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Laws and Regulations

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Summary

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Regulations and other acts

Gouvernement du Québec

O.C. 296-2009, 25 March 2009

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

Authorization to assign the status of proposed ecological reserve to a portion of the Tourbière de Shannon and approval of the plan of that area and its conservation plan

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

WHEREAS the territory of the Réserve écologique projetée de la Tourbière-de-Shannon is the habitat of two plant species likely to be designated as threatened or vulnerable and a representative sample of an ombrotrophic bog in an excellent state of preservation;

WHEREAS it is expedient to authorize the Minister of Sustainable Development, Environment and Parks to assign the status of proposed ecological reserve to a portion of the Tourbière de Shannon;

WHEREAS it is expedient to approve the conservation plan for the proposed ecological reserve and the plan attached to it;

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

THAT the Minister of Sustainable Development, Environment and Parks be authorized to assign the status of proposed ecological reserve to a portion of the Tourbière de Shannon;

THAT the conservation plan for the proposed ecological reserve and the plan attached to it, which are attached to this Order in Council, be approved.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

QUÉBEC STRATEGY FOR PROTECTED AREAS

**Réserve
écologique
projetée de
la Tourbière-
de-Shannon****Conservation plan**

1. Description of the territory

The Réserve écologique projetée de la Tourbière-de-Shannon is located in the territory of Municipalité de Shannon, Municipalité régionale de comté (MRC) de la Jacques-Cartier, in the Capitale-Nationale administrative region (region 03), approximately 30 km northwest of Ville de Québec. The Tourbière de Shannon covers an area of approximately 250 hectares at an altitude of 180 metres, on the northern flanks of the Jacques-Cartier river. The proposed ecological reserve will allow the major part of the Tourbière de Shannon's ecosystem to be integrally preserved. The area of the Réserve écologique projetée de la Tourbière-de-Shannon is 165.77 hectares. The map of the proposed ecological reserve, prepared by land surveyor Denis Vaillancourt, is shown at the end of this document.

The Tourbière de Shannon is mainly ombrotrophic (Buteau, 1989). This type of bog has a convex shape and is characterized by an acid pH between 3.5 and 4.6 and a water and mineral intake that comes solely from precipitation (Gorham & Janssens, 1992). The sphagnum contributes heavily to the acidity of the environment (Clymo, 1964). The seasonal recovery profile of this type of bog is strictly a function of precipitation, except for the summertime when evapotranspiration is significant, and in winter, when the surface of the bog is frozen (Bastien, 2007). A *lagg*¹ exists on the periphery of the bog and acts as a junction with the surrounding mineral soil. The water intake, after having run through the adjacent mineral soil, flows towards the margin of the bog and enriches it with available minerals. The *lagg* is characterized by the simultaneous presence of minerotrophic, facultative or even ombrotrophic species.

The proposed ecological reserve is located within the natural province of the Southern Laurentians in the Saint-Joseph Lake Low Hills ecological district. The territory is within the sugar maple-basswood bioclimatic domain. It is characterized by a subpolar and continental climate, subhumid annual precipitation and a long growing season.

The basement rocks below the Tourbière de Shannon is principally composed of gneiss and paragneiss (gneiss whose origin is sedimentary rock) (Grondin P., Leboeuf P., Noël J., Hotte D., 2003).

An administrative document of the Ministère du Développement durable, de l'Environnement et des Parcs entitled *Portrait of territory* groups the ecological

information concerning the Réserve écologique projetée de la Tourbière-de-Shannon and is updated according to the state of knowledge of the territory.

2. Proposed permanent protection status

The permanent protection status proposed for the territory is "ecological reserve"; the status is governed by the Natural Heritage Conservation Act.

3. Conservation measures and zoning

The Minister of Sustainable Development, Environment and Parks is responsible for the application of the Natural Heritage Conservation Act and is therefore responsible for proposed ecological reserves and those established under the Act and has authority over these lands, which form part of the domain of the State. The Minister supervises and monitors the measures contained in the Act with regard to activities permitted in protected areas. In the management of the reserve, the Minister works collaboratively with other government partners, such as the Minister of Natural Resources and Wildlife and Municipalité de Shannon, who have specific responsibilities with respect to the reserve or adjoining lands. In the exercise of their powers, the ministers and the municipality will take into consideration the protection sought for these natural environments and the protection status that has been granted. No additional conservation measure is envisaged at this stage. As for zoning, its application does not seem appropriate in a protected area for which integral protection is intended.

4. Activities framework

Activities carried on within the Réserve écologique projetée de la Tourbière-de-Shannon are governed by the provisions of the Natural Heritage Conservation Act (R.S.Q., c. C-61.01) and include in particular activities for scientific study and educational purposes. Those activities will be subject to the written authorization of the Minister of Sustainable Development, Environment and Parks.

This conservation plan does not prohibit activities in addition to the activities already prohibited in proposed ecological reserves under the Act. It also does not authorize activities or add restrictions to activities permitted under the Act.

4.1. Prohibited activities

It is important to note that under the Natural Heritage Conservation Act, the main activities prohibited in an area designated as a proposed ecological reserve are

¹ Lagg: the depressed and minerotrophic margin of a raised bog.

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

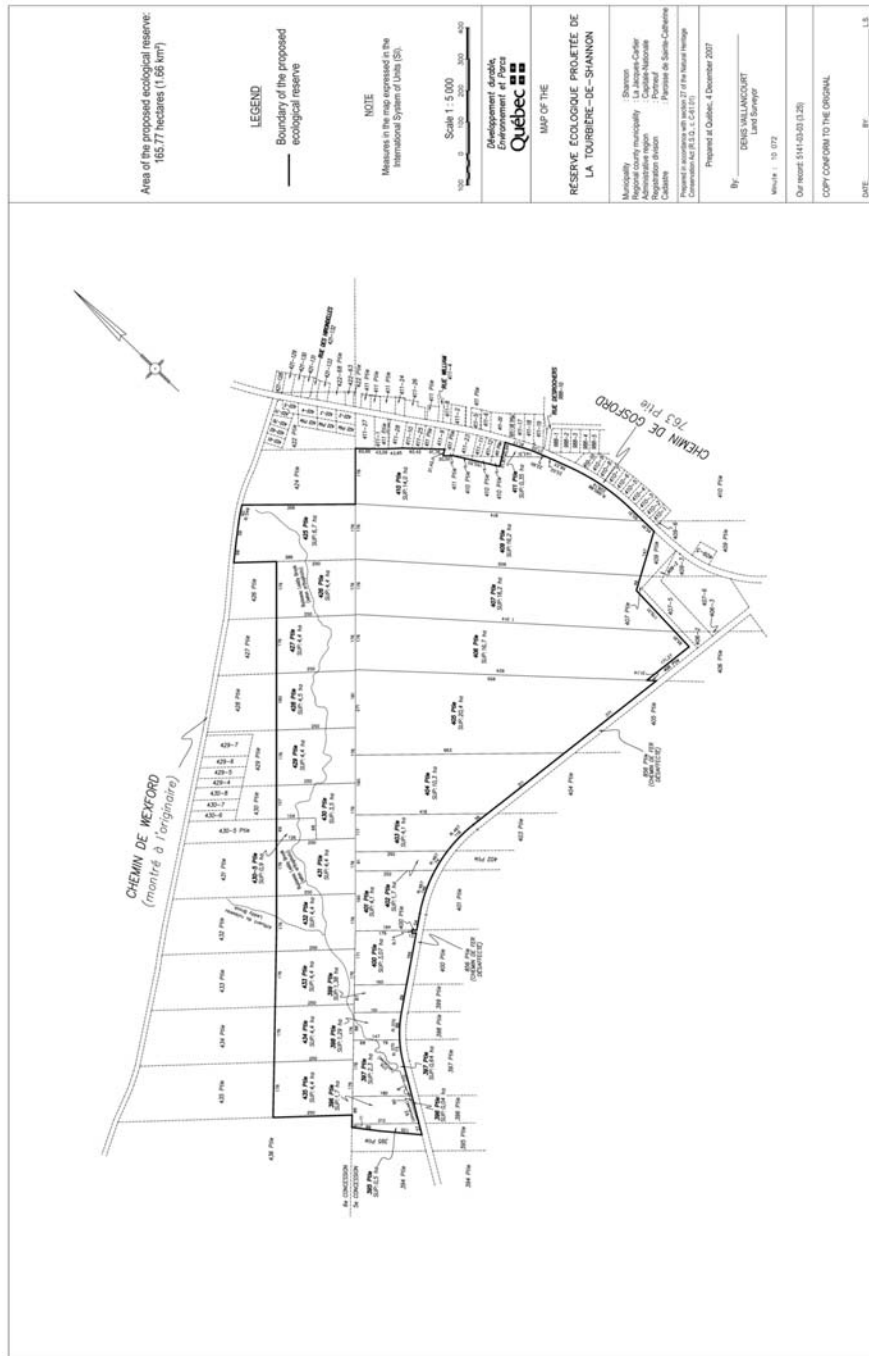
4.2. Activities governed by other statutes

Activities likely to be carried on within the Réserve écologique projetée de la Tourbière-de-Shannon 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.

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

- Archaeological research: measures set out in particular in the Cultural Property Act (R.S.Q., c. B-4);
- Environmental protection: measures set out in particular in the Environment Quality Act (R.S.Q., c. Q-2) and its regulations;
- Threatened or vulnerable plant species: measures prohibiting the removal of the species under the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01);
- Development and conservation of wildlife resources: measures set out in the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1) and its regulations;
- Access and land rights related to the domain of the State: measures set out in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and the Watercourses Act (R.S.Q., c. R-13);
- 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).

MAP OF THE RÉSERVE ÉCOLOGIQUE PROJETÉE DE LA TOURBIÈRE-DE-SHANNON



Gouvernement du Québec

O.C. 297-2009, 25 March 2009

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

Authorization to assign the status of proposed ecological reserve to a portion of Mont Gosford and approval of the plan of that area and its conservation plan

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

WHEREAS the upper portion of Mont Gosford is the habitat of two types of forest mixtures considered rare in Estrie and a portion of the habitat of certain wildlife species likely to be designated as threatened or vulnerable;

WHEREAS it is expedient to authorize the Minister of Sustainable Development, Environment and Parks to assign the status of proposed ecological reserve to the upper portion of Mont Gosford;

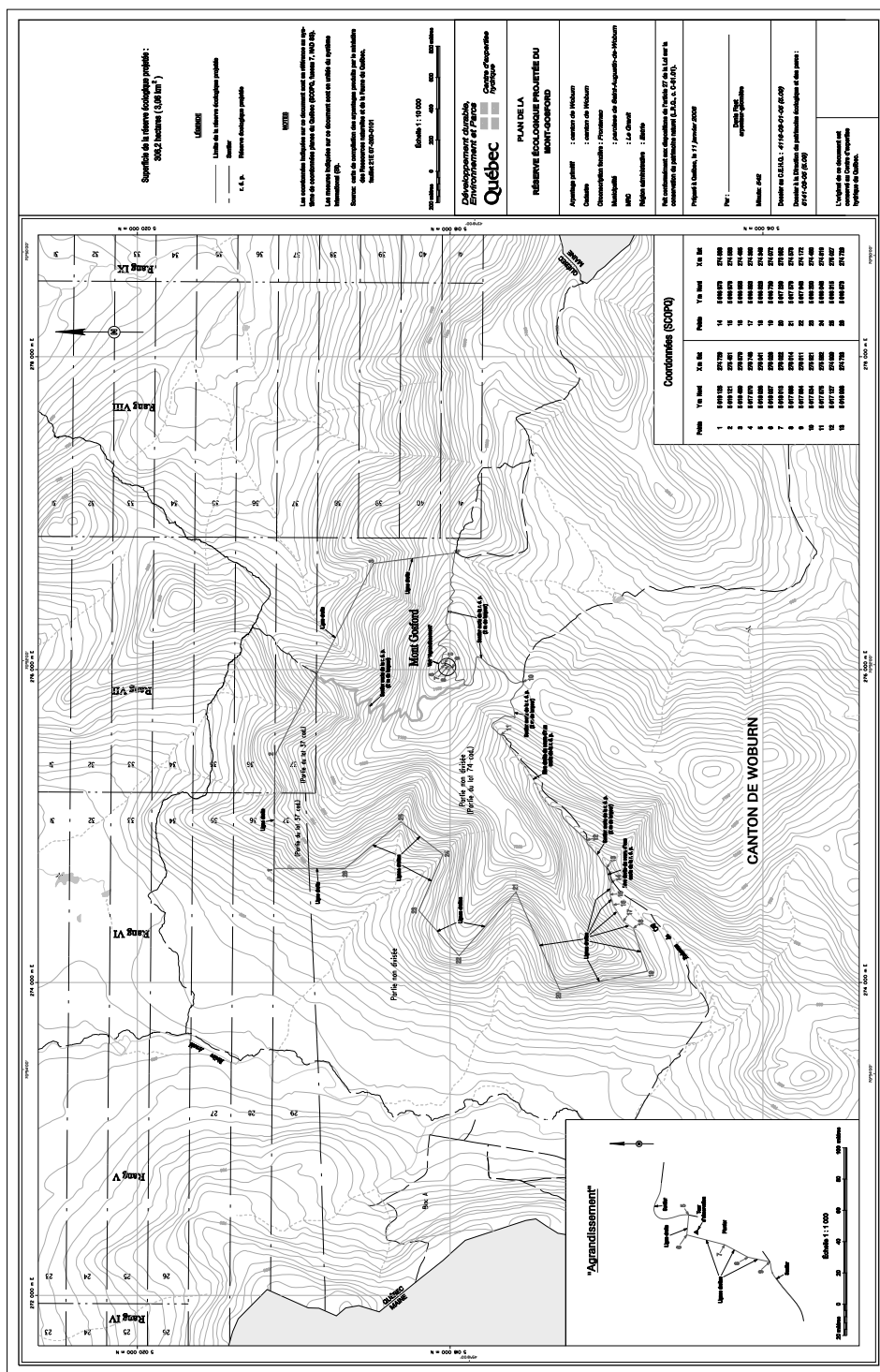
WHEREAS it is expedient to approve the conservation plan for the proposed ecological reserve and the plan attached to it;

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

THAT the Minister of Sustainable Development, Environment and Parks be authorized to assign the status of proposed ecological reserve to the upper portion of Mont Gosford;

THAT the conservation plan for the proposed ecological reserve and the plan attached to it, which are attached to this Order in Council, be approved.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif



QUÉBEC STRATEGY FOR PROTECTED AREAS



Réserve écologique projetée du Mont-Gosford

Conservation plan



February 2008

1. Plan and description

1.1. Geographic location, boundaries and dimensions

The boundaries of the Réserve écologique projetée du Mont-Gosford and its location are shown on the map in the Schedule.

