chemical products (fertilizers, pesticides) are used to maintain properties. The Ministère du Développement durable, de l'Environnement et des Parcs seeks to protect the lacustrine and riparian ecosystems, improve water quality in Vaudray and Joannès Lakes, and prevent acceleration of the lakes' eutrophication. The goals shall be accomplished by promoting good practices (in terms of motorboat and personal watercraft use, ecological property maintenance, shoreline landscaping and deforestation, and maintenance of sanitary facilities) and by applying current regulations. Cottagers and all other users of the shorelines, lakes and rivers should have adequate information and conduct themselves in accordance with existing regulations.

Research and monitoring of the natural environment

Acquiring new knowledge and information about the reserve allows the monitoring of and reporting on its biodiversity, and contributes significantly to its specific natural heritage conservation goals. New knowledge also fosters discovery, education and awareness activities. Knowledge helps managers analyze development projects and encourages a common understanding with other stakeholders of the issues at hand.

Ecological knowledge, particularly regarding the environment's support capacity, and information on the impact of recreational and tourism activities on the natural environment should be developed to better appreciate the reserve's wealth and to provide the data and resources required for sound management, which fosters conservation of the reserve's biodiversity.

In addition, the territory is now a control site for the natural evolution of ecosystems in the natural province of the Abitibi and James Bay lowlands. Its scientific value is therefore significant. Given the intense industrial use of the Abitibi region, scientific research, knowledge and monitoring in the biodiversity reserve offers comparisons with similar ecosystems subject to intense anthropogenic impacts outside the protected areas.

Specific goal:***1. To monitor the natural environment:***

The natural environment shall be monitored to determine if the biodiversity reserve and its management model achieve the biodiversity protection goal. The Ministère du Développement durable, de l'Environnement et des Parcs shall make periodic reports, the first being seven years after creation of the reserve and the following ones every 10 years. Monitoring will begin with a description of the state of the natural environment and identification of biodiversity protection indicators. Evolution of the biodiversity can then be measured using the indicators. Protection and management methods and goals shall be reviewed following the reports.

Sustainable development through educational activities

Since the biodiversity reserve's level of occupation and use is relatively high, sustainable development is possible only if limited and supervised. New activities and facilities must therefore not conflict with existing ones nor must their impact surpass the natural environment's support capacity. Development of the reserve must also be such that increased visits do not modify the environment's natural balance – to prevent damage to the ecological and cultural integrity and to maintain the quality of the wilderness experience sought by visitors and users. Activities must therefore be designed to maintain or improve the quality of the natural structure and harmonious interaction between humans and nature.

Given the current high level of use and occupation of the territory, the Ministère du Développement durable, de l'Environnement et des Parcs shall not encourage new activities. However, if projects are presented, the Ministry shall favour educational activities and shall strictly control projects that may affect the natural environment.

Specific goal:***1. To offer educational activities:***

The Centre éducatif forestier du lac Joannès already provides educational, discovery and recreational activities in part of the biodiversity reserve. The educational centre could fulfill the role of reception and information centre and be the ideal source of knowledge, interpretation and education on the reserve's biodiversity and for general discovery of the natural environment. The Centre éducatif forestier du lac Joannès could provide the public and school groups with discovery, interpretation and education activities regarding the natural elements of this territory as well as the role of the biodiversity reserve.

Integrated management and stakeholder participation

The high level of occupation and use in and around the biodiversity reserve requires integrated management of activities. This is best accomplished by involving stakeholders in management choices and decisions focusing on conservation of the biodiversity reserve and in accordance with the Natural Heritage Conservation Act.

Specific goal:***1. To implement a cooperative and participatory management approach:***

The inhabited nature of the biodiversity reserve and adjacent territories requires government management supported by the participation of local and regional stakeholders. The common goal is natural heritage conservation and the harmonious management of recreational activities. The Ministère du Développement durable, de l'Environnement et des Parcs shall identify stakeholders in the reserve's conservation and development, who will be invited to participate in management planning. Problems and conflicts regarding use and development projects shall be discussed. An action plan shall be developed by the regional offices of the Ministère du Développement durable, de l'Environnement et des Parcs in cooperation with the stakeholders identified. The plan will determine actions to be undertaken, preferred methods, those who are to carry out the actions, timeframes and results assessments.

4. Zoning

The Vaudray and Joannès Lakes Biodiversity Reserve is located in an area that includes heavily populated and developed resort enclaves. The vacation sectors are excluded from the reserve. Since the reserve is also close to the urban centre of Rouyn-Noranda, and since a high proportion of natural environments within the reserve are at risk, the management of activities and development of new activities and projects shall be tightly controlled. The biodiversity reserve has been subdivided into four zones based on the current state of the natural environment and protection and management goals. Each zone has similar protection levels and activities, but conservation and development measures are adapted where necessary. Zone boundaries are illustrated on the map in Appendix 3. The Minister's management of the reserve and authorizations regarding activities and developments shall take into consideration the characteristics of each zone.

Zone I

Covering 127.44 km² west of the esker and excluding Vaudray and Joannès Lakes, Zone I represents 66% of the biodiversity reserve. It is characterized by a soil cover largely susceptible to erosion, a fairly low level of occupation and use, and relatively undisturbed old forests. The objective for the zone is to maintain the natural balance of existing ecosystems, ensuring that anthropogenic disruption remains the lowest. Current occupations and local recreational use which existed prior to establishment of the reserve shall be maintained. Among such activities, those using motorized vehicles will be controlled through the rationalization of the trail network. Preferred development activities shall be those based on nature interpretation, eco-tourism and any other activity whose goal is to appreciate nature without taking away from it and without using motorized vehicles.

Zone II

Covering 38.63 km², which is close to 20% of the biodiversity reserve, this zone represents the area to the east of the esker. It is characterized by significant use (hunting and trails) and occupation (rough shelters) by local populations prior to creation of the reserve. The zone has also been subject to significant recent forest modifications through many forestry cuts. While existing activities and occupations will be maintained, the objective for this zone shall be to manage activities in such a way as to restore the natural balance in ecosystems highly disrupted by previous logging and to limit human recreational activities to a less intensive level.

Zone III

Covering 25.90 km², or about 13% of the reserve, Zone III is the most used and disturbed part of the biodiversity reserve, bordering on the vacation areas. It includes the esker (13.78 km²) as well as Vaudray and Joannès Lakes (12.12 km²). The lakes are used by vacationers for various recreational activities, including fishing and water sports. The esker supports a series of public roads, trails and vacation resort infrastructure. The high level of development and use of the lakes by water-sport activities and equipment is such that management of this zone shall seek to minimize the impact of anthropogenic activities, on land and water. The presence of kettles in this zone gives it special interest in terms of nature conservation and interpretation.

Zone IV

This reception and service area of the biodiversity reserve covers 1.10 km² or 0.6% and includes the Centre éducatif forestier du lac Joannès as well as its trails for

education and recreation purposes. It has the dual vocation of serving visitors and providing natural discovery activities. The Centre éducatif forestier shall serve as a reception centre and information resource for the biodiversity reserve. Nature interpretation, education and recreation activities offered by the Centre éducatif forestier in the surrounding area will allow visitors to discover the biodiversity reserve's natural elements.

5. Activities within the reserve

Activities within the Vaudray and Joannès Lakes Biodiversity Reserve are governed by the Natural Heritage Conservation Act (R.S.Q., c. C-61.01).

The current conservation plan does not prohibit additional activities beyond those already prohibited for biodiversity reserves under the act. Neither does it authorize additional activities or add limits to activities permitted by the act.

Prohibited activities

The Natural Heritage Conservation Act prohibits the following main activities, among others, in a biodiversity reserve:

- a) Forest management as described in article 3 of the Forest Act (R.S.Q., c. F-4.1);
- b) Mining, gas or oil development;
- c) Mining, gas, oil, brine and underground reservoir exploration activities, prospecting, digging or drilling;
- d) Exploitation of hydraulic forces or any commercial or industrial production of energy.

Activities governed by other statutes

Certain activities likely to be carried on within the Vaudray and Joannès Lakes Biodiversity 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 biodiversity reserve.

A special legal framework may govern permitted and prohibited activities within the 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) and in leases by the Ministre des Ressources naturelles et de la Faune;

— *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).

6. Management

6.1 Responsibilities of the Ministre du Développement durable, de l'Environnement et des Parcs

Management of the Vaudray and Joannès Lakes Biodiversity Reserve is a responsibility of the Ministre du Développement durable, de l'Environnement et des Parcs. The Minister monitors and controls activities in the reserve and applies the law. The Minister's management responsibilities are delegated to the Abitibi-Témiscamingue and Nord-du-Québec regional expertise and analysis office of the Ministère du Développement durable, de l'Environnement et des Parcs (DRAE-08). In managing the reserve, the Minister enjoys the cooperation and participation of other government agents that have specific responsibilities in or close to the reserve.