The territory of the proposed ecological reserve is located in Municipalité de Saint-Augustin-de-Woburn, in Municipalité régionale de comté Le Granit. With an area of some 306 hectares, the reserve mainly covers the north and west slopes of the Mont-Gosford massif. The boundaries of the proposed ecological reserve extend from the peak of Mont Gosford, culminating at about 1,183 metres, to an approximate altitude of 720 metres.

1.2. Ecological overview

The Réserve écologique projetée du Mont-Gosford is part of the White Mountains natural region in the Appalachians natural province, as described in the Cadre écologique de référence du Québec. Once permanent status is granted, the reserve will make it possible to consolidate the representation of forest ecosystems typical of the border mountains in Estrie within the Québec network of ecological reserves and the protection of forest stands that are rare in Québec and Estrie.

1.2.1. Representative elements

Bioclimate

The territory covered by the proposal belongs to the bioclimatic field of sugar maple – yellow birch stands.

Geology

The Mont-Gosford massif has a particular geology, different from that of the rest of Estrie. It is part of the Chain Lake massif and is formed of Proterozoic (between 950 and 1,500 million years) meta-sedimentary rocks (metasandstone, metagreywacke). It lies along the continuation of the New Hampshire White Mountains.

Archaeology

The territory of the proposed ecological reserve does not include inventoried archaeological sites. A potential for the discovery of archaeological sites has nonetheless been recognized in respect of several territories near the protected area.

Vegetation

The territory is characterized by the presence of balsam fir and common wood sorrel stands and balsam fir and red spruce stands, two types of forest mixtures considered rare for that area.

Only peaks of more than 950 metres are colonized by balsam fir and common wood sorrel stands. The tree stratum is composed almost exclusively of balsam fir (*Abies balsamea*) with the occasional presence of white birch (*Betula papyrifera*) and red spruce (*Picea rubens*). At the herbaceous level, common wood sorrel (*Oxalis montana*) dominates by forming a continuous mat. The most abundant herbaceous species are *Dryopteris austriaca* var. *carthusiana*, Northern starflower (*Trientalis borealis*), large-leaved goldenrod (*Solidago macrophylla* var. *thyrsoides*), yellow clintonia (*Clintonia borealis*) and goldthread (*Coptis trifolia*).

Balsam fir and red spruce stands occupy the upper slopes of the massif and colonize the steep gradients (50% or more). They constitute a characteristic grouping of high-altitude balsam fir stands in the U.S. Appalachians. The limited flora complex of those stands is composed of balsam fir (*Abies balsamea*), red spruce (*Picea rubens*) and white birch (*Betula papyrifera*) for the tree stratum. No shrub species covers more than 5% of the area. *Dryopteris austriaca* var. *carthusiana*, common wood sorrel (*Oxalis montana*), yellow clintonia (*Clintonia borealis*) and Indian pipe (*Monotropa uniflora*) are the main species of the poorly developed herb layer.

Situated lower on the slope, balsam fir – white birch stands and white birch – balsam fir stands are also notable for that region and considered rare in Estrie.

1.2.2. Outstanding elements

In addition to containing the rare forests described above, the proposed ecological reserve constitutes one of the rare nesting areas inventoried in southern Québec for certain Arctic-alpine birds such as the spruce grouse (*Dendragapus canadensis*), fox sparrow (*Passerella iliaca*) and blackpoll warbler (*Dendroica striata*).

Bicknell's thrush (*Catharus bicknelli*), the Canada lynx (*Felis lynx*) and the bobcat (*Felis rufus*), 3 wildlife species likely to be designated as threatened or vulnerable, are found in the territory of Mont Gosford.

1.3. Occupation and land uses

The territory is public property. It overlaps part of the territory of the Louise-Gosford Controlled Zone (Zec) and a portion of a trapping ground (51A). The boundaries of the Zec and trapping ground must therefore be modified to allow for the creation of the ecological reserve. A hiking trail 2 m wide crosses the territory of the proposed ecological reserve, but is excluded from the reserve.

2. Protection status

The aim of the Réserve écologique projetée du Mont-Gosford is to protect two types of exceptional forest ecosystems and part of the habitat of certain wildlife species likely to be designated as threatened or vulnerable.

3. Activities framework

The activities carried on within the Réserve écologique projetée du Mont-Gosford are governed by the Natural Heritage Conservation Act.

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

3.1. Prohibited activities

— General prohibitions under the Act

It is important to note that under the Natural Heritage Conservation Act, the main activities prohibited in an area designated as a proposed ecological reserve are

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

— earthwork or construction work.

3.2. Activities governed by other statutes

Activities likely to be carried on within the Réserve écologique projetée du Mont-Gosford 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. Certain activities may also be prohibited or limited by other Acts or regulations that are applicable within the proposed ecological reserve.

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

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

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

— Threatened or vulnerable plant species: measures prohibiting the removal of the species under the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01);

— Development and conservation of wildlife resources: measures set out in the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1) and its regulations;

— Access and land rights related to the domain of the State: measures set out in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and the Watercourses Act (R.S.Q., c. R-13);

— 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).

3.3. Supervision of activities

The Minister of Sustainable Development, Environment and Parks is responsible for the application of the Natural Heritage Conservation Act and is therefore responsible for proposed ecological reserves and those established under that Act and has authority over these lands, which form part of the domain of the State. The Minister supervises and monitors the measures contained in the

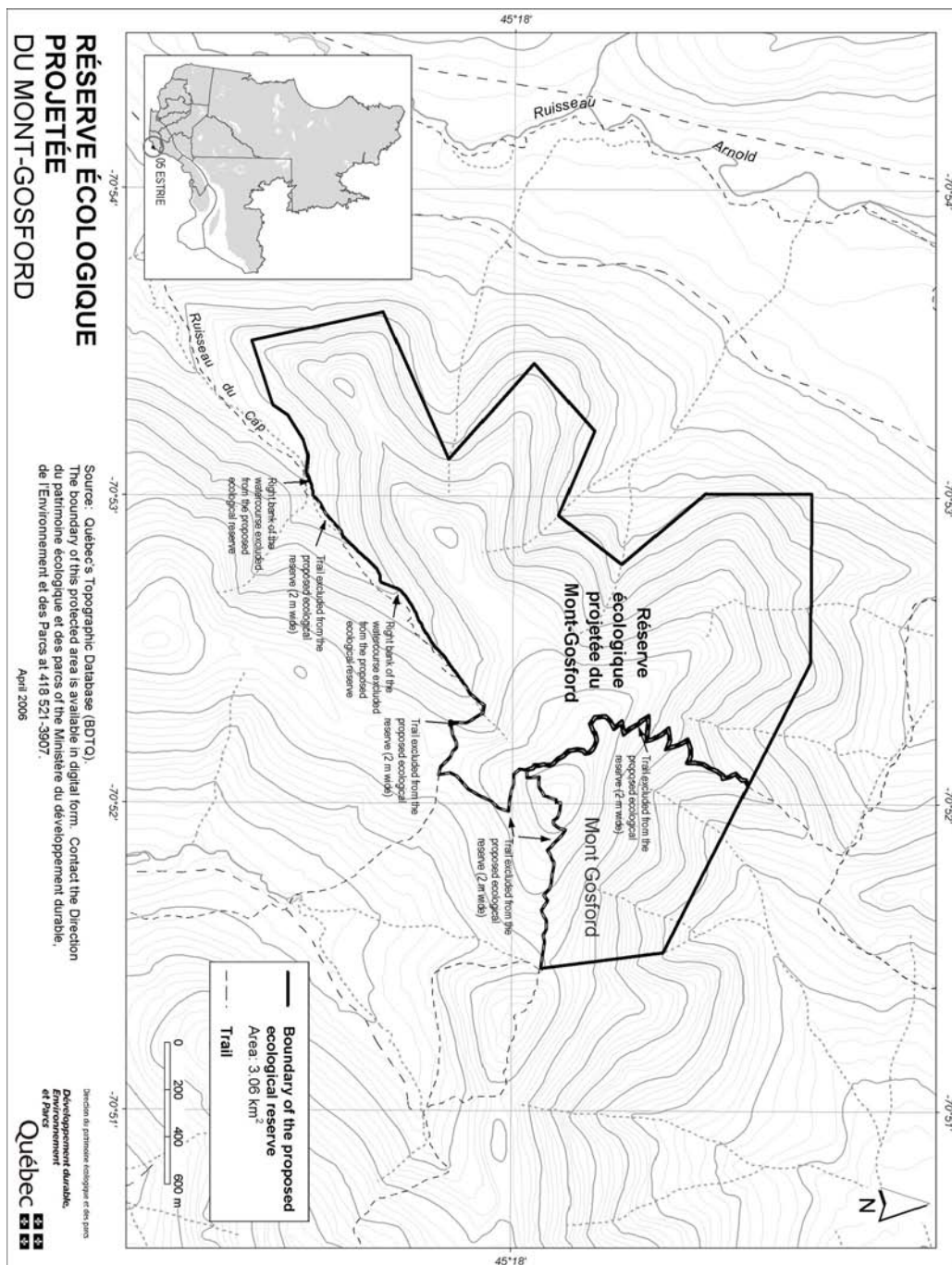
Act with regard to activities permitted in protected areas. In the management of the reserve, the Minister works collaboratively with other government partners, such as the Minister of Natural Resources and Wildlife, who have specific responsibilities with respect to the reserve or adjoining lands. In the exercise of their powers, the ministers will take into consideration the protection sought for these natural environments and the protection status that has been granted. No additional conservation measure is envisaged at this stage. As for zoning, its application does not seem appropriate in a protected area for which integral protection is intended.

4. Permanent protection status

The permanent protection status envisaged for the reserve is that of “ecological reserve” under the Natural Heritage Conservation Act. The activities permitted or prohibited during the period following the granting of permanent status by the Government are those provided for in section 48 of the Act.

SCHEDULE

SCHEDULE
MAP OF THE RÉSERVE ÉCOLOGIQUE PROJÉTÉE DU MONT-GOSFORD



Gouvernement du Québec

O.C. 298-2009, 25 March 2009

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

Establishment of the “Réserve de biodiversité du Karst-de-Saint-Elzéar”

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 under section 27 of the Act and that the applicable conservation plan be approved;

WHEREAS, in accordance with section 39 of the Act, a public consultation was held by the Bureau d'audiences publiques sur l'environnement, following the setting aside of land of the proposed Saint-Elzéar karst biodiversity reserve, and the report of the Bureau was made public on 2 February 2007;

WHEREAS the report recommends the assigning of permanent biodiversity reserve status within the boundaries of the proposed biodiversity reserve, considering in particular public support for the project;

WHEREAS, taking into consideration the recommendations in the report, the Minister has prepared a new conservation plan and has had the plan and technical description of the Réserve de biodiversité du Karst-de-Saint-Elzéar prepared;

WHEREAS the land within the reserve 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 Municipalité régionale de comté de Bonaventure has certified that the proposed biodiversity reserve is consistent with the objectives of its land use planning and development plan;

WHEREAS the Commission de toponymie has approved the use of the name “Réserve de biodiversité du Karst-de-Saint-Elzéar”;

WHEREAS, to facilitate the preservation of biodiversity, it is expedient to assign permanent biodiversity reserve

status to the land whose plan and technical description are attached to this Order in Council, under the name “Réserve de biodiversité du Karst-de-Saint-Elzéar”, 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 whose plan and technical description are attached to this Order in Council, under the name “Réserve de biodiversité du Karst-de-Saint-Elzéar”;

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 come into force on the date of publication in the *Gazette officielle du Québec* of the notice of the decision of the Government provided for in paragraph 3 of section 44 of the Natural Heritage Conservation Act.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

QUÉBEC
GASPÉSIE-ÎLES-DE-LA-MADELEINE
ADMINISTRATIVE REGION REGISTRATION
DIVISION OF BONAVENTURE NO. 1

TECHNICAL DESCRIPTION

RÉSERVE DE BIODIVERSITÉ DU
KARST-DE-SAINT-ELZÉAR

A territory in the Gaspésie-Îles-de-la-Madeleine administrative region, more precisely in the unorganized territory of Rivière-Bonaventure, Municipalité régionale de comté de Bonaventure, and extending in an undivided part of the township of Garin and in an undivided part of the township of Honorat in reference to the original survey.