6.2 Monitoring

As described in the section entitled "Conservation and development of the Vaudray and Joannès Lakes Biodiversity Reserve," the state of the natural environment shall be monitored in cooperation with relevant local and regional partners, such as municipal, environmental, recreational, and educational stakeholders as well as cottagers, hunters, fishers and trappers.

6.3 Stakeholder participation

As described in the section entitled "Conservation and development of the Vaudray and Joannès Lakes Biodiversity Reserve", in managing the reserve, the Ministre du Développement durable, de l'Environnement et des Parcs shall benefit from the cooperation and participation of stakeholders, as outlined in section 6.2. The Minister shall prepare an action plan guiding management of the biodiversity reserve and respecting its mission to protect the territory and its resources. The Ministère du Développement durable, de l'Environnement et des Parcs shall see to the preparation of the action plan in cooperation with the concerned regional stakeholders. The method for participation and cooperation of community stakeholders shall be determined by the regional office of the Ministre du Développement durable, de l'Environnement et des Parcs, according to local and regional realities.

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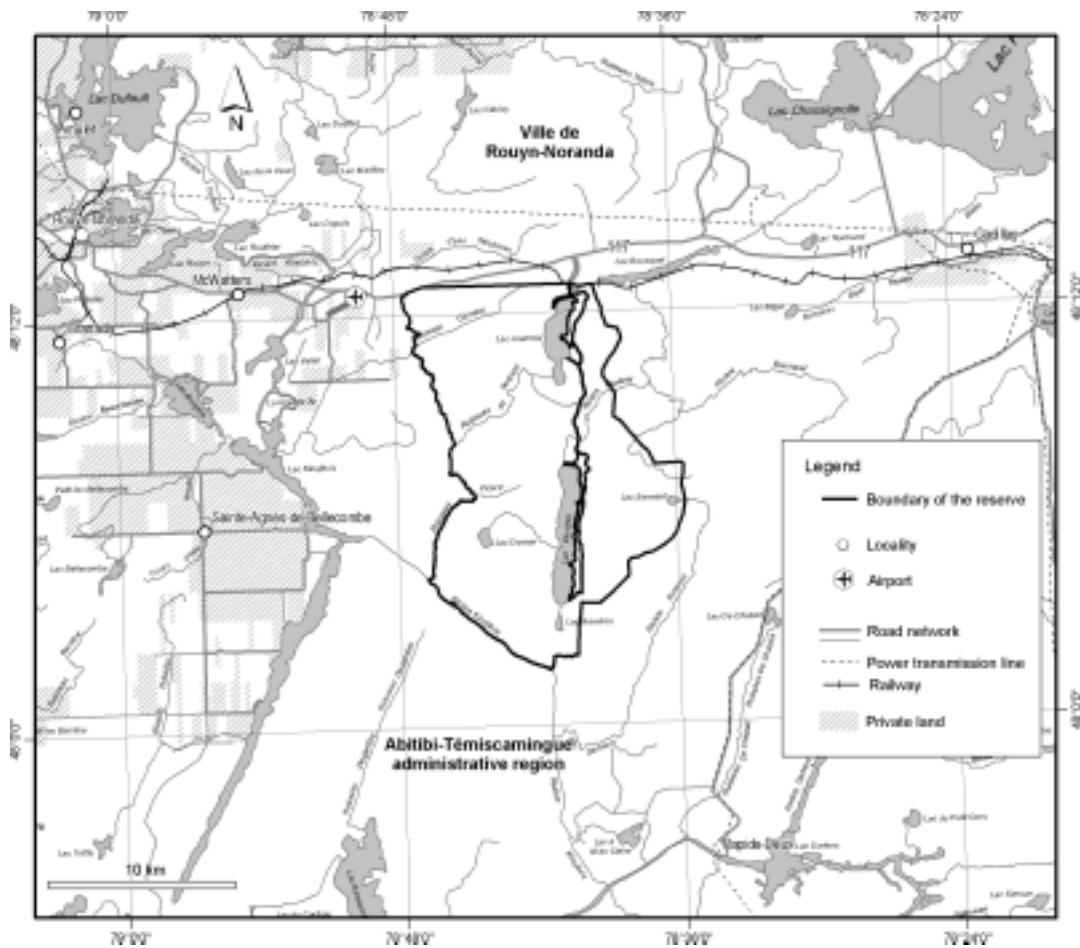
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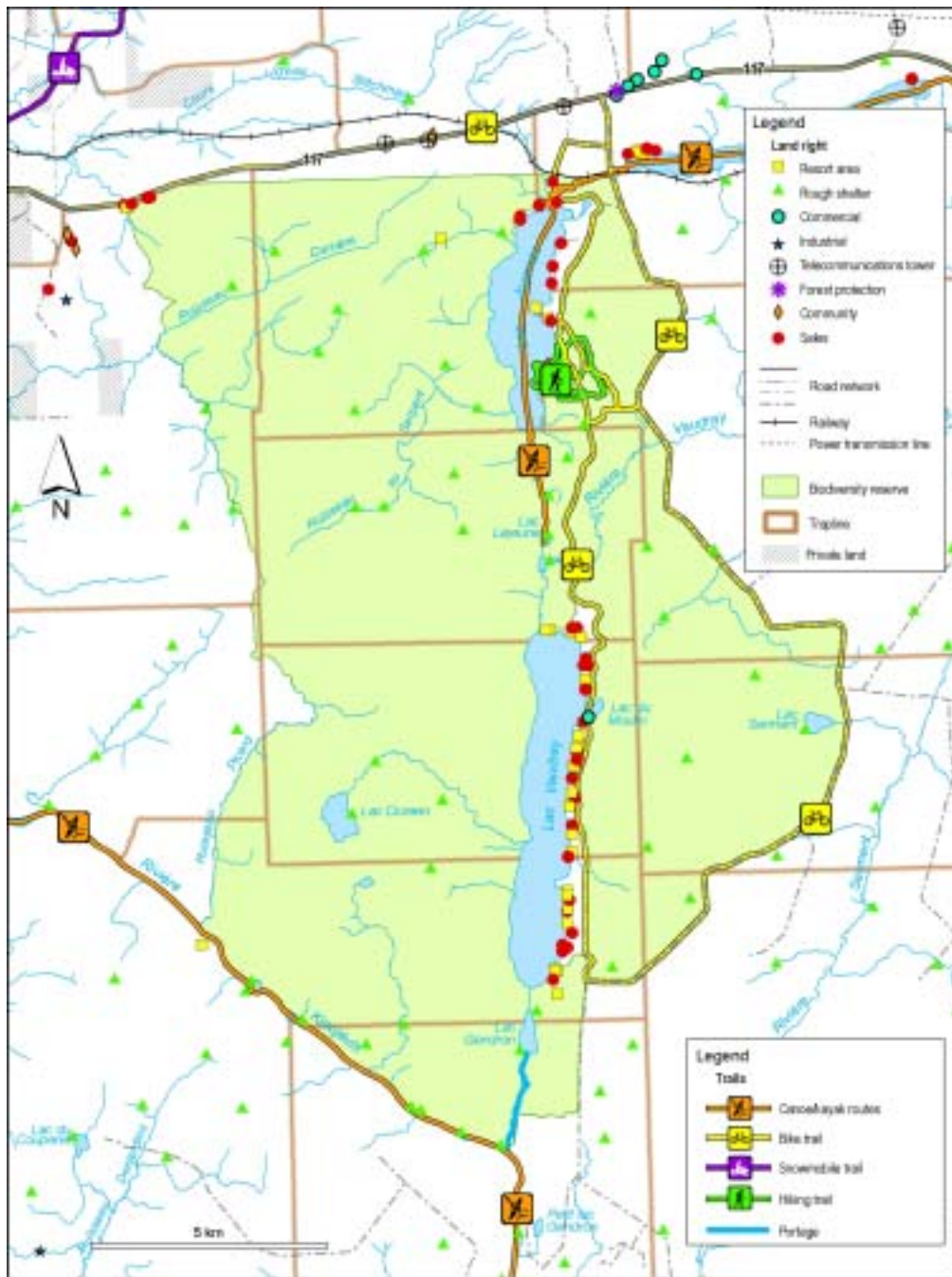
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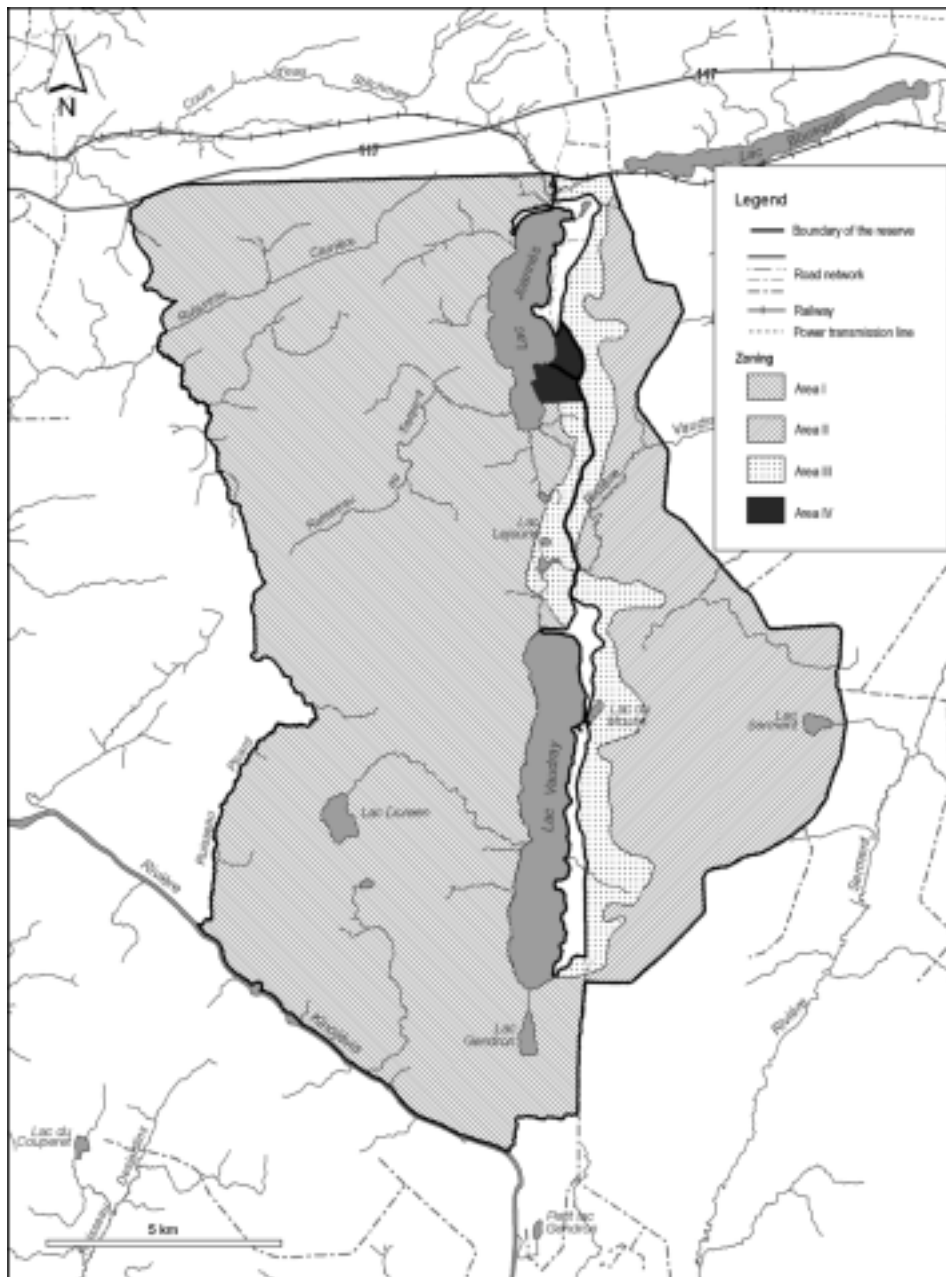
APPENDIX 1 – Vaudray & Joannès Lakes Biodiversity Reserve: Boundaries and location



APPENDIX 2 – Vaudray & Joannès Lakes Biodiversity Reserve: Occupation and use



APPENDIX 3 – Vaudray & Joannès Lakes Biodiversity Reserve: Zoning



Extract from the rules for the conduct of proceedings in the National Assembly

CHAPTER III RULES FOR THE CONDUCT OF PROCEEDINGS RESPECTING PRIVATE BILLS

32. Objects — A bill relating to private or local matters must be introduced by a Member of the Assembly.

33. Deposit with law clerk — A Member who sponsors a bill relating to private or local matters shall deposit such bill with the law clerk.

The said Member shall not be answerable for the contents of the bill, nor shall he be required to endorse anything that may be provided therein. (See S.O. 264 and 265)

34. Documents to be provided — Such bill shall be accompanied by a notice stating the name of the Member who is to introduce it and by a copy of every document mentioned therein and of every other document that may be pertinent thereto.

Any bill relating to a municipal corporation governed by the Cities and Towns Act, the Municipal Code, or a special charter shall likewise be accompanied by a certified true copy of the resolution authorizing its introduction. (See S.O. 265)

35. Introduction and passage during same sessional period — No bill deposited with the law clerk between the second Tuesday in March and the twenty-third day of June or between the second Tuesday in September and the twenty-first day of December may be passed within that same period. (See S.O. 265)

36. Notice in *Gazette officielle du Québec* — The applicant for a private bill shall cause to be published in the *Gazette officielle du Québec*, over his signature, a notice entitled “Avis de présentation d’un projet de loi d’intérêt privé.”

Such notice shall specify the objects of the bill and state that any party whose interest may be affected by it and who wishes to make submissions with respect thereto must so advise the law clerk. (See S.O. 265)

37. Notices in newspaper — The said notice shall likewise be published in a newspaper circulating in the judicial district wherein the applicant is domiciled; and if there be no newspaper circulating in that district, it shall be published in a newspaper circulating in the nearest district thereto.

Such notice shall be published once in each week for four weeks.

A copy of this notice shall accompany the bill upon its deposit with the law clerk. (See S.O. 265)

38. Reports from the law clerk — The law clerk shall submit to the President of the Assembly a report stating whether such notice has been drafted and published in accordance with these rules.

The President shall forward a copy of this report to the Government House leader and to the Member sponsoring the bill. (See S.O. 265)

39. Private bills register — The law clerk shall keep a register in which he shall enter the name, the occupation, and the place of residence of the applicant for a private bill and those of every party who has advised him that his interest is affected by such bill and that he wishes to make submissions with respect thereto.

The law clerk shall provide to the Government House leader and to the Member who is to introduce such bill a list of the parties who have advised him of their wish to make submissions with respect thereto. (See S.O. 265)

40. Notices to interested parties — The director of the Secrétariat des commissions shall convene the interested parties not less than seven days before such bill is to be considered in committee. (See S.O. 267)

41. Annual publication of rules — The law clerk shall publish in the *Gazette officielle du Québec*, in January of each year, the rules pertaining to private bills, together with Title III, Chapter IV, of the Standing Orders of the National Assembly.

Extract from the Standing Orders of the National Assembly

TITLE III

CHAPTER IV PRIVATE BILLS

264. Notice and introduction — Any Member may, at the request of an interested person or body of persons, introduce a bill relating to private or local matters.

He shall give notice of his intent not later than the sitting day preceding that on which such bill is to be introduced and shall provide a copy thereof to the President before the sitting at which it is to be introduced. (See R.C.P. 33)

265. Report from law clerk — Before such bill is introduced the President shall communicate to the Assembly the contents of the report from the law clerk thereon. (See R.C.P. 33 to 39)

266. Preamble — A private bill shall require no explanatory notes; but every such bill shall contain a preamble setting out the facts on which it is founded and the circumstances giving rise to the necessity for it.

267. Referral to committee — When a private bill has been introduced the Government House leader shall move, without notice, that it be referred to a committee; and such motion shall be decided without debate.

The committee shall hear the interested parties, examine the bill clause by clause, and report thereon to the Assembly. The question for concurrence in such report shall be put forthwith and decided without debate. (See R.C.P. 40)

268. Motions for passage in principle and passage — The passage in principle of the bill shall be set down for a future sitting day. No motion may be made to divide such bill or to defer its passage in principle.

A private bill when passed in principle shall not again be referred to a standing committee but may be passed during the same sitting day, and Standing Order 257 shall apply: Provided that the bill may not then be passed if opposition to its passage is taken by five Members.

269. Debate — During the debates on the passage in principle and the final passage of a private bill, each Member may speak for up to ten minutes: Provided that the Member sponsoring the bill and the leaders of the parliamentary groups may each speak for up to thirty minutes.

270. Procedure — Except as otherwise provided in this chapter of these Standing Orders, the general rules pertaining to bills shall apply to private bills.