PERIMETER

The perimeter of the territory may be described as follows:

Commencing at point 1 at the intersection of a line parallel to and 60 metres from the left bank of rivière Garin, that is the limit of the Rivière-Bonaventure Controlled Zone, with the left bank of a tributary of rivière Garin, whose coordinates are:

5 350 824 m North, 239 764 m East;

Thence, in an average southeasterly direction, along the left bank of the tributary of rivière Garin to point 2 whose coordinates are:

5 350 373 m North, 240 428 m East;

Thence, in an average easterly direction, along segments of straight lines forming a broken line whose apex coordinates are:

Point 3: 5 350 354 m North, 240 707 m East,
Point 4: 5 350 215 m North, 240 955 m East,
Point 5: 5 349 933 m North, 240 994 m East,
Point 6: 5 349 826 m North, 241 494 m East,
Point 7: 5 349 991 m North, 242 015 m East,
Point 8: 5 349 942 m North, 242 958 m East,
Point 9: 5 350 087 m North, 243 359 m East,
Point 10: 5 350 363 m North, 244 707 m East,

to point 11, situated on the south side of a road, at a distance of 15 metres measured perpendicularly from the centre line of the said road, the coordinates of that point being:

5 350 991 m North, 245 958 m East;

Thence, easterly, along a line parallel to and 15 metres from the centre line of that road to its intersection with the northwest side of another road, at a distance of 15 metres measured perpendicularly from the centre line of that other road, namely point 12 whose coordinates are:

5 350 842 m North, 246 264 m East;

Thence, in an average southwesterly direction, along a line parallel to and 15 metres from the centre line of the latter road to point 13 whose coordinates are:

5 349 236 m North, 245 308 m East;

Thence, in an average southwesterly direction, along segments of straight lines forming a broken line whose apex coordinates are:

Point 14: 5 348 937 m North, 244 915 m East,
Point 15: 5 348 812 m North, 244 562 m East,
Point 16: 5 348 243 m North, 244 087 m East,
Point 17: 5 347 673 m North, 244 345 m East,

to point 18 situated on the right bank of a tributary of rivière Hall Ouest and whose coordinates are:

5 347 568 m North, 244 490 m East;

Thence, in an average southerly direction, along the right bank of that tributary to its intersection with the right bank of rivière Hall Ouest, namely point 19 whose coordinates are:

5 346 409 m North, 244 470 m East;

Thence, in an average southwesterly direction, along the right bank of rivière Hall Ouest to point 20 whose coordinates are:

5 346 293 m North, 244 317 m East;

Thence, in an average southwesterly direction, along segments of straight lines forming a broken line whose apex coordinates are:

Point 21: 5 345 620 m North, 244 721 m East,
Point 22: 5 345 230 m North, 244 545 m East,
Point 23: 5 344 888 m North, 243 856 m East,
Point 24: 5 344 888 m North, 243 449 m East,
Point 25: 5 345 717 m North, 243 346 m East,
Point 26: 5 345 712 m North, 243 215 m East,
Point 27: 5 344 773 m North, 242 840 m East,
Point 28: 5 344 049 m North, 242 205 m East,
Point 29: 5 343 634 m North, 240 993 m East,
Point 30: 5 343 986 m North, 240 929 m East,
Point 31: 5 344 262 m North, 240 782 m East,
Point 32: 5 344 234 m North, 240 705 m East,
Point 33: 5 343 494 m North, 240 610 m East,
Point 34: 5 343 180 m North, 240 194 m East,

to point 35, situated northeast of a road, at a distance of 25 metres measured perpendicularly from the centre line of the said road, the coordinates of that point being:

5 342 982 m North, 239 087 m East;

Thence, northwesterly, along a line parallel to and 25 metres from the centre line of that road to point 36 whose coordinates are:

5 343 153 m North, 238 923 m East;

Thence, easterly, along a straight line to point 37 whose coordinates are:

5 343 356 m North, 239 103 m East;

Thence, northerly, along a straight line to point 38 situated at the bottom of a ravine and whose coordinates are:

5 344 123 m North, 238 868 m East;

Thence, westerly, along a straight line to the east shore of one of Duval lakes, namely point 39 whose coordinates are:

5 344 112 m North, 238 528 m East;

Thence, in an average northwesterly direction, along the shore of one of Duval lakes by its north contour to its intersection with the left bank of rivière Duval, namely point 40 whose coordinates are:

5 344 399 m North, 238 327 m East;

Thence, in an average northerly direction, along the left bank of rivière Duval to point 41 whose coordinates are:

5 345 336 m North, 238 229 m East;

Thence, in an average northerly direction, along segments of straight lines forming a broken line whose apex coordinates are:

Point 42: 5 345 838 m North, 238 410 m East,

Point 43: 5 346 572 m North, 238 410 m East,

to point 44 situated on the left bank of rivière Duval and whose coordinates are:

5 346 572 m North, 237 859 m East;

Thence, in an average northerly direction, along the left bank of rivière Duval to point 45 whose coordinates are:

5 350 127 m North, 237 967 m East;

Thence, in an average northwesterly direction, along segments of straight lines forming a broken line whose apex coordinates are:

Point 46: 5 350 361 m North, 237 692 m East,

Point 47: 5 350 656 m North, 237 597 m East,

to point 48 situated on the right bank of a tributary of rivière Garin and whose coordinates are:

5 350 750 m North, 237 199 m East;

Thence, in an average northwesterly direction, along the right bank of that tributary to its intersection with a line parallel to and 60 metres from the left bank of rivière Garin, namely the limit of the Rivière-Bonaventure Controlled Zone, namely point 49 whose coordinates are:

5 351 261 m North, 236 948 m East;

Thence, in an average easterly direction, along a line parallel to and 60 metres from the left bank of rivière Garin, namely the limit of the Rivière-Bonaventure Controlled Zone, to point of commencement 1.

WITHDRAWAL

To be withdrawn from the territory whose perimeter is described above, the portion of the road having a right of way 30 metres wide and extending from its intersection with the straight line connecting points 13 and 14 to its intersection with the straight line connecting points 27 and 28.

AREA

The territory of the biodiversity reserve has an area of 4,426.8 hectares (44.27 square kilometres).

PLAN

The territory is shown on a plan drawn to a scale of 1:20 000 from digital maps of the compilation of surveys and Québec's topographic database (BDTQ), folios 22A 03-200-0201 and 22A 06-200-0101, of the Ministère des Ressources naturelles et de la Faune du Québec. The plan, prepared by the undersigned, bears the same minute number as this accompanying technical description.

NOTES

— In this technical description, “shore” or “bank” means the high-water mark of a lake or watercourse. The right bank and the left bank correspond to the side of the watercourse that can be seen on the right and on the left when looking downstream.

— The limit of the Rivière-Bonaventure Controlled Zone is in reference to the technical description and plan prepared by Pierre Bernier, Land Surveyor, on 24 January 2007, under number 1 777 of his minutes, and kept in the archives of the Bureau de l'arpenteur général du Québec of the Ministère des Ressources naturelles et de la Faune (plan No. 1107-0000-06).

— The portion of road extending from point 11 to point 12 and the portion of road extending from point 12 to the line connecting points 27 and 28 were positioned in reference to the aerial photographs to a scale of 1:15 000, series Nos. Q04710 and Q04711, dated 11 September 2004, of the Ministère des Ressources naturelles et de la Faune du Québec.

— The physical elements used to define the limits prevail over the coordinates.

— The coordinates are expressed in metres and were determined according to the digital maps to a scale of 1:20 000 of the Ministère des Ressources naturelles et de la Faune in relation to the Québec plane coordinate system (SCOPQ), Modified Transverse Mercator projection (MTM), Zone 5 (central meridian at 64°30'00" west), North American Datum 1983 (NAD 83).

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

MINUTE

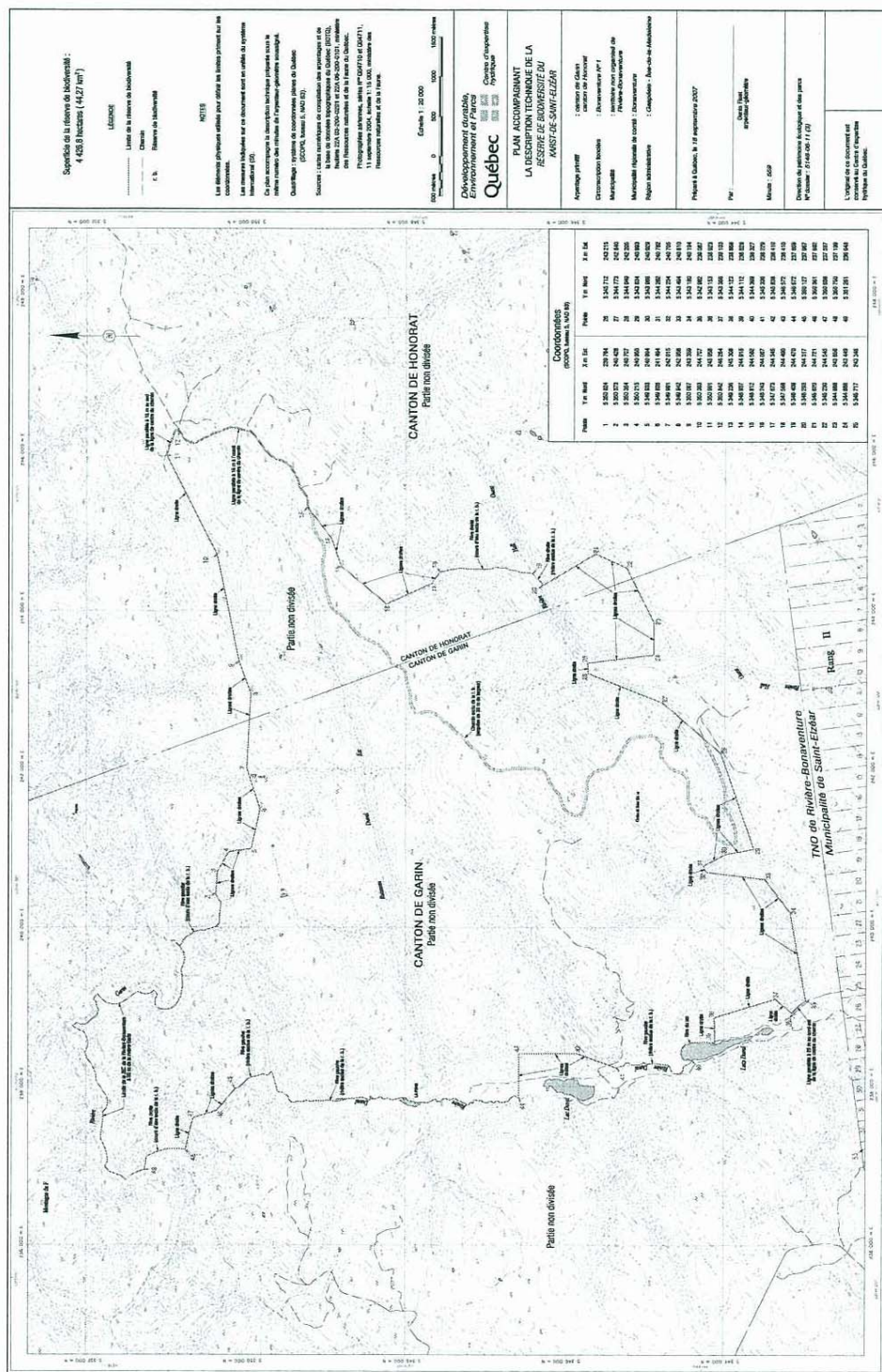
Prepared at Québec, on 18 September 2007, under number 559 of my minutes.

DENIS FISET,
Land surveyor

Ministère du Développement durable,
de l'Environnement et des Parcs du Québec
Direction du patrimoine écologique et des parcs

Centre d'expertise hydrique du Québec
Direction de la gestion du domaine hydrique de l'État

File No.: 5148-06-11 (3)

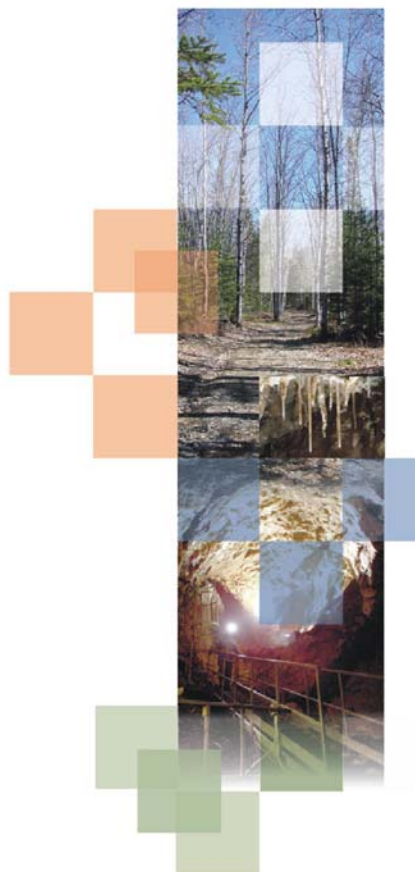




A Lifelong Heritage

Réserve de biodiversité du Karst-de-Saint-Elzéar

CONSERVATION PLAN



Québec 

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Introduction

On June 20, 2005, the Québec government authorized the Minister of Sustainable Development, Environment and Parks to assign the legal status of proposed biodiversity reserve to the karst of Saint-Elzéar, under the Natural Heritage Conservation Act (R.S.Q., c. C-61.01). This temporary protection status became effective on September 7, 2005, prohibiting the main industrial activities likely to threaten the conservation of the natural environment (logging, hydroelectric generation and mining).

It is important to note that karstic ecosystems are poorly represented in the current network of protected areas. The Réserve de biodiversité projetée du karst de Saint-Elzéar was therefore established to

- conserve a portion of land whose physiography is characteristic of the Appalachians natural province;

- preserve an area of geological interest;

- protect the biodiversity of forest ecosystems;

- acquire additional knowledge about the natural heritage, in particular karst phenomena and the evolution of the vegetative cover;

- acquire additional knowledge about the cultural heritage, especially archaeological resources.

On July 25, 2006, the Minister of Sustainable Development, Environment and Parks asked the Bureau d'audiences publiques sur l'environnement (BAPE) to conduct an inquiry and public hearing on the Réserve de biodiversité projetée du karst de Saint-Elzéar and the Réserve aquatique projetée de l'estuaire de la rivière Bonaventure under section 39 of the Natural Heritage Conservation Act, which provides for a period of public consultation before the Québec government is asked to grant permanent status to land set aside as a protected area. The BAPE inquiry began in August 2006 and ended in December 2006. The BAPE commission held public hearings in Saint-Elzéar and Bonaventure on September 19 and 20 and October 24, 2006. The report on the BAPE inquiry and public hearing (rapport 234) was submitted to the Minister of Sustainable Development, Environment and Parks in December 2006, and released by the Minister in February 2007.

The Commission noted widespread acceptance for the project in the community, as expressed by individuals, community organizations and public authorities. Like these participants, the Commission recommended that the protected area be granted permanent protection status as soon as possible.

This conservation plan was drafted by the Ministère du Développement durable, de l'Environnement et des Parcs (MDDEP) following the BAPE hearing and recommendations. It sets out the MDDEP's vision concerning the conservation and development of the land included in the Réserve de biodiversité du Karst-de-Saint-Elzéar and repeats much of the content of the document prepared by the MDDEP in July 2006 for the public hearing, released as part of the BAPE inquiry

and public consultation process. The conservation plan reflects the concerns of all the governmental and non-governmental stakeholders involved, in connection with this project, in the implementation of the strategic action plan for protected areas.