Draft Regulations

Draft Regulation

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

Vaudray and Joannès lakes biodiversity reserve — Conservation plan — 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 Amendments to the conservation plan of the Vaudray and Joannès lakes biodiversity reserve, appearing below, may be approved by the Government on the expiry of 45 days following this publication.

The purpose of the amendments is to establish an activities framework that is better adapted to the conservation and protection of biodiversity in the permanent protected area.

The proposed new activities framework prohibits certain interventions that are not compatible with conservation objectives and governs the carrying on of various other activities likely to have a significant impact on biodiversity, in particular by creating a requirement to have the activities authorized by the Minister.

The proposed amendments have been prepared in response to public consultations after consideration of the recommendations made by the Bureau des audiences publiques sur l'environnement in its report made public in March 2005. The amendments also reflect and restate much of the existing draft activities framework published in the *Gazette officielle du Québec* of July 2005 for all the proposed biodiversity reserves.

The new activities framework proposed for the Vaudray and Joannès lakes biodiversity reserve is divided into 4 divisions.

The first division, Protection of resources and the natural environment, contains a set of rules devised to minimize disturbances to the natural environment, in particular by prohibiting the stocking of watercourses and bodies of water for development purposes and the removal of species of flora and small fruit for commercial or industrial purposes or by mechanical means. Various other activities such as introducing species of flora and fauna and intervening in aquatic environments

or wetland areas are also governed by the rules which create a requirement to obtain an authorization from the Minister.

The second division, Rules of conduct for users, provides measures to ensure that users during their stay and travel in the biodiversity reserve behave in a manner that is safe and respectful of other users and the reserve's environment. It also prohibits hunting in Area IV as described in the plan in Schedule 3 to the conservation plan as a means of ensuring the safety of students and other visitors travelling in the Centre éducatif forestier du lac Joannès and using its trails.

The third division, Activities requiring an authorization, specifies certain other activities in the biodiversity reserve that require the Minister's authorization. The types of activity concerned include the right to stay in a reserve for more than 90 days, the carrying on of forest management activities to meet domestic needs or maintain biodiversity, the carrying on of development work, including trail development, the erection of new structures or works and the carrying on of various activities likely to degrade the soil or severely damage or disturb the natural environment, in particular during research-related and commercial, recreational and tourism activities. The proposed measures will also permit some existing practices to be maintained and exempt the persons who already occupy the reserve, such as holders of leases for vacation purposes (stays) or rough shelters (firewood), from obtaining certain authorizations.

The fourth division, Authorization exemptions completes the above set of measures. It creates an exemption in emergencies to allow an activity or other form of intervention within the biodiversity reserve if immediate action is necessary to prevent harm to the health or safety of persons or to repair or prevent damage caused by a real or apprehended catastrophe. The division also provides for an authorization exemption for the ritual, social and community activities of the members of Native communities. In addition, to avoid duplication authorization, some interventions by Hydro-Québec will not require an additional authorization from the Minister.

Further information on the Amendments to the conservation plan of the Vaudray and Joannès lakes biodiversity reserve may be obtained by contacting Joanne Laberge, Direction du patrimoine écologique et des Parcs,

Ministère du Développement durable, de l'Environnement et des Parcs, Édifice Marie-Guyart, 4^e étage, boîte 21, 675, boulevard René-Lévesque Est, Québec (Québec) G1R 5V7; telephone: 418 521-3907, extension 4426; fax: 418 646-6169; email: joanne.laberge@mddep.gouv.qc.ca

Interested persons having comments to make on the draft Regulation are asked to send them in writing before the expiry of the 45-day period to the Minister of Sustainable Development, Environment and Parks, Édifice Marie-Guyart, 30^e étage, 675, boulevard René-Lévesque Est, Québec (Québec) G1R 5V7.

CLAUDE BÉCHARD,
Minister of Sustainable Development,
Environment and Parks

Amendments to the conservation plan of the Vaudray and Joannès lakes biodiversity reserve

Natural Heritage Conservation Act
(R.S.Q., c. C-61.01, ss. 46 and 49)

1. The conservation plan of the Vaudray and Joannès lakes biodiversity reserve¹ is amended by replacing Division 5 by the following:

“5. Activities framework

§1. Introduction

Activities carried on within the reserve are governed mainly by the provisions of the Natural Heritage Conservation Act.

This Division prohibits activities in addition to those prohibited under the Act and sets out the framework for various activities permitted so as to better protect 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 biodiversity reserve has been assigned are

— mining, and gas or petroleum development;

— mining, gas and petroleum exploration, brine and underground reservoir exploration, prospecting, and digging or boring;

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

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

§2. Prohibitions, prior authorizations and other conditions governing activities in the reserve

§2.1. Protection of resources and the natural environment

5.1. Subject to the prohibition in the second paragraph, no person may introduce non-native species of fauna or flora into the reserve, including by stocking or seeding, unless the person has been authorized by the Minister and complies with the conditions the Minister determines.

No person may stock a watercourse or body of water for aquaculture, commercial fishing or any other commercial purpose.

Before issuing an authorization under this section, the Minister is to take into consideration, in addition to the characteristics and the number of species involved, the risk of biodiversity imbalance, the importance of conserving the various ecosystems, the needs of the species in the ecosystems, the needs when rehabilitating degraded environments or habitats within the reserve, and the interest in reintroducing certain species that have disappeared.

5.2. No person may exploit wind power for domestic purposes unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines.

5.3. No person may hunt in the reserve within Area IV appearing on the plan in Schedule I.

5.4. No person may remove species of flora or small fruits for commercial or industrial purposes or do so, for other purposes, by mechanical means.

5.5. 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) intervene in a wetland area;

¹ The conservation plan of the Vaudray and Joannès lakes biodiversity reserve was approved by Order in Council 1114-2006 dated 6 December 2006 (2007, G.O. 2, 5) and Division 5 of the plan has not been amended since.

(2) modify the reserve's natural drainage or water regime, including by creating or developing watercourses or bodies of water;

(3) dig, fill, obstruct or divert a watercourse or body of water;

(4) carry on any activity likely to degrade the bed or banks or shores of a body of water or watercourse or directly and substantially affect the biochemical characteristics or quality of aquatic or riparian environments or wetland areas, including by discharging or dumping waste or pollutants into the watercourse or body of water;

(5) 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 trail development;

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

(7) reconstruct or demolish an existing structure, infrastructure or works, although no authorization is necessary in the case of a trapping camp, a rough shelter or a building used for vacation purposes;

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

(9) 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;

(10) carry on educational or research-related activities if the activities are likely to significantly damage or disturb the natural environment, in particular because of the nature or size of the samples taken or the invasive character of the method or process used; or

(11) hold a sports event, tournament, rally or similar event, other than an activity of the Centre éducatif forestier du lac Joannès in Area IV of the reserve, if more than 15 persons are likely to participate in the activity and have access to the reserve at the same time; no authorization may be issued by the Minister if the activity involves motor vehicle traffic, unless it has been shown to the Minister that it is impossible to organize the activity elsewhere or that bypassing the reserve is highly unfeasible.

The conditions determined by the Minister for authorization 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 10 of the first paragraph refers.

Subject to compliance with the conditions determined in the authorization for their creation, work to repair or maintain trails authorized by the Minister or trails existing on the date on which the protection status as a reserve takes effect, including necessary tree removal or clearing work, may be carried out without the authorization required under subparagraph 5 of the first paragraph. The same applies to the repair or maintenance of ancillary infrastructures or equipment permitted in the reserve such as lookouts, shelters or stairs.

In the case of roads, the following work may also be carried out without the authorization of the Minister required under subparagraph 5 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 out in accordance with the Forest Act and its regulations that concern standards of forest management;

— work required to repair or maintain roads under the responsibility of a municipality, referred to in the second paragraph of section 2 of the Act respecting roads (R.S.Q., c. V-9), if the work is carried out in accordance with the laws and regulations that apply.

5.6. 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.

§2.2. Rules of conduct for users

5.7. Every person staying, carrying on an activity or travelling in the 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.

5.8. 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 material;
- (2) ensure that the fire is at all times under the immediate supervision of a person on the premises; and
- (3) ensure that the fire is completely extinguished before leaving the premises.

5.9. In the reserve, no person may

- (1) cause any excessive noise;
- (2) behave in a manner that unduly disturbs other persons in the reserve or interferes with their enjoyment of the reserve; or
- (3) harass wildlife.

For the purposes of subparagraphs 1 and 2 of the first paragraph, behaviour that significantly disturbs other persons and constitutes unusual or abnormal conditions for the carrying on of an activity authorized in the reserve or for the permitted use of property, a device or an instrument within the reserve is considered excessive or undue.

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

5.11. No person may enter, carry on an activity or operate a vehicle in a given sector of the reserve 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, unless the person has been authorized by the Minister and complies with the conditions the Minister determines.

§2.3. *Activities requiring an authorization*

5.12. No person may, for a period of more than 90 days in the same year and on the same site, establish a campsite or shelter or otherwise stay in the reserve, or occupy a site by installing or leaving property, unless the person has been authorized by the Minister and complies with the conditions the Minister determines.

For the purposes of this section, “same site” includes any other site within a radius of 1 kilometre from the site.

An authorization is not required if a person,

(1) on the date on which the protection status as a reserve takes effect, was a party to a lease or had already obtained another form of right or authorization allowing the person to legally occupy the land under the Act respecting the lands in the domain of the State 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 on the same conditions, subject to possible changes in fees;

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

(3) elects to acquire land the person legally occupies on the date on which the protection status as a reserve takes effect, pursuant to the Act respecting the lands in the domain of the State.

5.13. (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 the conservation plan is not required if a person staying or residing in the reserve collects wood to make a campfire.

Such an authorization is also not required if a person collects wood to meet domestic needs to supply a trapping camp or a rough shelter permitted within the reserve in the following cases and on the following conditions:

(a) the wood is collected by a person in compliance 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; and

(b) the quantity of wood collected does not exceed 7 apparent cubic metres per year.

(3) Despite subsection 1, an authorization to carry on a forest management activity is not required if a person authorized by lease to occupy land within the reserve in accordance with the conservation plan carries on the forest management activity for the purpose of

(a) clearing permitted harvested areas, maintaining them or creating visual openings, and any other similar removal work permitted under the provisions governing the sale, lease and granting of immovable rights under the Act respecting the lands in the domain of the State;

(b) creating and maintaining access roads, stairs or other trails permitted under those provisions; or

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

If the work referred to in paragraph *c* of subsection 3 is carried on 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 5.15 and 5.16.

5.14. 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) operate a store, restaurant, counter or other premises or facility for the sale, rental or production of goods or services; or

(2) sell or rent goods in the reserve, elsewhere than in a location referred to in paragraph 1, although an authorization is not required for the sale or rental of goods by a person authorized to do so pursuant to a contract with the Minister to provide goods and services in the reserve or for the sale or rental of goods by the Centre éducatif forestier du lac Joannès within the scope of its mission.

§2.4. Authorization exemptions

5.15. Despite the preceding provisions, an authorization is not required for an activity or other form of intervention within the reserve if urgent action is necessary 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.

The members of a Native community who, for food, ritual or social purposes, carry on an intervention or an activity within the reserve are also exempted from obtaining an authorization, and are also exempted from the application of section 5.3.

5.16. 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 the conservation plan:

(1) any activity or intervention required within the reserve to complete a project for which express authorization had previously been given by the Government and the Minister, or only by the latter, in accordance with 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; and

(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.

The Société is to keep the Minister informed of the various activities or interventions referred to in this section it proposes to carry out before the work is begun in the reserve.

For the purposes of this section, the activities and interventions of the Société include but are not restricted to 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 incidental to the work.

§2.5. General provisions

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

5.18. 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 a posted notice or appropriate signage at the reception centre or any other location within the reserve that is readily accessible to the public. The Minister is to provide a copy to any person concerned.

§3. Activities governed by other statutes

Certain activities likely to be carried on within the reserve are also governed by other legislative and regulatory provisions, including provisions that require the issue of a permit or authorization or the payment of fees. Certain activities may also be prohibited or limited by other Acts or regulations that are applicable within the reserve.

A special legal framework may govern permitted and prohibited activities within the 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, in particular 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);

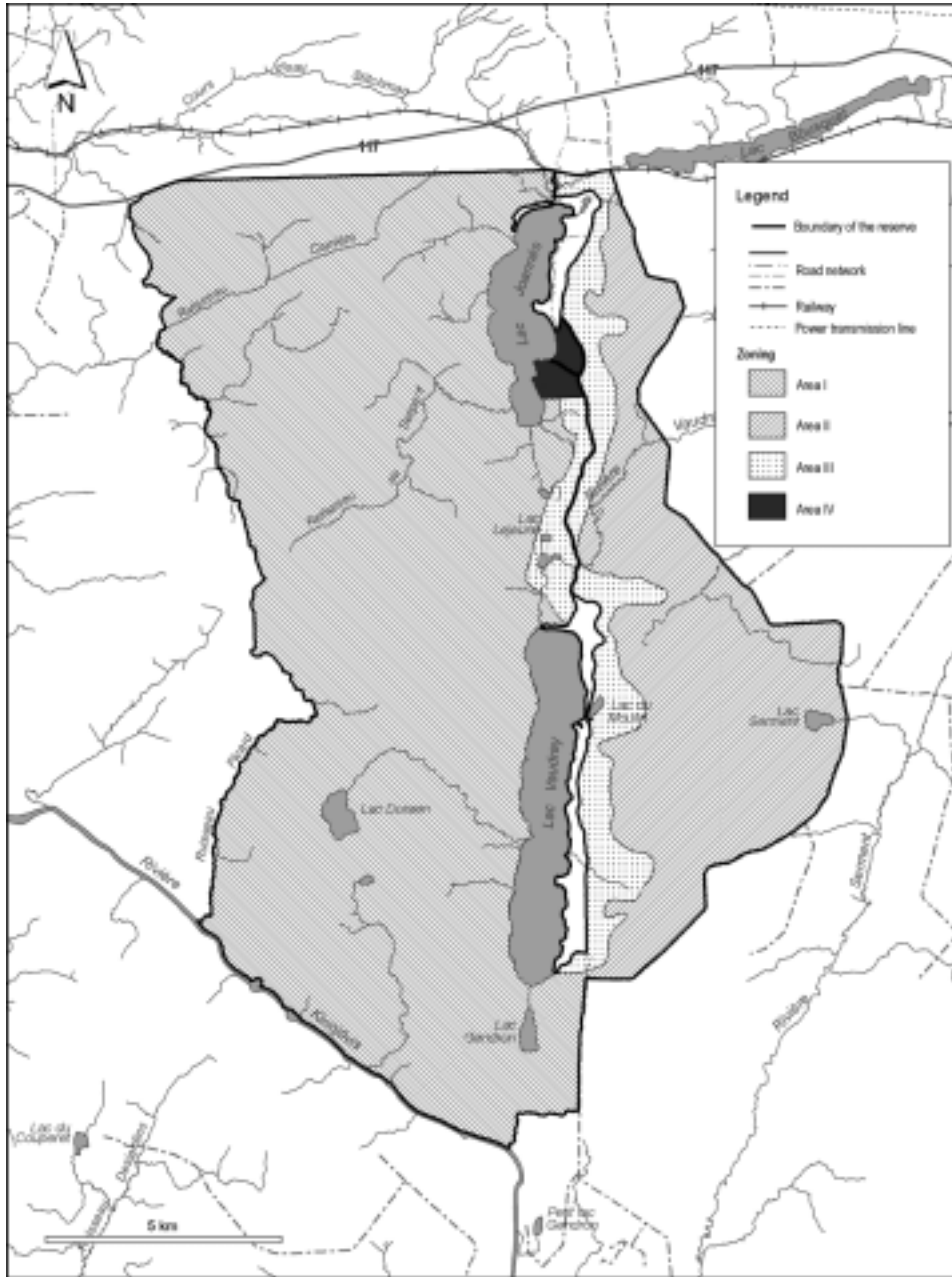
— Access and land rights: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1);

— 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).”.

2. These Amendments come into force on the fifteenth day following the date of their publication in the *Gazette officielle du Québec*.

SCHEDULE I

(s. 5.3)

PLAN OF THE VAUDRAY AND JOANNÈS LAKES BIODIVERSITY RESERVE

Draft Order of the Minister of Sustainable Development, Environment and Parks

Environment Quality Act
(R.S.Q., c. Q-2)

Fees payable

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Draft Order respecting the fees payable under the Environment Quality Act, appearing below, may be made by the Minister on the expiry of 45 days following this publication.

The Draft Order determines the fees payable for applications for authorizations under the Environment Quality Act or its regulations.

The Draft Order incorporates, occasionally with modifications, the current fees payable under various regulations. It determines the fees to be paid for the processing of most applications for the issue, modification or renewal of authorizations, certificates of authorization, attestations, approvals, permissions and permits.

The Draft Order will have an impact on enterprises, citizens, government departments and bodies and municipalities applying for an authorization. Some of the fees will vary according to the nature or scope of the project, the class of source of contamination, the characteristics of the enterprise or establishment, in particular its size, or the complexity of the technical and environmental aspects of the file.