1. Area covered by the biodiversity reserve

1.1 Historical background to the conservation project

The Saint-Elzéar cave system was discovered by residents of Saint-Elzéar in 1976; however, according to local tradition people had been aware of the access shaft for many years. Since the discovery, Québec government and university researchers, as well as the Société québécoise de spéléologie, have studied the cave system and other karst phenomena in the Saint-Elzéar region. Local organizations such as the Comité de promotion des ressources naturelles de Saint-Elzéar Inc. (CPRN) and Habitafor have played an active role in work to acquire knowledge about karst phenomena in the area.

The outstanding geological interest of the site led, in 1977, to a proposal to protect part of the area by granting the status of ecological reserve. In 1977, at the request of the Société québécoise de spéléologie, the government banned logging and staking on the site. In addition, it controlled access to the cave system to stop the ongoing pillaging of its paleontological resources, especially bone fragments. The community stakeholders wanted the Saint-Elzéar cave system to be developed for education, recreation and tourism, and so the Ministère de l'Environnement put its ecological reserve project on hold in the 1980s; however, it ensured that the area was marked as an ecological site on land use maps for public land.

In 1980 the CPRN set up a cave museum in the village of Saint-Elzéar, offering visitors a chance to examine bones discovered in the cave and photographs of the cave system. Working closely with the Ministère de l'Environnement, the Société québécoise de spéléologie undertook work from 1983 to 1985 to describe the site and prepare a layout plan. Since 1990, the cave system has been open to the public. Metal staircases and ramps have been installed to increase safety. For the last fifteen years, the CPRN has offered education, recreation and tourism activities to the general public, centring on the discovery of the cave system and the observation of active karst phenomena.

Following the passage of the Natural Heritage Conservation Act in 2002, the MDDEP organized several information sessions and workshops with community organizations to explain the reasons for creating a biodiversity reserve and to define the boundaries of the

protected area, taking into account the concerns of the MDDEP and the community with regard to both conservation and development. During these meetings, the main conservation, management and development problems were defined and discussed with local and regional stakeholders with an interest in the future of the Saint-Elzéar karst.

Following these meetings, the MDDEP asked the Québec government to grant the status of proposed biodiversity reserve to the area identified, namely the sector of the Saint-Elzéar cave system and the surrounding sector where karst phenomena can be observed; this type of protection status was compatible with the recreation and tourism goals for the site. On June 20, 2005, the Québec government granted the status of proposed biodiversity reserve to the Saint-Elzéar karst, and the protection became effective on September 7, 2005.

The Saint-Elzéar cave system has also been recognized by the Ministère des Ressources naturelles et de la Faune (MRNF) for its potential for classification as an exceptional geological site. The MRNF considers that it is important to protect exceptional geological sites in order to:

- ensure the protection and conservation of geological diversity, in other words the range of geological elements found in Québec that may be threatened by human intervention;

- promote a better understanding of Québec's geology and geomorphology and its constituent elements.

1.2 Toponym

The toponym selected by the MDDEP for the biodiversity reserve following a favourable report by the Office de la langue française is “Réserve de biodiversité du Karst-de-Saint-Elzéar”. The word “karst” in the toponym is used to identify all the phenomena observed in the area and that constitute the primary reason for its conservation. A karst is a landscape resulting from the erosion of rocks, generally limestone, by freshwater, and from the action of the underground streams that gradually become established.

1.3 Geographic location

The location and boundaries of the Réserve de biodiversité du Karst-de-Saint-Elzéar are shown on the map in Schedule 1.

Location

The Réserve de biodiversité du Karst-de-Saint-Elzéar is located in the Appalachians natural province, which covers the Estrie, Bas-Saint-Laurent and Gaspésie—Îles-de-la-Madeleine administrative regions.

The biodiversity reserve lies within the unorganized territory of the Bonaventure regional county municipality, in the Gaspésie—Îles-de-la-Madeleine administrative region, fifteen kilometres north of the municipality of Saint-Elzéar, between 48°13' and 48°19' north latitude and 65°17' and 65°25' west longitude.

Area and boundaries

The biodiversity reserve covers an area of 44.27 km² and lies within the northeastern portion of the Duval river watershed. It also includes bluffs to the northwest that border on the left bank of the Garin river.

The boundaries of the biodiversity reserve were determined in order to include all known active or potentially active karst phenomena within the watershed of the Duval river. Another goal was to establish an area sufficiently large to be relevant in terms of biological diversity and the landscape, while minimizing the potential social and economic impacts of the conservation project. The boundaries of the biodiversity reserve ensure the conservation of a physiographic group that is outstanding in terms of the geological phenomena it displays, and also protect its setting in the landscape.

The exact boundaries of the reserve are based on natural elements that can be easily located in the field to avoid surveying difficulties and facilitate management of the area.

Access

The biodiversity reserve is accessible by public and forest roads from the municipality of Saint-Elzéar.

A forest road, crossing the biodiversity reserve from the Garin escarpment in the south-west towards the north-east, having a 30-metre right-of-way, is excluded from the protected area.

1.4 Ecological and social background

The Réserve de biodiversité du Karst-de-Saint-Elzéar is in the Appalachians natural province. The general topography is characterized by an undulating plateau sloping slightly towards the south, deeply scored by a

lattice network of streams running along the fractures in the geological base, and bordered on the south by a steep escarpment referred to as the Garin escarpment. The elevation of the proposed reserve ranges between 135 and 605 metres.

Climate

The biodiversity reserve is characterized by a subpolar and subhumid continental climate, with an average growing season. It is located in an area that belongs to the bioclimatic domain of fir stands with yellow birch.

Geology and geomorphology

The Réserve de biodiversité du Karst-de-Saint-Elzéar lies within the Appalachians geologic province, whose Paleozoic basement (545 to 250 million years) was severely deformed during successive orogenies. The bedrock consists of strata of Ordovician and Silurian sedimentary rock (450-420 million years) deformed during the Acadian orogeny (between 400 and 360 million years) and which contain relatively pure limestone of La Vieille Formation. The limestone is sensitive to chemical erosion (dissolution) and conducive to the formation of karsts.

There are relatively few rocky outcrops. The rock is covered with a thin layer of till derived from sedimentary rock, or sandy till. Sandy loams cover the valley floors. Sand and gravel and peat moss border the Duval river.

The Garin escarpment extending some 450 metres above the plateau of the Saint-Elzéar region, which is at an elevation of some 250 metres, delimits the southern portion of the biodiversity reserve. North of the escarpment, the surface rises gradually to an elevation of some 600 metres forming the Garin plateau.

An outstanding geological heritage

The Saint-Elzéar cave system is the oldest cave system so far discovered in Québec. It was partially sealed off by glacial deposits at least 200 000 years ago, which suggests that it formed even earlier, probably around 230 000 years ago. The last ice age caused part of the ceiling to collapse and formed the access shaft.

The underground environment has a specific microclimate. The deepest, most remote zones are characterized by total darkness, a temperature that remains stable year-round at about 4 °C, and a humidity level close to saturation point between 95% and 100%. Closer to the surface, this microclimate may be influenced by

outside weather conditions. Variations in atmospheric pressure and the outside temperature may create strong drafts and changes in the humidity level within the karst system.

The access shaft, known as the “Puits des Motoneigistes”, measures three metres by four and has a vertical drop of twelve metres to two underground chambers. In all, the cave system is over 200 metres long and roughly 35 metres deep. The first chamber is forty metres long by fourteen metres side, and is called “Grande Salle”. The other chamber is called “Salle des Ours” because of the skulls discovered there. The ceiling of this chamber rises to ten metres, forming a dome that speleologists call “Le Clocher”. It extends to the “Galerie des Gours”, which is a fragile environment and so closed to the public. Among the karst sites in Québec, the Saint-Elzéar cave system is outstanding because of the quantity and quality of its concretions. It contains old stalactites and stalagmites and impressive examples of flowstone, in a good state of overall conservation.

The Garin plateau, which extends northwards from the village of Saint-Elzéar and ends at the Garin river, is the only place in Québec, and in Eastern Canada, where it is possible to observe both active karst phenomena and traces of events that happened over 200 000 years ago. The most recent studies show that karst phenomena can be found throughout the biodiversity reserve. The presence of hundreds of closed depressions and numerous dolines tends to indicate that the cave network is larger than the network currently known.

The Saint-Elzéar karst is one Québec’s prime geological sites. It is generally well preserved. The area was recently closed to commercial forestry and mining operations and certain other human activities.

Hydrography

The major part of the biodiversity reserve is in the Duval river watershed, a tributary of the Bonaventure river. The Duval Est stream drains the northern half of the reserve.

A small portion of the territory located to the northwest is drained by the Garin river. The Garin escarpment is drained to the west by the Duval river and to the east by the Hall Ouest river, another tributary of the Bonaventure river.

A lattice hydrographic network sometimes highly entrenched along the geological strata (generally limestone) cuts into the land or uses the nearly perpendicular fractures. The creation of the biodiversity reserve will ensure the

conservation of a representative, relatively undulating physiographic unit that is distinct from the rest of the southern part of the Gaspé peninsula.

Flora

The area of the biodiversity reserve is covered by forest, mostly comprising mixed stands and, on slopes, stands of shade-intolerant hardwoods. White birch and trembling aspen dominate most of the area. Softwoods are represented mainly by balsam fir and white spruce, along with some red spruce and black spruce. Yellow birch form up to 5% of the mixed stands, growing on slopes in the western and north-western portions. The sugar maple-yellow birch stand covers only 0.2% of the area, in a valley lying across the Duval river, at low elevation. The forest was nearly completely burned in 1924, and as a result only a few stands are over 80 years old.

The oldest forests are established on a well-drained clay substrate in the valley bottoms, especially the valley of the Duval Est stream and the valley to the east of the Duval lakes. The same areas are home to softwood stands, which cover roughly 7% of the reserve. The youngest forests, less than 20 years old, result from logging operations in the past and are found mostly in the northwestern portion of the reserve that is drained by the Garin river.

In well-drained soils, the herbaceous and arbustive flora of the forest floor consists of about twenty species that characterize boreal forests. A few isolated stands of eastern white cedar, balsam fir and white spruce are confined to the north of the territory in valley bottoms and along the Duval river.

Fauna

Black bear, moose and white-tailed deer are all found in the area. In the case of white-tailed deer, the northwest extremity of the reserve overlaps part of a white-tailed deer yard legally recognized under the Regulation respecting wildlife habitats (R.S.Q., c. C-61.1, r.0.1.5). Several other mammal species occupy or use the area; these include the red fox, American marten, fisher, lynx, American porcupine, raccoon, striped skunk, beaver and muskrat.

Most of the data on threatened or vulnerable species of wildlife results from the archaeological excavations conducted in the cave system in 1977-1978 by the Ministère de l'Énergie et des Ressources. Since the Saint-Elzéar cave system is connected to the outside world by a twelve-metre shaft, it has acted as a trap into which many different animals have fallen over the years.

In the pile found below the entry shaft, the remains of over 5 000 small animals have been identified, constituting a historical record. Among the species identified from these bones are the wolverine, rock vole, least weasel, smoky shrew, pigmy shrew, Gaspé shrew and the southern bog lemming. Some of the species identified are no longer found on the Gaspé peninsula but are common in colder climates, such as the wolverine, Arctic hare and Ungava collared lemming.

According to a survey by Envirotel Inc. conducted in 1995, the underground network of caves and passages offers strong potential for bats. Although no inventory has so far been made, the Saint-Elzéar karst offers favourable conditions for the various species of cave-dwelling bats found on the Gaspé peninsula. Up to seven or eight individuals use the main cave during the winter, but their species is currently unknown. Other individuals doubtless use the less accessible chambers, and the entire cave system is likely to be used during the winter by several species, including the little brown bat, a species that, in winter, establishes itself in caves where the temperature is stable at around 4.5 °C and the relative humidity is around 80%. Some colonies may have as many as several hundred individuals. They enter a lethargic state, during which their metabolism slows down until spring. During this period, the species is particularly vulnerable to disturbance.

Discovering underground wildlife

Except for the paleontological studies conducted on the bones found in the Saint-Elzéar cave system, no inventory of the underground wildlife of the Saint-Elzéar karst has been completed. It is probable, however, that certain species inhabit or use the underground ecosystem.

A number of scientific studies conducted in various karst environments around the world have shown that several species have been able to adapt to the highly specific environmental conditions of the underground (darkness, high humidity, lack of vegetation, scarcity of food, etc.).

Overall, scientists distinguish between four categories of underground species of fauna:

- troglaphiles: animals that occasionally live underground;
- troglonexes: animals that seek shelter in caves but feed in the outside world (bats, for example);
- troglobies: animals that live only in underground cavities;

- stygobies: animals that live only in underground water.

The acquisition of more knowledge about the underground wildlife of the Saint-Elzéar karst could constitute one of the primary aims of the biodiversity reserve, since the organisms involved have exceptional heritage value and are excellent indicators of the state of the ecosystem.

1.5 Other land uses

Seven land rights have been granted by the Ministère des Ressources naturelles et de la Faune within the perimeter of the biodiversity reserve. They are located as follows (see the map in Schedule 1):

- 2 leases for the construction of a rough shelter in the forest;
- 2 leases for personal vacation resort purposes (cottages), situated near the north-west limit of the proposed reserve;
- 3 leases for the installation of recreational facilities (access to the Saint-Elzéar cave), and the construction of a lookout point and observation tower.

Part of the territory is served by forest roads. One authorization to use a right of way has also been issued by the Ministère des Ressources naturelles et de la Faune to allow the creation of over eight kilometres of hiking trails for the observation of karst phenomena.

In the fall, the local population hunts moose in the area.

2. Conservation and development

The primary objective of a biodiversity reserve is the preservation of aquatic and terrestrial ecosystems, the conservation of the biological processes that depend on it, and the protection of its biotic and abiotic components. The Réserve de biodiversité du Karst-de-Saint-Elzéar will be managed in such a way as to meet two main ecological objectives: to maintain the integrity of the karst phenomena, and to develop knowledge about the karst phenomena.