As the Draft Order incorporates certain of the current fees set out in various regulations under the Environment Quality Act, a draft regulation revoking those regulatory provisions will be submitted to the Government.

An explanatory document entitled “L’arrêté ministériel sur la tarification, Document d’accompagnement” and additional information on the Draft Order may be obtained by contacting Chantal Lemay, Direction des études économiques et du soutien, Ministère du Développement durable, de l’Environnement et des Parcs, at the following address: édifice Marie-Guyart, 29^e étage, boîte 97, 675, boulevard René-Lévesque Est, Québec (Québec) G1R 5V7, or by telephone at 418 521-3929, extension 4934, by fax at 418 644-4598 or by e-mail at chantal.lemay@mddep.gouv.qc.ca

Any person wishing to comment on the Draft Order may do so by submitting written comments before the expiry of the 45-day period to André Bernier, Director

of Economic Studies and Support, Ministère du Développement durable, de l’Environnement et des Parcs, édifice Marie-Guyart, 29^e étage, boîte 97, 675, boulevard René-Lévesque Est, Québec (Québec) G1R 5V7.

CLAUDE BÉCHARD,
*Minister of Sustainable Development,
Environment and Parks*

M.O., 2006

Order of the Minister of Sustainable Development, Environment and Parks respecting the fees payable under the Environment Quality Act dated 12 December 2006

Environment Quality Act
(R.S.Q., c. Q-2, s. 31.0.1; 2002, c. 53, s. 3;
2004, c. 24, s. 5)

THE MINISTER OF SUSTAINABLE DEVELOPMENT,
ENVIRONMENT AND PARKS,

CONSIDERING section 31.0.1 of the Environment Quality Act (R.S.Q., c. Q-2), enacted by section 3 of chapter 53 of the Statutes of 2002 and amended by section 5 of chapter 24 of the Statutes of 2004, under which the Minister of Sustainable Development, Environment and Parks may, by an order published in the *Gazette officielle du Québec*, determine the fees payable for the issue, renewal or modification of an authorization, approval, certificate, permit, attestation or permission under the Act or its regulations;

CONSIDERING that same provision, which provides that the Minister of Sustainable Development, Environment and Parks may also fix the terms and conditions of payment of the fees and vary the fees according to the nature, scope or cost of the project, the class of source of contamination, the characteristics of the enterprise or establishment, in particular its size, or the complexity of the technical and environmental aspects of the file;

CONSIDERING that it is expedient to determine the fees payable under the Environment Quality Act and to fix the terms and conditions of payment of the fees;

ORDERS AS FOLLOWS:

CHAPTER I GENERAL

1. In this Order, the word «Act» appearing alone means the Environment Quality Act (R.S.Q., c. Q-2).

CHAPTER II AUTHORIZATIONS

DIVISION I AUTHORIZATIONS OF THE MINISTER

2. The fees for an application for authorization under section 22 of the Act are as follows:

(1) for any project involving

(a) a dam, a bridge with an opening greater than 3.6 metres, or a marina: \$2,500;

(b) development work carried out in a watercourse, the construction, reconstruction, widening or straightening of a road likely to alter a watercourse, lake, pond, marsh, swamp or bog, or dredging operations in a watercourse where the sediment volume is equal to or greater than 50 m³: \$2,500;

(c) an electric power generating station: \$5,000 if the capacity of the generating station is less than 1MW and \$10,000 in any other case;

(d) a golf course: \$5,000;

(e) subject to subparagraph *f*, an industrial establishment, a quarry, sand pit or mine: \$1,500; if the project entails the emission of contaminants into the atmosphere or the discharge of process water into an effluent, the fees are increased to \$2,500 and \$4,000 respectively;

(f) a sand pit or hot mix asphalt plant, if it is shown in the application that the project meets the applicable siting or emission standards: \$500;

(g) a facility that stores or treats biomedical waste or a system that transports such waste: \$1,000;

(h) the establishment or alteration with increase in capacity of a pulp and paper waste or sawmill waste landfill: \$5,000; for any other alteration of such a landfill: \$2,500;

(i) the establishment or alteration with increase in capacity of a snow disposal site: \$1,000; for any other alteration of such a site: \$500;

(j) the establishment or alteration with increase in capacity of a contaminated soil landfill: \$5,000; for any other alteration of such a landfill: \$2,500;

(k) the establishment of a contaminated soil treatment facility: \$5,000 in the case of a thermal processing unit and \$2,500 in the case of a biological or physico-

chemical treatment unit; for any alteration of such a facility: \$2,500 in the case of a thermal processing unit or \$1,250 in the case of a biological or physico-chemical treatment unit;

(l) the establishment or alteration with increase in capacity of a contaminated soil storage site or transfer station: \$5,000; for any other alteration of such a site or station: \$2,500;

(m) the establishment of an engineered landfill, a construction or demolition waste landfill, or a residual materials incineration facility: \$5,000; for an alteration with increase in capacity of such a facility: \$2,500; for any other alteration of such a facility: \$1,000;

(n) the establishment of a residual materials trench landfill: \$2,500; for an alteration with increase in capacity of such a landfill: \$1,250; for any other alteration of such a landfill: \$1,000; or

(o) the establishment of a northern landfill or residual materials transfer station: \$1,000; for any alteration of such a landfill or station: \$500;

(2) for any other project not expressly covered by paragraph 1: \$500, with the exception of a project that relates exclusively to

(a) an agricultural activity;

(b) the alteration without increase in capacity of a solid waste elimination or storage site governed by the Regulation respecting solid waste (R.R.Q. 1981, c. Q-2, r.14);

(c) wildlife development to which the third paragraph of section 2 of the Regulation respecting environmental impact assessment and review (R.R.Q. 1981, c. Q-2, r.9) applies;

(d) work that must be carried out by a regional county municipality to restore normal water flow in a watercourse pursuant to section 105 of the Municipal Powers Act (R.S.Q., c. C-47.1); or

(e) work or activities carried out as a result of a state of emergency declared by a local municipality in accordance with section 42 of the Civil Protection Act (R.S.Q., c. S-2.3).

3. The fee for an application under the second paragraph of section 24 of the Act for authorization to transfer a certificate of authorization issued to the applicant under section 22 of the Act is \$500.

4. The fees for an application for authorization under section 32 of the Act are as follows:

(1) for a project involving

(a) a treatment facility for drinking water supplied by a distribution system that supplies 1,000 persons or more: \$1,000;

(b) a municipal wastewater treatment facility serving 1,000 persons or more: \$2,000; if the project entails the discharge of process water into an effluent, the fee is \$3,500; or

(c) an industrial establishment, a quarry, sand pit or mine: \$1,000; if the project entails the discharge of process water into an effluent, the fee is \$3,500; the additional fee amount of \$2,500 does not apply in the case of a project also covered by subparagraph *e* of paragraph 1 of section 2 under which additional fee amounts are payable;

(2) for any other project not expressly covered by paragraph 1: \$500.

5. The fee for an application for authorization under section 48 of the Act for a project involving an industrial establishment, a quarry, sand pit or mine is \$1,000. If the project entails the emission of contaminants into the atmosphere, the fee is \$2,000; the additional fee amount of \$1,000 does not apply in the case of a project also covered by subparagraph *e* of paragraph 1 of section 2 under which additional fee amounts are payable.

6. The fee for an application for authorization under the first paragraph of section 70.8 of the Act to have possession for more than 12 months of a hazardous material referred to in any of subparagraphs 1 to 4 of the first paragraph of section 70.6 of the Act is \$2,000.

7. The fee for an application for authorization under section 70.17 of the Act to transfer a permit issued to the applicant under section 70.11 of the Act is \$500.

8. The fees for an application for authorization or modification of authorization for a groundwater catchment project under section 31 of the Groundwater Catchment Regulation made by Order in Council 696-2002 dated 12 June 2002 are as follows:

(1) for a groundwater catchment project supplying more than 20 persons and having a capacity of less than 75 m³ per day: \$1,500;

(2) for a groundwater catchment project having a capacity of 75 m³ but not more than 300 m³ per day or that will increase the capacity to 75 m³ or more per day without exceeding 300 m³: \$1,500;

(3) for a groundwater catchment project having a capacity of more than 300 m³ per day: \$4,000;

(4) for a groundwater catchment project if the water is to be distributed or sold as spring water or mineral water or to be used as an ingredient in the fabrication, conservation or treatment and listed as spring water or mineral water on a product within the meaning of the Food Products Act (R.S.Q., c. P-29) or on the package, container or label of such a product: \$3,500.