Another goal of protected areas is to preserve land for the benefit of all. Local communities should be the first to benefit, and therefore should be closely involved in managing the areas. Similarly, ecotourism activities that are compatible with the conservation status of the area should be allowed to continue.

2.1 Ensuring the integrity of the karst phenomena

The Saint-Elzéar karst is a fragile environment. Some of the activities that take place in the biodiversity reserve could have a negative impact on biological diversity in the area or could, if not strictly controlled, contribute to the deterioration of the karst phenomena.

The general objectives are to

- prohibit the activities that are incompatible with the status of biodiversity reserve as defined in the Natural Heritage Conservation Act;

- supervise the activities that are permitted in the biodiversity reserve to ensure that they take place in a way that is consistent with the support capacity of each environment and its natural character.

In managing the reserve, it will be necessary to supervise the activities that may have a significant impact on the karst phenomena. Special attention will be paid to activities that lead to changes in the vegetative cover or disturbances in the flow of surface or underground water.

It would also be advisable to establish a framework for speleological activities.

2.2 Acquiring knowledge about karst phenomena and biodiversity in the reserve

The Saint-Elzéar karst is of great interest for scientific research and teaching, in the sense that it opens a window onto geological events that are both impressive and rare in Québec. Ecological knowledge of the area, whether with regard to karst phenomena or to wildlife species living in an underground environment, is currently fragmentary and should be developed.

The MDDEP wishes to

- promote the dissemination of existing knowledge;
- encourage teaching activities focusing on geological phenomena in the Réserve de biodiversité du Karst-de-Saint-Elzéar;

- promote scientific research to acquire a better understanding of the karst ecosystem (structure, functions, fauna, flora, etc.).

For this purpose, the MDDEP intends to

- establish partnerships with teaching institutions and research groups to conduct studies of karst phenomena in the area, in particular to define the characteristics, interest and vulnerability of the underground environment;

- establish partnerships with local or regional nature associations to draw up an inventory and ensure regular monitoring of biodiversity in the biodiversity reserve;

- raise awareness among users of the area about the potential impact of their actions on biodiversity.

2.3 Involving stakeholders

The MDDEP supports the involvement of local and regional stakeholders in the conservation and development of protected areas.

This is why the MDDEP intends to draft an action plan, in partnership with community organizations, to guide the management of the biodiversity reserve towards the protection and development of the land and its resources.

The Comité de promotion des ressources naturelles de Saint-Elzéar, because of the important role it has played in the past in improving knowledge about, conserving and managing the karst phenomena in the area, has agreed to be the MDDEP's key partner in drafting the action plan and planning the management of the biodiversity reserve. It has also agreed to review its mission and the composition of its board of directors to ensure that it is more representative of all stakeholders in the area and better adapted to its new role.

2.4 Maintaining use of the reserve for education, recreation and tourism

The area contains an extremely important natural heritage, and also has enormous potential for recreational activities. These uses are, generally speaking, compatible with the status of a biodiversity reserve. However, they must be developed and managed in a way that takes into account the fragility of certain environments and obstacles to the construction of recreational facilities. Some current activities, such as speleology, are likely to have a negative impact on biodiversity in the biodiversity reserve or to alter its natural aspect.

For these reasons, the MDDEP intends to:

- maintain the use of the Saint-Elzéar karst for eco-tourism;

— ensure that activities in the biodiversity reserve, new activities and the construction of new infrastructures do not have a negative impact on biological diversity in the area, and on the karst heritage.

The MDDEP suggests that the plan of action should, among other things:

— plan for the development of ecotourism and recreational activities that are consistent with the conservation objectives for the reserve;

— establish a program to monitor activities in and around the biodiversity reserve to assess their possible impact on biodiversity in the area;

— establish a framework for speleological activities, working with specialists in the field and in particular with geologists from the Ministère des Ressources naturelles et de la Faune and the Société québécoise de spéléologie;

— raise public awareness about the fragility of the karst heritage.

3. Activities in the biodiversity reserve

3.1 Legislative framework under the Natural Heritage Conservation Act

Activities in a biodiversity reserve are generally governed by the provisions of the Natural Heritage Conservation Act.

A biodiversity reserve is intended to protect a natural environment. For this reason, activities that may have a major impact on ecosystems and biodiversity are prohibited, especially those of an industrial nature. In this type of protected area, however, less harmful activities and modes of land occupation are permitted, such as recreational, wildlife-related and educational activities. Within the protected area, human beings are considered to form part of the ecosystem and can continue to circulate, and a certain level of development is possible.

The biodiversity reserve must be considered as an area devoted to the protection of the natural environment, the enjoyment of nature and recreation.

Under the Natural Heritage Conservation Act, the main activities prohibited in an area with biodiversity reserve status are:

— mining, gas and petroleum exploration and development;

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

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

Although these prohibitions are essential for the long-term protection of the land and its ecosystems, they do not introduce all the standards required for the proper management of the biodiversity reserve and the conservation of the environment. Under the Act, the government may specify, in the conservation plan, the legal framework that will apply in the territory of a reserve.

Provisions in Schedule 2 prohibits activities in addition to those prohibited under the Act and provides the framework for the various activities permitted so as to better protect the natural environment in keeping with the conservation principles and other management objectives established for the biodiversity reserve. Accordingly, certain activities require the prior authorization of the Minister and compliance with the conditions determined by the Minister.

Several of the provisions in Schedule 2 provide for authorization from the Minister, an approach that allows for the introduction of appropriate conditions in specific circumstances.

For example, the construction of some types of buildings (such as a reception centre or shelter) and trails may fall within the management and conservation objectives of the reserve, while other types of construction may have a negative impact on the environment and biodiversity and will not be considered appropriate – and will not be authorized.

Many of the standards in Schedule 2 have been designed to allow the Minister to exercise an appropriate level of supervision, taking the context into account and with the flexibility needed when the circumstances and the characteristics of the target environment allow, so as to provide adequate guidance for various activities.

It is important to note that the measures in the Schedule target new interventions in particular within the reserve, and do not generally affect existing facilities or current activities, preserving many compatible existing land uses.

Since the terms of the framework set out in Schedule 2 cannot indicate whether an application for authorization will be accepted or refused, the MDDEP will make public the criteria it will use in its management to analyze the applications made. Guides, instructions or directives will be drawn up and made public. For example, the MDDEP will establish a list of activities mentioned in Schedule 2 that will only be authorized in exceptional circumstances, or only in a few cases, because they are considered *a priori* to have a negative impact.

In contrast, despite the introduction of control mechanisms, many other activities may be seen as compatible with the objectives of the protection status. For these cases, the authorization process will be used to ensure that the MDDEP is aware of the activities, and is able where necessary to impose improvements to the approach proposed by the applicant.

Last, to avoid the imposition of control measures of little use because of the low risk of a negative impact, or because they duplicate other control measures under other legislation, Schedule 2 also lists exemptions to the requirement of obtaining authorization for certain activities: routine maintenance work, for example, on existing facilities.

3.2 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 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) and its regulations.

- Removal of species of flora designated as threatened or vulnerable: measures set out in the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01) prohibiting the removal of such species;

- Development and conservation 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.

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

- Access and land rights related to the domain of the State: 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 Watercourses Act (R.S.Q., c. R-13).

- 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.

- Construction and layout standards: regulatory measures adopted by regional and local municipal authorities under the Acts applicable to them.

4. Management

The MDDEP is responsible for the application of the Natural Heritage Conservation Act, which governs the biodiversity reserve. Some activities will continue to be regulated by other government authorities under other Acts, in collaboration with the MDDEP.

The operational management of the biodiversity reserve will be under the responsibility of the MDDEP regional office for analysis and expertise in the Bas-Saint-Laurent and Gaspésie—Îles-de-la-Madeleine region, which will be required to ensure that conservation objectives are met in the biodiversity reserve. The MDDEP ecological heritage and parks division will provide the scientific and technical support needed.

The MDDEP regional office for analysis and expertise in the Bas-Saint-Laurent and Gaspésie—Îles-de-la-Madeleine region will establish the procedure for participation by local and regional stakeholders interested in the management of the biodiversity reserve.

The MDDEP hopes that the local and regional population will become a key partner in the drafting of an action plan, which will establish priorities for conservation and development actions over the short, medium and long term, and in the management of the reserve. The action plan could, if necessary, be revised periodically at the same time as the conservation plan, as provided for in the Natural Heritage Conservation Act.

The Comité de promotion des ressources naturelles de Saint-Elzéar (CPRN) has agreed to play an important role; its mission and the composition of its board of directors have been reviewed to ensure that it is more representative of all stakeholders in the area and better adapted to play its new role.

A mechanism will be established to monitor the conservation objectives and, if necessary, adjust the strategies implemented to achieve those objectives. The biodiversity reserve will be managed in keeping with the following conservation principles:

- maintain natural ecosystem dynamics;
- restore damaged ecosystems, as required and over the medium term;
- respect the ecosystem support capacity;
- maintain non-industrial harvesting activities, without encouraging their development;
- gather and disseminate knowledge about the natural and cultural heritage;
- participate in the management of adjacent areas to ensure harmonization with the conservation objectives pursued within the biodiversity reserve.

The MDDEP has not proposed a zoning plan to guide the management of Réserve de biodiversité du Karst-de-Saint-Elzéar, because

- the entire area has karst potential;
- knowledge about the karst phenomena remains fragmentary.

If needed, the MDDEP will review the advisability of zoning the biodiversity reserve with community stakeholders when drawing up the action plan, to create a framework for the possible development of activities and their pursuit in the protected area.

Conclusion

The Réserve de biodiversité du Karst-de-Saint-Elzéar will protect one of Québec's most outstanding geological sites. The Saint-Elzéar cave system is clearly the most remarkable element because of its age, dimensions and paleontological interest. However, the entire area has exceptional interest for the understanding of karst phenomena and the associated biodiversity. It was important to ensure the ongoing protection of this geological feature, while permitting its development for the benefit of all.

It is important here to underline the energetic work performed by community stakeholders, and in particular the Comité de promotion des ressources naturelles de Saint-Elzéar Inc. since 1976 and the municipality of Saint-Elzéar, in order to preserve this heritage and make it better known.

The protection status granted to the site has rewarded their work. The Réserve de biodiversité du Karst-de-Saint-Elzéar will benefit, first, the local and regional communities, that will be able to enjoy and take full advantage of its attractions. For this reason, the MDDEP has proposed a type of management based on partnerships with organizations solidly grounded in the community, and the Comité de promotion des ressources naturelles de Saint-Elzéar has agreed to become the MDDEP's key partner in all matters concerning the drafting of an action plan and the planning of management approaches for the Réserve de biodiversité du Karst-de-Saint-Elzéar.

The conservation of this natural environment, which will be used for light recreation, the discovery of the natural and cultural heritage, teaching and scientific research, should help consolidate the local tourist industry. The reserve – because of its natural state, unity and accessibility – offers an ideal location for the development of highly popular recreational and tourism-related activities, including ecotourism, nature observation and hiking.

The management methods applied in the Réserve de biodiversité du Karst-de-Saint-Elzéar will promote closer ties between various interest groups, by encouraging them to pool their efforts, their abilities and their skills to further a conservation and development project that is in harmony with and respectful of the concept of biodiversity.

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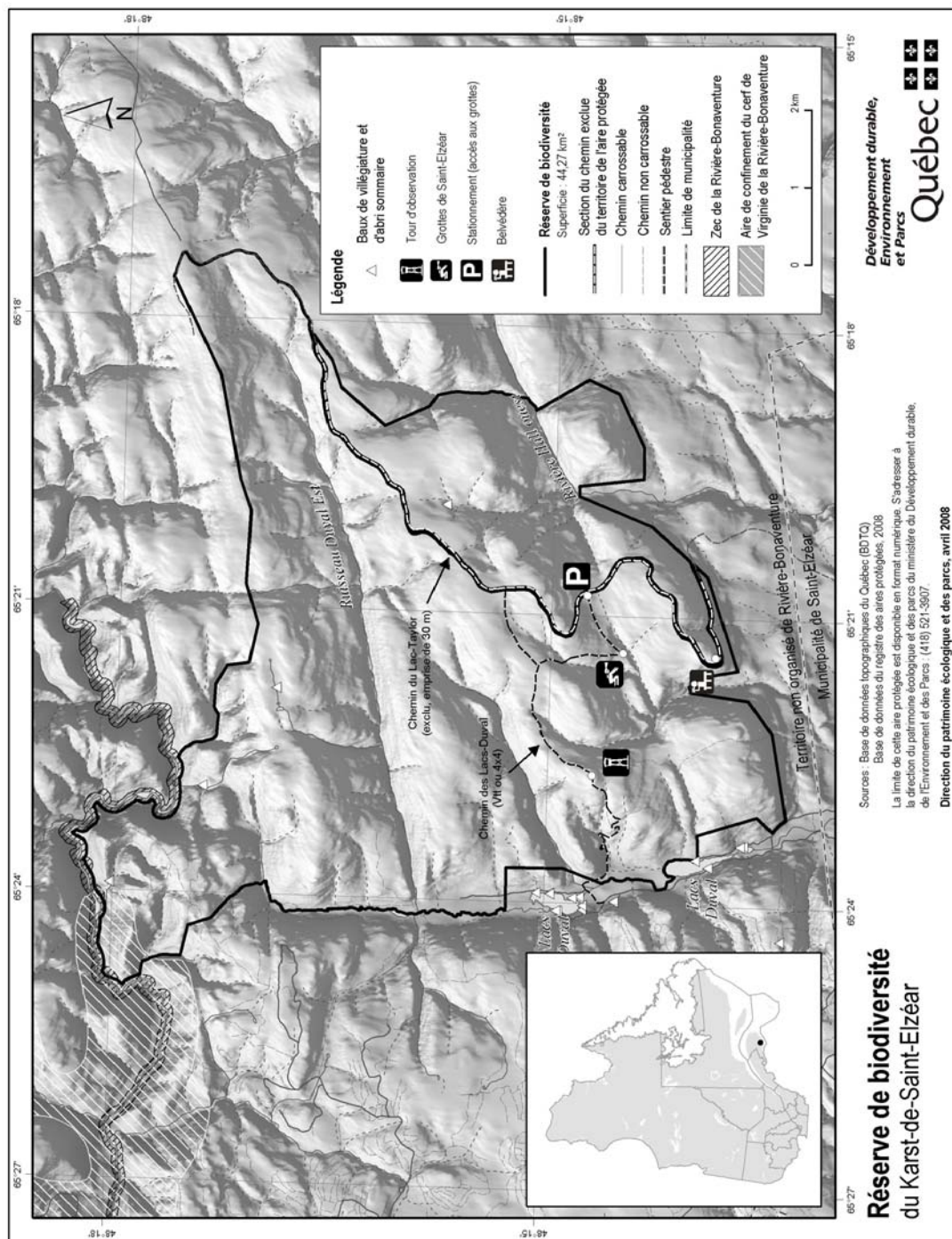
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SCHEDULE 1

RÉSERVE DE BIODIVERSITÉ DU KARST-DE-SAINT-ELZÉAR



SCHEDULE 2

(s. 3.1)

**ACTIVITIES FRAMEWORK FOR THE RÉSERVE
DE BIODIVERSITÉ DU KARST-DE-SAINT-ELZÉAR****— STANDARDS ADDITIONAL TO THOSE
IN THE ACT****PROHIBITIONS, PRIOR AUTHORIZATIONS AND
OTHER CONDITIONS GOVERNING ACTIVITIES
IN THE BIODIVERSITY RESERVE**

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

DIVISION I**PROTECTION OF RESOURCES AND
THE NATURAL ENVIRONMENT**

1. Subject to the prohibition in the second paragraph, no person may establish in the biodiversity reserve any specimens or individuals of a native or non-native species of fauna, including by stocking, 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.

No person may establish in the biodiversity reserve a non-native species of flora, unless the person has been authorized by the Minister and complies with the conditions the Minister determines.

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 of rehabilitating degraded environments or habitats within the biodiversity reserve, and the interest in reintroducing certain species that have disappeared.

2. No person may use fertilizer or fertilizing material in the biodiversity reserve. Compost for domestic purposes is permitted if used at least 20 metres from a watercourse or body of water measured from the high-water mark.

The high-water mark means the high-water mark defined in the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains, adopted by Order in Council 468-2005 dated 18 May 2005.

3. 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, including a marsh, swamp or bog;

(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) install or erect any structure, infrastructure or new works in or on the bed, banks, shores or floodplain of a watercourse or body of water, although no authorization is required for minor works such as a wharf, platform or boathouse erected for private purposes and free of charge under section 2 of the Regulation respecting the water property in the domain of the State made by Order in Council 81-2003 dated 29 January 2003;

(5) carry on any activity other than those referred to in the preceding subparagraphs that is likely to degrade the bed, banks or shores of a body of water or watercourse or directly and substantially affect the quality of the biochemical characteristics of aquatic or riparian environments or wetland areas in the biodiversity reserve, including by discharging or dumping waste or pollutants into those areas;

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

(7) install or erect any structure, infrastructure or new works;

(8) reconstruct or demolish an existing structure, infrastructure or works,

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

(11) 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

(12) hold a sports event, tournament, rally or similar event if more than 15 persons are likely to participate in the activity and have access to the biodiversity 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 biodiversity reserve is highly unfeasible.

The conditions determined by the Minister for the 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 on-site materials, 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 11 of the first paragraph refers.

4. Despite subparagraphs 6, 7, 8 and 9 of the first paragraph of section 3, no authorization is required to carry out work referred to in subparagraph 1 of this section when the requirements of subparagraph 2 are met.

(1) The work involves

(a) work to maintain, repair or upgrade an existing structure, infrastructure or works such as a camp, cottage, road or trail, including ancillary facilities such as lookouts or stairs;

(b) the construction or erection of

i. an appurtenance or ancillary facility of a trapping camp, rough shelter, shelter or cottage such as a shed, well, water intake or sanitary facilities; or

ii. a trapping camp, rough shelter, shelter or cottage if such a building was permitted under the right to use or occupy the land but had not been constructed or installed on the effective date of the status as a biodiversity reserve; or

(c) the demolition or reconstruction of a trapping camp, rough shelter, shelter or cottage, including an appurtenance or ancillary facility such as a shed, well, water intake or sanitary facilities.

(2) The work is carried out in compliance with the following requirements:

(a) the work involves a structure, infrastructure or works permitted within the biodiversity reserve;

(b) the work is carried out within the area of land or right-of-way subject to the right to use or occupy the land in the biodiversity reserve, whether the right results from a lease, servitude or other form of title, permit or authorization;

(c) the nature of the work or elements erected by the work will not operate to increase the area of land that may remain deforested beyond the limits permitted under the provisions applicable to the sale, lease and granting of immovable rights under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and, if applicable, the limits allowed under an authorization for the structure, works or infrastructure; and

(d) the work is carried out in compliance with the conditions of a permit or authorization issued for the work or in connection with the structure, infrastructure or works involved, and in accordance with the laws and regulations that apply.

For the purposes of this section, repair and upgrading work includes work to replace or erect works or facilities to comply with the requirements of an environmental regulation.

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

DIVISION II

RULES OF CONDUCT FOR USERS

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

7. Every person who makes a campfire must

(1) first 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.

8. In the biodiversity reserve, no person may

(1) cause any excessive noise;

(2) behave in a manner that unduly disturbs other persons or interferes with their enjoyment of the biodiversity 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 or for the permitted use of property, a device or an instrument within the biodiversity reserve is considered excessive or undue.

9. No person may enter, carry on an activity or travel in a vehicle in a given sector of the biodiversity 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.

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

DIVISION III

ACTIVITIES REQUIRING AN AUTHORIZATION

11. No person may occupy or use a site in the biodiversity reserve, unless the person has been authorized by the Minister and complies with the conditions the Minister determines.

For the purposes of this section, the occupation or use of a site includes staying or settling in the biodiversity reserve, including for vacation purposes, installing a camp or shelter in the biodiversity reserve or leaving, burying or installing equipment, any device or a vehicle.

An authorization is not required if a person,

(1) on the effective date of the protection status as a biodiversity reserve, 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 (R.S.Q., c. T-8.1) or, if applicable, the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), and whose right to occupy the land is renewed or extended 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 effective date of the protection status as a biodiversity reserve, pursuant to the Act respecting the lands in the domain of the State.

12. 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 determined by the Minister for the 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.

Despite the first paragraph, an authorization is not required if a person staying or residing in the biodiversity reserve collects wood to make a campfire.

DIVISION IV

AUTHORIZATION EXEMPTIONS

13. Despite the preceding provisions, an authorization is not required for an activity or other form of intervention within the biodiversity 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 disaster. The person concerned must, however, immediately inform the Minister of the activity or intervention that has taken place.

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

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

(1) any activity or intervention required within the biodiversity reserve to complete a project for which express authorization had previously been given by the Government and the Minister, or only by the Minister, 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 the activity or intervention is carried out in conformity 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 ascertain the impact of electric 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.

DIVISION V

GENERAL PROVISIONS

16. 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.

17. The Minister's authorization, which is general or for a group, may be communicated for the benefit of the persons concerned by any appropriate means including a posted notice or appropriate signage at the reception centre or any other location within the biodiversity reserve that is readily accessible to the public. The Minister may also provide a copy to any person concerned.

Gouvernement du Québec

O.C. 299-2009, 25 March 2009

Establishment of the "Réserve de biodiversité des Caribous-de-Val-d'Or"

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 under section 27 of the Act and that the applicable conservation plan be approved;

WHEREAS, in accordance with section 39 of the Act, a public consultation was held by the Bureau d'audiences publiques sur l'environnement, following the setting aside of land of the proposed Sabourin lake biodiversity reserve, and the report of the Bureau was made public on 18 March 2005;

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

WHEREAS, taking into consideration the recommendations in the report, the Minister has revised and extended the total protected area, has prepared a new conservation plan and has had the plan and land description of the Réserve de biodiversité des Caribous-de-Val-d'Or prepared;

WHEREAS the land within the reserve 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 Municipalité régionale de comté de la Vallée-de-l'Or has certified that the proposed biodiversity reserve is consistent with the objectives of its land use planning and development plan;

WHEREAS the Commission de toponymie has approved the use of the name "Réserve de biodiversité des Caribous-de-Val-d'Or";

WHEREAS, to facilitate the preservation of biodiversity, it is expedient to assign permanent biodiversity reserve status to the land whose plan and land description are attached to this Order in Council, under the name “Réserve de biodiversité des Caribous-de-Val-d’Or”, 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 whose plan and land description are attached to this Order in Council, under the name “Réserve de biodiversité des Caribous-de-Val-d’Or”;

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 come into force on the date of publication in the *Gazette officielle du Québec* of the notice of the decision of the Government provided for in paragraph 3 of section 44 of the Natural Heritage Conservation Act.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

PROVINCE OF QUÉBEC
REGISTRATION DIVISION OF VAL-D’OR

LAND DESCRIPTION

RÉSERVE DE BIODIVERSITÉ DES CARIBOUS-DE-VAL-D’OR

A territory of irregular shape in the territory of Ville de Val-d’Or, in Municipalité régionale de comté de La Vallée-de-l’Or, 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 Marrias:

lots 3, 4, 5, 6, 7, 8, 9, 10, part of lots 1, 2, 11, 12, 13, 14, 15, 17, 18 and 2 parts of lot 16 of Range I;

lots 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 23-B, part of lots 2, 17, 19, 20, 21, 22 and 2 parts of lots 1, 18 of Range II;

lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24-B, 25-B, 26-B, 27-B, 28-B, 29-B, 30-B, 31-B, 32-B, 33-B, 34-B, 35-B, 36-B, 37-B, 38-B, 39-B, 40-C and part of lot 41 of Range III;

lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41-B, 42-B, 43-B and part of lots 44, 45, 46, 47, 48, 49, 50 of Range IV;

lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49 and part of lots 43, 44, 50, 51, 52, 53, 54, 55, 56, 57 and 2 parts of lot 58 of Range V;

lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 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, part of lots 51, 53, 54, 55, 56, 57, 58 and 2 parts of lots 52, 59 of Range VI;

lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49 and part of lot 50 and 2 parts of lot 51 of Range VII;

lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42 and part of lots 43, 44, 45, 46, 47, 48, 49, 50, 51 of Range VIII;

lots 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31 and part of lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43 of Range IX;

lots 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31 and part of lots 8, 9, 32, 33 of Range X;

in the township of Louvicourt:

part of lot 32 and 3 parts of lot 33 of Range I;

1 undivided part of ranges I, II and 3 undivided parts of Range III of the township of Louvicourt;

in the township of Granet:

1 undivided part of the township of Granet;

in the township of Bourlamaque:

1 undivided part of Range I of the township of Bourlamaque;

in the township of Sabourin:

4 undivided parts of the township of Sabourin;

in the township of Laubanie:

2 undivided parts of the township of Laubanie;

in the township of Pélissier:

3 undivided parts of the township of Pélissier;

in the township of Jourdan:

1 undivided part of the township of Jourdan;

The cadastral designation is identical to that of the original survey, except for the townships of Bourlamaque, Laubanie, Sabourin, Jourdan, Pélissier and Granet in which there is no cadastral designation.

Lac Sabourin is included in the territory of the biodiversity reserve.

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

Commencing at point 1 (5 321 502 m North, 229 937 m East) situated at the intersection between the high-water mark of the left bank of rivière Marrias and the southwest side of a road not suitable for vehicles;

Thence, in an average southeasterly direction, along the road not suitable for vehicles, which is excluded from the biodiversity reserve, to its intersection with the southwest side of a road not suitable for vehicles, namely point 2 (5 314 881 m North, 233 777 m East);

Thence, in an average southeasterly direction, along the road not suitable for vehicles, which is excluded from the biodiversity reserve, to its intersection with the northwest side of a road not suitable for vehicles, namely point 3 (5 313 115 m North, 237 526 m East);

Thence, southwesterly, along the road not suitable for vehicles, which is excluded from the biodiversity reserve, to its intersection with the north side of a road not suitable for vehicles, namely point 4 (5 313 071 m North, 237 496 m East);

Thence, southerly, along a straight line, to its intersection with the high-water mark of the left bank of an unnamed stream, namely point 5 (5 312 640 m North, 237 491 m East);

Thence, in an average southeasterly direction, along the high-water mark of the left bank of the unnamed stream, whose bed is excluded from the biodiversity reserve, to its intersection with the high-water mark of the left bank of an unnamed intermittent stream, namely point 6 (5 309 588 m North, 239 398 m East);

Thence, in an average southwesterly direction, along the high-water mark of the left bank of the unnamed intermittent stream, whose bed is excluded from the biodiversity reserve, to point 7 (5 308 957 m North, 238 887 m East);

Thence, southerly, along a straight line, to its intersection with the limit of a wetland area, namely point 8 (5 308 745 m North, 238 912 m East);

Thence, in an average westerly direction, along the limit of the wetland area, which is included in the biodiversity reserve, to its intersection with the right bank of an unnamed intermittent stream, namely point 9 (5 308 059 m North, 237 227 m East);

Thence, in an average westerly direction, along the high-water mark of the right bank of the unnamed intermittent stream, whose bed is excluded from the biodiversity reserve, to its intersection with the high-water mark of the right bank of an unnamed river, namely point 10 (5 308 282 m North, 235 545 m East);

Thence, in an average southwesterly direction, along the high-water mark of the right bank of the unnamed river, whose bed is excluded from the biodiversity reserve, to its intersection with the high-water mark of lac Marrias, namely point 11 (5 307 799 m North, 235 336 m East);

Thence, in an average southwesterly direction, along the high-water mark of the northwest shore of lac Marrias, which is excluded from the biodiversity reserve, to its intersection with the high-water mark of the right bank of rivière Marrias, namely point 12 (5 305 753 m North, 231 443 m East);

Thence, in an average southwesterly direction, along the high-water mark of the right bank of rivière Marrias, whose bed is excluded from the biodiversity reserve, to its intersection with the north side of an unpaved road suitable for vehicles, namely point 13 (5 302 113 m North, 228 183 m East);