The renewal of the authorizations referred to in section 38 of the Groundwater Catchment Regulation is subject to payment of fees representing 10% of the fees payable under the first paragraph. However, if there is a change in the conditions of operation, the fees payable are those provided for in the first paragraph.

DIVISION II

AUTHORIZATIONS OF THE GOVERNMENT

9. This Division applies only to projects subject, under the Regulation respecting environmental impact assessment and review, to the environmental impact assessment and review procedure provided for in Division IV.1 of Chapter I of the Act.

10. The fees for an application for authorization under section 31.5 of the Act are set out in the table below.

Steps in the environmental impact assessment and review procedure	Rate classes			
	1	2	3	4
1. Filing of the project notice under section 31.2 of the Act	\$1,000	\$1,000	\$1,000	\$1,000
2. Filing of the impact statement under the first paragraph of section 31.3 of the Act	\$4,000	\$14,000	\$24,000	\$34,000
3. Beginning of the public consultation under the third paragraph of section 31.3 of the Act	\$0	\$35,000	\$60,000	\$85,000
Total	\$5,000	\$50,000	\$85,000	\$120,000

Schedule I sets the rate class applicable for each class or subclass of projects.

11. An application for authorization under section 31.6 of the Act for a project that is exempt in part from the environmental impact assessment and review procedure must include the fee set out in section 10 for each of the remaining applicable steps in that procedure.

Schedule I sets the rate class applicable for each class or subclass of projects.

12. The fees for an application for authorization under section 31.5 or section 31.6 of the Act for a project covered by more than one class or subclass of projects referred to in Schedule I are the fees set out in section 10 for the highest rate class applicable to the project.

13. In the case of a certificate of authorization issued under section 31.6 of the Act, the fees payable under sections 2, 4, 5 and 18 of this Order do not apply to applications for documents subsequently filed with the Minister in accordance with section 22, 32, 48 or 70.9 of the Act so that the physical realization of the authorized project may begin.

CHAPTER III DEPOLLUTION ATTESTATIONS

14. The fee for an application for a depollution attestation under section 31.16 of the Act is \$8,350.

The fee for a reapplication for a new depollution attestation under section 31.28 of the Act is \$4,175.

CHAPTER IV APPROVALS OF THE MINISTER

DIVISION I LAND REHABILITATION PLAN

15. The fees for an application for approval of a land rehabilitation plan under section 31.51, 31.54 or 31.57 of the Act are as follows:

(1) where the work or works required under the land rehabilitation plan involve the elimination of contaminants on sites authorized under section 22 of the Act: \$1,000;

(2) where the work or works required under the land rehabilitation plan involve on-site treatment of contaminants: \$3,000;

(3) where the rehabilitation plan provides that contaminants are to be left in place: \$8,000.

DIVISION II DEPOLLUTION PROGRAMME

16. The fee for an application for approval of a depollution programme under section 116.2 of the Act is \$10,000.

CHAPTER V PERMITS AND PERMISSIONS

17. The fees for an application under section 65 of the Act for permission to use, for construction purposes, land that was formerly used as a site for the elimination of residual materials are as follows:

(1) for a project involving the construction of a residential, commercial, institutional or industrial building: \$2,500;

(2) for any other project not expressly covered by paragraph 1: \$500.

18. The fees for an application for a permit under section 70.9 of the Act are as follows:

(1) for a project involving the operation, for commercial purposes, of a physico-chemical or biological treatment process for residual hazardous materials, the storage of such materials or the transportation of hazardous materials to a disposal site for such materials: \$2,500;

(2) for any other project not expressly covered by paragraph 1: \$5,000.

19. The fees for an application for modification of a permit under section 70.16 of the Act are as follows:

(1) where the purpose of the modification is to increase the nominal capacity of the project by more than 35%: 50% of the fee payable under section 18 for the project;

(2) for any other modification: \$1,000.

CHAPTER VI ADMINISTRATIVE CERTIFICATES

20. The fees for an application under section 24.1 of the Act for an administrative certificate combining certificates of authorization issued under section 22 of the Act are as follows:

(1) to combine 5 or fewer certificates of authorization: \$2,000;

(2) to combine 6 to 10 certificates of authorization: \$3,000;

(3) to combine 11 to 20 certificates of authorization: \$4,000;

(4) to combine 21 or more certificates of authorization: \$5,000.

CHAPTER VII MODIFICATION AND RENEWAL

21. The fee for an application under the Act or its regulations for modification of an authorization, approval, certificate, permit or permission referred to in this Order is \$250, unless a provision of the Order sets a different fee for the application.

The fee set out in the first paragraph does not apply to an application for only one change or modification to the information or documents already provided in support of an application.

The fee also does not apply to an application for modification of a certificate of authorization issued under section 22 of the Act for any project that relates exclusively to

(a) an agricultural activity;

(b) the alteration without increase in capacity of a solid waste elimination or storage site governed by the Regulation respecting solid waste;

(c) wildlife development to which the third paragraph of section 2 of the Regulation respecting environmental impact assessment and review applies;

(d) work that must be carried out by a regional county municipality to restore normal water flow in a water-course pursuant to section 105 of the Municipal Powers Act; or

(e) work or activities arising from a state of emergency declared by a local municipality in accordance with section 42 of the Civil Protection Act.

22. The fee for an application under the Act or its regulations for the renewal of a document referred to in this Order is \$500, unless a provision of the Order sets a different fee for the application.

CHAPTER VIII PAYMENT OF FEES

23. The fees payable under this Order must be paid in full at the time the application is submitted.

However, the fees payable under section 10 may be paid at the beginning of each of the three steps in the environmental impact assessment and review procedure mentioned in that section.

The fees are payable in cash, by cheque or by bank or postal money order made out to the Minister of Finance or by an electronic method of payment.

24. Beginning 1 January 2008, the fees payable under this Order are adjusted on 1 January of each year based on the percentage change in the general Consumer Price Indexes for Canada, as published by Statistics Canada; the change is calculated by determining the difference between the average of the monthly indexes for the 12-month period ending on 30 September of the preceding year and the average of the monthly indexes for the same period of the second preceding year.

The adjusted amounts are reduced to the nearest dollar if they contain a fraction of a dollar less than \$0.50; they are increased to the nearest dollar if they contain a fraction of a dollar equal to or greater than \$0.50.

The Minister publishes the results of the adjustment in the *Gazette officielle du Québec* before 1 January of each year and, if the Minister considers it appropriate, gives notice by any other means.

CHAPTER IX MISCELLANEOUS AND TRANSITIONAL

25. Despite subparagraph *e* of paragraph 1 of section 2, subparagraph *c* of paragraph 1 of section 4 and section 5, the total amount of the fees for an application for one or more documents under section 22, 32 or 48 of the Act for a project involving an industrial establishment having, at the time of the application, 10 or fewer production employees is set at \$1,000.

26. Every application made prior to 3 January 2007 and on which, on that date, no decision had been made by the Minister under the Act or its regulations or, for a project exempt from the environmental impact assessment and review procedure, by the Government under section 31.6 of the Act, is exempted from the application of the provisions of this Order, provided that all the information and documents required for the application file under the Act and its regulations had been sent to the Minister before that date. The fees payable for the applications so exempted from the application of this Order are, where applicable, the fees set in the regulations in force before 3 January 2007.

In the case of an application made prior to 3 January 2007 and on which, on that date, no decision had been made by the Government under section 31.5 or, for a project exempt in part from the environmental impact assessment and review procedure, section 31.6 of the Act, the fees set out in section 10 are payable for every step of the environmental impact assessment and review procedure referred to in that section that begins on or after that date.