Thence, in an average westerly direction, along the unpaved road suitable for vehicles, which is excluded from the biodiversity reserve, to its intersection with the high-water mark of the right bank of an unnamed stream, namely point 14 (5 304 392 m North, 221 746 m East);

Thence, in an average southerly direction, along the high-water mark of the right bank of the unnamed stream, whose bed is excluded from the biodiversity reserve, to its intersection with the limit of a wetland area, namely point 15 (5 303 195 m North, 222 029 m East);

Thence, westerly, along a straight line, to its intersection with the limit of a wetland area, namely point 16 (5 302 942 m North, 221 366 m East);

Thence, in an average southerly direction, along the limit of the wetland area, which is included in the biodiversity reserve, to point 17 (5 302 263 m North, 221 239 m East);

Thence, southerly, along a straight line, to its intersection with the limit of a wetland area, namely point 18 (5 301 643 m North, 221 182 m East);

Thence, southerly, along the limit of the wetland area, which is included in the biodiversity reserve, to point 19 (5 301 628 m North, 221 183 m East);

Thence, southwesterly, along a straight line, to its intersection with the limit of a wetland area, namely point 20 (5 301 110 m North, 220 932 m East);

Thence, in an average southwesterly direction, along the limit of the wetland area, which is included in the biodiversity reserve, to its intersection with the high-water mark of the right bank of an unnamed intermittent stream, namely point 21 (5 301 031 m North, 220 841 m East);

Thence, in an average westerly direction, along the high-water mark of the right bank of the unnamed intermittent stream, whose bed is excluded from the biodiversity reserve, to its intersection with the high-water mark of the east shore of lac Ozit, namely point 22 (5 301 044 m North, 220 550 m East);

Thence, in an average northwesterly direction, along the high-water mark of lac Ozit, which is included in the biodiversity reserve, to its intersection with the high-water mark of the left bank of an unnamed stream, namely point 23 (5 301 240 m North, 220 457 m East);

Thence, in an average northwesterly direction, along the high-water mark of the left bank of the unnamed stream, whose bed is included in the biodiversity reserve, to its intersection with the west side of a road not suitable for vehicles, namely point 24 (5 303 168 m North, 217 959 m East);

Thence, in an average northwesterly direction, along the road not suitable for vehicles, which is excluded from the biodiversity reserve, to its intersection with the high-water mark of the right bank of an unnamed intermittent stream, namely point 25 (5 303 637 m North, 217 069 m East);

Thence, in an average southwesterly direction, along the high-water mark of the right bank of the unnamed intermittent stream, whose bed is included in the biodiversity reserve, to point 26 (5 302 466 m North, 215 769 m East);

Thence, southerly, along a straight line, to its intersection with the limit of a wetland area, namely point 27 (5 301 877 m North, 215 588 m East);

Thence, in an average northwesterly direction, along the limit of the wetland area, which is included in the biodiversity reserve, to point 28 situated on the limit of the wetland area and whose coordinates are: 5 303 638 m North, 214 034 m East;

Thence, westerly, along a straight line, to point 29 situated on the limit of the wetland area and whose coordinates are: 5 303 641 m North, 213 862 m East;

Thence, in an average northerly direction, along the limit of the wetland area, which is included in the biodiversity reserve, to point 30 situated on the limit of the wetland area and whose coordinates are: 5 304 330 m North, 213 684 m East;

Thence, westerly, along a straight line, to its intersection with the high-water mark of the left bank of an unnamed intermittent stream, namely point 31 (5 304 330 m North, 213 541 m East);

Thence, in an average northerly direction, along the high-water mark of the left bank of the unnamed intermittent stream, whose bed is included in the biodiversity reserve, to its intersection with the high-water mark of the right bank of ruisseau Bertrand, namely point 32 (5 305 191 m North, 213 789 m East);

Thence, in an average southwesterly direction, along the high-water mark of the right bank of ruisseau Bertrand, whose bed is included in the biodiversity reserve, to its intersection with the high-water mark of the east shore of lac Okiwakamik, namely point 33 (5 303 605 m North, 211 061 m East);

Thence, in an average westerly direction, along the high-water mark of the south shore of lac Okiwakamik, which is included in the biodiversity reserve, to its intersection with the high-water mark of the right bank of an unnamed intermittent stream, namely point 34 (5 303 336 m North, 210 399 m East);

Thence, in an average westerly direction, along the high-water mark of the right bank of the unnamed intermittent stream, whose bed is included in the biodiversity reserve, to point 35 (5 303 400 m North, 209 912 m East);

Thence, southwesterly, along a straight line, to point 36 situated on the northeast side of the right of way of chemin Twin, which is 20 metres in width from the centre of the road, and whose coordinates are: 5 303 398 m North, 209 908 m East;

Thence, southwesterly, along a straight line, to point 37 situated on the southwest side of the right of way of chemin Twin, which is 20 metres in width from the centre of the road, and whose coordinates are: 5 303 367 m North, 209 880 m East;

Thence, southwesterly, along a straight line, to its intersection with the high-water mark of the left bank of an unnamed intermittent stream, namely point 38 (5 303 033 m North, 209 522 m East);

Thence, in an average southwesterly direction, along the high-water mark of the left bank of the unnamed intermittent stream, whose bed is included in the biodiversity reserve, to point 39 situated on the east side of the right of way of an unpaved road suitable for vehicles, which is 20 metres in width from the centre of the road, and whose coordinates are: 5 302 627 m North, 208 694 m East;

Thence, southerly, along a straight line, to point 40 situated on the west side of the right of way of the unpaved road suitable for vehicles, which is 20 metres in width from the centre of the road, and whose coordinates are: 5 302 587 m North, 208 686 m East;

Thence, in an average southeasterly direction, along the southwest side of the 20-metre right of way from the centre of the unpaved road suitable for vehicles, to its intersection with the west side of the 20-metre right of way from the centre of chemin Twin, namely point 41 (5 298 374 m North, 211 287 m East);

Thence, southerly, along the west side of the 20-metre right of way from the centre of chemin Twin, to its intersection with the high-water mark of the right bank of ruisseau Kâmagiskineciwâk, namely point 42 (5 297 516 m North, 211 410 m East);

Thence, in an average southwesterly direction, along the high-water mark of the right bank of ruisseau Kâmagiskineciwâk, whose bed is excluded from the biodiversity reserve, to point 43 situated on the high-water mark of the right bank of ruisseau Kâmagiskineciwâk and whose coordinates are: 5 296 722 m North, 210 667 m East;

Thence, westerly, along a straight line, to point 44 whose coordinates are: 5 296 745 m North, 209 258 m East;

Thence, southwesterly, along a straight line, to its intersection with the high-water mark of the left bank of an unnamed intermittent stream, namely point 45 (5 296 494 m North, 208 892 m East);

Thence, in an average southerly direction, along the high-water mark of the left bank of the unnamed intermittent stream, that transforms into an unnamed stream and whose bed is included in the biodiversity reserve, to its intersection with the high-water mark of the east shore of an unnamed lake, namely point 46 (5 294 438 m North, 208 205 m East);

Thence, in an average southerly direction, along the high-water mark of the east shore of the unnamed lake, which is included in the biodiversity reserve, to its intersection with the high-water mark of the left bank of an unnamed stream, namely point 47 (5 294 205 m North, 208 160 m East);

Thence, in an average southerly direction, along the high-water mark of the left bank of the unnamed stream, whose bed is included in the biodiversity reserve, to its intersection with the contour line of 309.68 metres of the northeast shore of réservoir Decelles, namely point 48 (5 292 343 m North, 208 266 m East);

Thence, in an average northwesterly direction, along the contour line of 309.68 metres of the northeast shore of réservoir Decelles, to its intersection with the high-water mark of the right bank of an unnamed stream, namely point 49 (5 296 188 m North, 202 171 m East);

Thence, in an average northeasterly direction, along the high-water mark of the right bank of the unnamed stream, whose bed is included in the biodiversity reserve, to its intersection with the high-water mark of the west shore of an unnamed lake, namely point 50 (5 296 428 m North, 202 287 m East);

Thence, in an average northerly direction, along the high-water mark of the west shore of the unnamed lake, which is included in the biodiversity reserve, to its intersection with the high-water mark of the right bank of an unnamed stream, namely point 51 (5 297 272 m North, 202 440 m East);

Thence, in an average northerly direction, along the high-water mark of the right bank of the unnamed stream, whose bed is included in the biodiversity reserve and that transforms into an unnamed intermittent stream, to point 52 (5 299 049 m North, 202 863 m East);

Thence, northerly, along a straight line, to its intersection with the limit of a wetland area, namely point 53 (5 299 304 m North, 202 910 m East);

Thence, in an average northerly direction, along the limit of the wetland area, which is included in the biodiversity reserve, to point 54 (5 300 260 m North, 203 282 m East);

Thence, northeasterly, along a straight line, to its intersection with the high-water mark of the left bank of an unnamed stream, namely point 55 (5 300 355 m North, 203 394 m East);

Thence, in an average northwesterly direction, along the high-water mark of the left bank of the unnamed stream, whose bed is included in the biodiversity reserve, to point 56 (5 301 209 m North, 202 965 m East);

Thence, northerly, along a straight line, to its intersection with the south side of a road not suitable for vehicles, namely point 57 (5 301 213 m North, 202 965 m East);

Thence, in an average northeasterly direction, along the road not suitable for vehicles, which is excluded from the biodiversity reserve and that transforms into an unpaved road suitable for vehicles, to its intersection with the west side of the right of way of chemin Twin, which is 20 metres in width from the centre of the road, namely point 58 (5 306 253 m North, 208 599 m East);

Thence, northeasterly, along a straight line, to its intersection with the east side of the right of way of chemin Twin, which is 20 metres in width from the centre of the road, namely point 59 (5 306 269 m North, 208 639 m East);

Thence, in an average northerly direction, along the east side of the right of way of chemin Twin, to its intersection with the south side of a road not suitable for vehicles, namely point 60 (5 312 539 m North, 208 314 m East);

Thence, in an average easterly direction, along the south side of the road not suitable for vehicles, which is excluded from the biodiversity reserve, to point 61 whose coordinates are: 5 312 762 m North, 210 090 m East;

Thence, southeasterly, along a straight line, to its intersection with the limit of a wetland area, namely point 62 (5 312 742 m North, 210 125 m East);

Thence, in an average southeasterly direction, along the limit of the wetland area, which is included in the biodiversity reserve, to its intersection with the high-water mark of the left bank of an unnamed stream, namely point 63 (5 312 561 m North, 210 420 m East);

Thence, in an average easterly direction, along the high-water mark of the left bank of the unnamed stream, whose bed is included in the biodiversity reserve, to its intersection with the high-water mark of the right bank of an unnamed intermittent stream, namely point 64 (5 313 233 m North, 213 318 m East);

Thence, in an average northwesterly direction, along the high-water mark of the right bank of the intermittent stream, whose bed is included in the biodiversity reserve, to point 65 (5 315 211 m North, 211 417 m East);

Thence, northeasterly, along a straight line, to its intersection with the limit of a wetland area, namely point 66 (5 315 737 m North, 211 960 m East);

Thence, in an average northerly direction, along the limit of the wetland area, which is included in the biodiversity reserve, to its intersection with the high-water mark of the left bank of an unnamed intermittent stream, namely point 67 (5 317 401 m North, 212 642 m East);

Thence, in an average southerly direction, along the high-water mark of the left bank of the unnamed intermittent stream, whose bed is excluded from the biodiversity reserve, to point 68 (5 316 912 m North, 212 805 m East);

Thence, easterly, along a straight line, to its intersection with the east side of a road not suitable for vehicles, namely point 69 (5 316 777 m North, 213 651 m East);

Thence, northerly, along the east side of the road not suitable for vehicles, which is excluded from the biodiversity reserve, to point 70 (5 317 113 m North, 213 660 m East);

Thence, in an average easterly direction, along a 500-metre line equidistant from the high-water mark of the north shore of lac Sabourin, to its intersection with the south side of a road not suitable for vehicles, namely point 71 (5 318 203 m North, 217 406 m East);

Thence, in an average southeasterly direction, along the southwest side of the road not suitable for vehicles, which is excluded from the biodiversity reserve, to point 72 (5 317 724 m North, 218 184 m East);

Thence, southeasterly, along a straight line, to its intersection with the high-water mark of the left bank of rivière Sabourin, namely point 73 (5 317 644 m North, 218 310 m East);

Thence, in an average easterly direction, along the high-water mark of the left bank of rivière Sabourin, whose bed is included in the biodiversity reserve, to its intersection with the high-water mark of the right bank of an unnamed stream, namely point 74 (5 317 665 m North, 218 363 m East);

Thence, in an average easterly direction, along the high-water mark of the right bank of the unnamed stream, whose bed is included in the biodiversity reserve, to its intersection with the limit of a wetland area, namely point 75 (5 317 592 m North, 218 750 m East);

Thence, in an average southeasterly direction, along the limit of the wetland area, which is included in the biodiversity reserve, to point 76 (5 316 250 m North, 219 366 m East);

Thence, southerly, along a straight line, to point 77 whose coordinates are: 5 316 183 m North, 219 375 m East;

Thence, southeasterly, along a straight line, to point 78 whose coordinates are: 5 316 056 m North, 219 495 m East;

Thence, southwesterly, along a straight line, to point 79 whose coordinates are: 5 315 939 m North, 219 428 m East;

Thence, easterly, along a straight line, to point 80 whose coordinates are: 5 315 912 m North, 219 502 m East;

Thence, northeasterly, along a straight line, to its intersection with the southeast side of a road not suitable for vehicles, namely point 81 (5 315 978 m North, 219 559 m East);

Thence, northeasterly, along the southeast side of the road not suitable for vehicles, which is excluded from the biodiversity reserve, to point 82 whose coordinates are: 5 316 750 m North, 220 171 m East;

Thence, easterly, along a straight line, to its intersection with the west side of a road not suitable for vehicles, namely point 83 (5 316 630 m North, 220 671 m East);

Thence, southerly, along the west side of the road not suitable for vehicles, which is excluded from the biodiversity reserve, to its intersection with the south side of a road not suitable for vehicles, namely point 84 (5 316 440 m North, 220 740 m East);

Thence, easterly, along the south side of the road not suitable for vehicles, which is excluded from the

biodiversity reserve, to point 85 (5 316 260 m North, 221 333 m East);

Thence, northeasterly, along a straight line, to its intersection with the southeast side of a road not suitable for vehicles, namely point 86 (5 316 727 m North, 221 703 m East);

Thence, in an average northeasterly direction, along the southeast side of the road not suitable for vehicles, which is excluded from the biodiversity reserve, to its intersection with the east side of a road not suitable for vehicles, namely point 87 (5 316 916 m North, 221 993 m East);

Thence, northerly, along the east side of the road not suitable for vehicles, which is excluded from the biodiversity reserve, to its intersection with the southwest side of a road not suitable for vehicles, namely point 88 (5 317 236 m North, 221 997 m East);

Thence, in an average southeasterly direction, along the southwest side of the road not suitable for vehicles, which is excluded from the biodiversity reserve, to point 89 (5 315 893 m North, 223 541 m East);

Thence, southeasterly, along a straight line, to its intersection with the high-water mark of the left bank of an unnamed intermittent stream, namely point 90 (5 315 579 m North, 223 795 m East);

Thence, in an average easterly direction, along the high-water mark of the left bank of the unnamed intermittent stream, whose bed is included in the biodiversity reserve, to its intersection with the high-water mark of the left bank of rivière Marrias, namely point 91 (5 315 686 m North, 224 198 m East);

Thence, in an average northeasterly direction, along the high-water mark of the left bank of rivière Marrias, whose bed is included in the biodiversity reserve, to point of commencement 1.