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

Québec, 12 December 2006

CLAUDE BÉCHARD,
*Minister of Sustainable Development,
Environment and Parks*

SCHEDULE I

(ss. 10, 11 and 12)

RATE CLASSES FOR PROJECTS SUBJECT TO THE ENVIRONMENTAL IMPACT ASSESSMENT AND REVIEW PROCEDURE PROVIDED FOR IN DIVISION IV.1 OF CHAPTER I OF THE ACT

Classes of projects for the application of the fee schedule	Subclasses of projects for the application of the fee schedule	Rate classes			
		1	2	3	4
PROJECTS DESCRIBED IN THE FIRST PARAGRAPH OF SECTION 2 OF THE REGULATION RESPECTING ENVIRONMENTAL IMPACT AND ASSESSMENT REVIEW					
Paragraph (a)					
– construction and subsequent operation of a dam or dyke [...]		✓			
Paragraph (b)					
– programme or project involving the dredging, digging, filling, levelling off or backfilling [...]		✓			
Paragraph (c)	Subclasses:				
– rerouting or diverting of a river	1. within the same watershed	✓			
	– flow diverted to the river				
	2. towards another watershed				✓
	– flow not diverted to the river				
Paragraph (d)	Subclasses:				
– construction of a port or wharf	1. construction of a port or wharf intended for 100 or more pleasure or fishing craft		✓		
	2. construction of any other port or wharf			✓	
– extension of a port or wharf or modification in the use of a port or wharf [...]		✓			

Classes of projects for the application of the fee schedule	Subclasses of projects for the application of the fee schedule	Rate classes			
		1	2	3	4
Paragraph (e) – construction, rebuilding or widening, along more than 1 kilometre, of a road or other public road network designed for 4 or more lanes of traffic [...]	Subclasses: 1. more than 1 km but less than 2 km 2. 2 km but less than 5 km 3. 5 km or more	✓		✓	✓
Paragraph (f) – construction, rebuilding or widening, along more than 2 kilometres, of any road or other road network intended for forestry, mining or energy operations [...]			✓		
Paragraph (h) – establishment of a marshalling yard or railway station and construction of more than 2 kilometres of railway [...]					✓
Paragraph (i) – establishment or extension of an airport [...]			✓		
Paragraph (j) First paragraph – construction of installations for natural gas gasification or liquefaction and construction of more than 2 kilometres of oil pipeline in a new right-of-way [...] Second paragraph – construction of a gas pipeline more than 2 kilometres in length					✓ ✓
Paragraph (k) – construction or relocation of an electric power transmission line of 315 kV or more over a distance of more than 2 kilometres – construction or relocation of a control or transformer station of 315 kV or more	Subclasses: 1. more than 2 km but less than 5 km 2. 5 km or more			✓	✓ ✓

Classes of projects for the application of the fee schedule	Subclasses of projects for the application of the fee schedule	Rate classes			
		1	2	3	4
Paragraph (l)	Subclasses:				
First paragraph					
– construction, reconstruction and subsequent operation of a hydroelectric generating station or fossil fuel-fired generating station with a capacity that exceeds 5 MW					✓
– construction, reconstruction and subsequent operation of any other electric power generating station with a capacity that exceeds 10 MW, except a nuclear generating station contemplated by subparagraph <i>m</i>	1. 10 MW but less than 50 MW 2. 50 MW or more			✓	✓
Second paragraph					
– subject to the provisions of the second paragraph of section 2, any increase in the capacity of a hydroelectric generating station [...]				✓	
Third paragraph					
– addition of a turboalternator to a boiler that had not been previously used to produce electric power [...]		✓			
Paragraph (m)					
– construction or extension of a nuclear fission or fusion establishment, of a plant that manufactures, processes or reprocesses nuclear fuel, or of a disposal or storage site for radioactive waste					✓
Paragraph (n)					
– construction of an oil refinery, of a petrochemical plant, of a liquid petroleum gas fractionating plant					✓
– construction of a plant that processes or synthesizes energy-producing gas, or of a plant that processes or synthesizes coal products					✓
Paragraph (n.1)	Subclasses:				
– construction of a mill within the meaning of the Regulation respecting pulp and paper mills [...]	1. de-inking plant 2. other pulp and paper mills			✓	✓

Classes of projects for the application of the fee schedule	Subclasses of projects for the application of the fee schedule	Rate classes			
		1	2	3	4
Paragraph (n.2)					
	– construction of a dismembering plant				✓
Paragraph (n.3)					
	– construction of a mill that produces metals, metal alloys or metalloids [...]				✓
Paragraph (n.4)					
	– construction of a cement plant				✓
	– construction of a slaked lime plant			✓	
Paragraph (n.5)					
	– construction of an explosives plant				✓
Paragraph (n.6)					
	– construction of a chemical plant [...]				✓
Paragraph (n.7)					
	– construction of a heavy water plant				✓
Paragraph (n.8)					
	– construction of an ore processing plant for				
	– metalliferous ore or asbestos ore, where the processing capacity of the plant is 7,000 metric tons or more per day				✓
	– uranium ore				✓
	– any other ore, where the processing capacity of the plant is 500 metric tons or more per day			✓	
Paragraph (n.9)					
	– construction of a metal products processing plant [...]				✓
Paragraph (n.10)					
	– construction of a mill that produces chipboard from wood fibre [...]				✓
Paragraph (n.11)					
	– construction of a plant that manufactures vehicles or aircraft, including parts for such vehicles [...]			✓	
Paragraph (o)					
	– construction or extension of one or several buildings in a livestock operation [...]			✓	

Classes of projects for the application of the fee schedule	Subclasses of projects for the application of the fee schedule	Rate classes			
		1	2	3	4
Paragraph (<i>p</i>)					
– opening and operation of					
– a metals mine or an asbestos mine that has a production capacity of 7,000 metric tons or more per day					
– a uranium mine					
– any other mine that has a production capacity of 500 metric tons or more per day					
Paragraph (<i>q</i>)					
– programme or project for aerial pesticide spraying for non-agricultural purposes over an area of 600 hectares or more [...]					
Paragraph (<i>r</i>)					
– construction of an incineration facility governed by Chapter III of the Regulation respecting the landfilling and incineration of residual materials made by Order in Council 451-2005 dated 11 May 2005, with a capacity of 2 metric tons or more per hour, an increase in the incinerating capacity of such a facility or an alteration to an incineration facility increasing its capacity to 2 metric tons or more per hour					
Paragraph (<i>r.1</i>)					
– construction of an incinerator wholly or partly intended for biomedical waste within the meaning of section 1 of the Regulation respecting biomedical waste made by Order in Council 583-92 dated 15 April 1992 or any alteration aimed at increasing by more than 10% the incinerating capacity of such an incinerator					
Paragraph (<i>s</i>)					
– establishment of one or several reservoirs with a total storage capacity of over 10,000 kilolitres intended to hold a liquid or gaseous substance [...]					

Classes of projects for the application of the fee schedule	Subclasses of projects for the application of the fee schedule	Rate classes			
		1	2	3	4
Paragraph (t)					
	– installation or use of facilities used in whole or in part for the incineration of residual hazardous materials [...]				✓
Paragraph (u)					
	– installation or use of facilities used in whole or in part for energy generation or pyrolysis of residual hazardous materials [...]				✓
Paragraph (u.1)					
	– establishment or extension of an engineered landfill referred to in Division 2 of Chapter II of the Regulation respecting the landfilling and incineration of residual materials made by Order in Council 451-2005 dated 11 May 2005 used in whole or in part for the final deposit of household garbage collected by or for a municipality [...]				✓
	– establishment or extension of a construction or demolition waste landfill referred to in the second paragraph of section 102 of the Regulation respecting the landfilling and incineration of residual materials [...]				✓
Paragraph (v)					
	– establishment or extension of a site used in whole or in part for the final deposit of hazardous materials [...]				✓
Paragraph (w)					
	– installation or use of facilities used in whole or in part for the treatment of residual hazardous materials outside their production location [...]				✓
Paragraph (x)					
	– establishment or extension of a site used in whole or in part for the final deposit of soils [...]				✓
Paragraph (y)					
	– installation or use of facilities used in whole or in part for the heat treatment of soils [...]				✓

Notices

Notice

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

**Permanent protection status as a biodiversity
reserve assigned to land forming part of Ville de
Rouyn-Noranda under the name Réserve de
biodiversité des Lacs-Vaudray-et-Joannès**

Notice is hereby given, in accordance with section 44 of the Natural Heritage Conservation Act (R.S.Q., c. C-61.01), that the Government made Order in Council 1114-2006 on December 6th, 2006 assigning permanent protection status to the biodiversity reserve known under the name Réserve de biodiversité des Lacs-Vaudray-et-Joannès, the plan of the area and its conservation plan being attached to that Order in Council.

MADELEINE PAULIN,
Deputy Minister

7899

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

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Natural Heritage Conservation Act — Réserve de biodiversité des Lacs-Vaudray-et-Joannès — Establishment (R.S.Q., c. C-61.01)	5	N
Natural Heritage Conservation Act — Vaudray and Joannès lakes biodiversity reserve — Conservation plan (R.S.Q., c. C-61.01)	27	Draft
Permanent protection status as a biodiversity reserve assigned to land forming part of Ville de Rouyn-Noranda under the name Réserve de biodiversité des Lacs-Vaudray-et-Joannès (Natural Heritage Conservation Act, R.S.Q., c. C-61.01)	45	Notice
Réserve de biodiversité des Lacs-Vaudray-et-Joannès — Establishment (Natural Heritage Conservation Act, R.S.Q., c. C-61.01)	5	N
Vaudray and Joannès lakes biodiversity reserve — Conservation plan (Natural Heritage Conservation Act, R.S.Q., c. C-61.01)	27	Draft