An irregular polygon and a right of way of roads suitable for vehicles are excluded from the territory described above. The polygon is made up of the resort area of lac Sabourin. For the purposes of the description, the right of way is divided into 2 parts: part 1 made up of the segment of chemin Twin and part 2 made up of the segment of the side road of chemin Twin.

Resort area of lac Sabourin:

Exclusion of the resort area of lac Sabourin to the eastern right of way of the road of lac Sabourin (lots 1 and 50 of Range A of the undivided township of Sabourin);

That exclusion ends in the northeastern part of lac Sabourin, with the last parcel of resort land known and designated as lot 49 of Range 9 of the undivided township of Sabourin;

That exclusion ends, in the eastern part of lac Sabourin, with the last parcels of resort land known and designated as lots 47-1 and 48-1 of Range 8 of the undivided township of Sabourin;

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

Right of way of chemin Twin:

Chemin Twin is excluded from the biodiversity reserve. The total right of way of that road is 40 metres, namely 20 metres on either side of the centre of the current layout of that road;

Right of way of the side road:

The side road of chemin Twin is excluded from the biodiversity reserve. The total right of way of that road is 40 metres, namely 20 metres on either side of the centre of the current layout of that road.

The territory of the biodiversity reserve within the perimeter described above has approximately 43, 419 hectares (434.19 square kilometres).

The territory is shown on a plan drawn to a scale of 1:40 000 from an extract of the cadastral compilation and plotting chart, sheets 32C 04-SE, 32C 03-SO, 31N 13-NO, 31N 13-NE, 31N 14-NO, 31N 13-SO and 31N 13-SE and maps of the townships of Marrias, Louvicourt, Bourlamaque, Laubanie, Sabourin, Jourdan, Pélissier and Granet, produced by the Ministère des Ressources naturelles et de la Faune du 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:

— Plans of lots 2 to 21, 49 and 50 of Range IX of the township of Sabourin (filed on 10 and 11 February 1983);

— Plans of lots 22 to 46, 47-1, 47-2, 48-1 and 48-2 of Range VIII of the township of Sabourin (filed on 10 and 11 February 1983);

— Plans of lot 1 of Range A of the township of Sabourin (filed on 10 and 11 February 1983);

NOTES

— The coordinates in this land description are expressed in metres in relation to the Québec plane coordinate system (SCOPQ), Modified Transverse Mercator projection (MTM), Zone 9 (central meridian at 76°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 layout 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.

— Folio 1 makes 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 more precisely define the perimeter of the biodiversity reserve.

Prepared at Québec, this _____ 2007, under number ____ of my minutes.

DENIS VAILLANCOURT,
Land surveyor

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
(signed), l.s.



Protected areas
in Québec:

A Lifelong Heritage

Réserve de biodiversité des Caribous-de-Val-d'Or



CONSERVATION PLAN

Québec 

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Introduction

By granting permanent protection status to the Réserve de biodiversité des Caribous-de-Val-d'Or, the Québec government intends to ensure the definitive protection of representative samples of biological diversity in the natural province of the Abitibi and James Bay Lowlands and, more specifically, of representative ecosystems in the natural region of the Abitibi plain. The reserve is part of the physiographic unit known as the Sabourin lake plain, and is one of a network of protected areas that constitute representative and exceptional examples of the various types of ecosystem in Québec.

The biodiversity reserve was selected mainly on the basis of the plant communities it shelters, including black spruce stands with lichen, white birch stands and jack pine stands, in addition to a few old-growth stands and larch stands. The biodiversity reserve protects part of an esker, as well as various aquatic and shoreline ecosystems, especially in and around Sabourin lake.

The particularity of the area is that the peat bogs and black spruce stands with lichen that it contains together make up the habitat of the Val-d'Or herd of woodland caribou. The herd is on the list of wildlife species designated as vulnerable, and the land in the biodiversity reserve contains habitat that is essential to the herd's survival and growth.

1. Official toponym

The official toponym of the Biodiversity Reserve is "Réserve de biodiversité des Caribous-de-Val-d'Or", a name that indicates the presence of the woodland caribou, a forest ecotype, in a herd located close to the town of Val-d'Or.

2. Plan and description

2.1 Geographical location, boundaries and area

The location and boundaries of the Réserve de biodiversité des Caribous-de-Val-d'Or are shown on the map in Schedule 1.

The Réserve de biodiversité des Caribous-de-Val-d'Or is located in the territory of Ville de Val-d'Or, in the Abitibi-Témiscamingue administrative region, between 47°45' and 48°02' latitude north and 77°22' and 77°52' longitude west, less than 20 km southeast of downtown Val-d'Or. It covers an area of 434,19 km². Access is provided by Chemin Twin (a major forest road) and an access road to the Sabourin lake cottage sector, which is built on the esker. The area is also served by a network of forest roads accessible from the north and the east via Highway 117.

The exact boundaries of the reserve are based on natural or manmade elements that can be easily located in the field such as watercourses, lakes, the edges of peat bogs and forest roads. The southwest boundary runs along the Réserve écologique des Caribous-de-Jourdan and the Decelles reservoir, while part of the southeast boundary runs along the Outaouais river. Close to the Decelles reservoir, the boundary of the biodiversity reserve follows the 309.68-metre highwater mark. The Chemin Twin and the cottage sector around Sabourin lake are excluded from the biodiversity reserve.

2.2 Ecological overview

The Réserve de biodiversité des Caribous-de-Val-d'Or is part of the natural province of the Abitibi and James Bay Lowlands. According to Li and Ducruc (1999), this natural province is a plain sloping slightly down to James Bay. The reserve protects ecosystems that are representative of the natural region of the Lac Témiscamingue Lowlands and is part of the physiographic unit known as the Vaudray lake hummocky plain. Its southwestern section touches on the natural region of the Lac Témiscamingue Lowlands and the physiographic unit of the Decelles reservoir buttes.

2.2.1. Representative elements

Geology: To the east, the substratum is mainly formed by metasedimentary rocks (paragneiss, biotite schist, garnet, orthopyroxene, sillimanite, andalusite), while to the west it mainly comprises granitic rocks (granite, granodiorite, monzonite, syenite). There are several bands of ultramafic rocks (komatiite, magnesian basalt). This assembly of rock types belongs to the Pontiac geological subprovince, which is bounded on the north by the Cadillac fault marking the start of the Abitibi subprovince to the north. The Pontiac and Abitibi subprovinces belong to the Superior Province, the geological province that forms the central part of the Canadian Shield and contains archaean bedrock (over 2.5 billion years old). The Canadian Shield contains assemblies of rock types that are among the oldest on the planet.

Geomorphology: Around 8,500 years ago, the bedrock was covered by a thick layer of imperfectly drained glacial lacustrine sediments (clay and silt) and fluvio-glacial sediments (sand and gravel) deposited by the Ojibway-Barlow glacial lake. A sub-glacial river left the long, sinuous deposit of sand and gravel that forms the esker located east of Sabourin lake. Next, erosion caused by the waves of the Ojibway-Barlow lake stripped the highest buttes of the silt that covered them (Veillette, 2000). Where the currents were strongest, the finest sediments were carried away and only sand remained. When the level of the glacial lake fell, it exposed stretches of sand.

Today, the observable landscape is a plain sloping slightly northwards, with occasional residual hillocks, a small number of buttes, and intermittent glacial deposits (ground moraine). Most of the area, however, is covered by organic deposits (peat bogs).

The biodiversity reserve has two main sectors. The southwest sector comprises a series of hills, between which lie small peat bogs. The east sector comprises flat silt deposits mostly covered by peat bogs. The bedrock rises to the surface in areas to the west. The average altitude is 348 metres, ranging from 319 to 421 metres.

The most common surface deposit, covering over half the total area of the biodiversity reserve, is the organic deposit that dominates in the east sector. The hills to the southwest are covered by a thin till and rock on the summits, on which humo-ferrie podzols have developed. Those podzols support open forests of jack pine or black spruce, generally with lichen at their bases.

Twelve kettles are found within the biodiversity reserve. A kettle is a bowl-shaped depression in a fluvio-glacial deposit, such as an esker. Some of these kettles are deeper than the underlying watertable, and a kettle lake has formed. Other kettles are also filled with water, even though their bed lies well above the level at which water circulates through the esker and they are not fed by streams. These are known as perched lakes.

Hydrography: The biodiversity reserve overlaps three different hydrographic basins. Water in the Sabourin lake basin flows towards James Bay via the Harricana river; to the east, water from the biodiversity reserve flows into the Nottaway river, which also empties into James Bay; to the south, the biodiversity reserve overlaps the hydrographic basin of the Outaouais river. Most of the watercourses in the biodiversity reserve are intermittent and, because they have formed in the main bedrock fractures, are subparallel and run mainly in a north-south direction. The main watercourses are the south and north Marrias rivers, and the Crémazie, Kâmicitikweyak ("broad stream" in algonquin), Kâmagiskineciwâk ("stream with hooks"), Bertrand and Vaillancourt streams. The biodiversity reserve has around sixty lakes, covering roughly 7% of its total area. The largest is Sabourin lake, which covers an area of 26.5 km². The second largest is Crémazie lake, which covers 4 km². The remaining lakes are smaller; they include the Mîjacko ("hay lake" in algonquin), Zidler, Okiwakamik ("return lake"), Moreau, Ozit, Marrias and Kâmackawâkâmagak lakes.

Lakes in the Abitibi region often have clay beds that increase the turbidity of the water. At first, Sabourin lake appears to be typical of this type of lake in a clay plain, but it differs in several respects: its regular shape, it is shallow (3.5 metres at most), and it has only a few islands. A depth transparency reading of 1.5 metres is one of the highest recorded for the clay plain lakes examined. In addition, Sabourin lake is relatively acid (5.6) compared to the other clay plain lakes.

There are ten kettle lakes. Kâmackawâkâmagak lake ("where the ground is very hard" in Algonquin), known locally as "Lac au Brochet", is surprisingly deep at 50 metres, with a total area of 0.2 km². Another small kettle lake, known locally as "Lac à la Truite", has an area of 0.1 km². Two other lakes have been given names by locals: lakes "Félix" and "Thierry". The latter, whose water surface is at an altitude of 340 metres, is apparently a perched lake.

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

Vegetation: Almost 50% of the biodiversity reserve is covered by forest, and three-quarters of the forest cover is composed of softwood stands, most of which (46% of the forested area of the reserve) are black spruce stands. Black spruce (*Picea mariana*) is the dominant species, sharing the area with jack pine (*Pinus banksiana*) and larch (*Larix laricina*). There is a high concentration of black spruce stands with *Cladonia* (a lichen important as caribou food). Mixed stands occupy 17% of the forested area, marked by the presence of white birch, especially on the till-covered buttes in the west sector. Just under 5% of the forest land in the biodiversity reserve is dominated by larch, often on peaty soils. Although balsam fir could be expected to be the dominant species, the alternating dry and humid soils do not promote its growth. In addition, spruce budworm epidemics have killed many fir trees in the Abitibi region, and balsam fir is now rare in the biodiversity reserve (Ducruc *et al.*, 1988). White spruce and aspen are also found, and black ash and cedar grow on some river and stream banks. Stands over 90 years old constitute 22% of the forested area.

Logging has been carried out in the biodiversity reserve for almost a century, much of it in the last twenty years. The second-growth forests are dominated by white birch, sometimes by aspen. Tree-planting operations were

conducted from 1994 to 1998 in the northern end of the west sector of the biodiversity reserve. Over 100 000 black spruce seedlings were planted on seven parcels of land covering 62 hectares. Pre-commercial thinning was carried out on 272 hectares, mainly along Chemin Twin. Last, between 1996 and 1998, plantation thinning was carried out on roughly 5 hectares of land close to Chemin Twin. In all, only one percent of the biodiversity reserve has been subjected to intensive operations, planned with Faune Québec to reduce the influx of deciduous species to the caribou habitat.

Despite the omnipresence of the boreal forest, in specific conditions yellow birch, sugar maple and red maple can be found. It is surprising to find a sugar maple stand close to Val-d'Or: although isolated sugar maples can be observed in the region, generally covered by balsam fir stands with white birch, the presence of a sugar maple-dominated stand this far north is exceptional.

Forests of shade-tolerant hardwoods are found only in the sector between Chemin Twin and Sabourin lake, mainly made up of stands of sugar maple with red maple, and stands of yellow birch. Two sugar maple stands in particular attract attention. The first, Érablière Lemieux, covers 14 hectares and has been harvested for sap for 25 years. It is located on the summit of the highest hill in the biodiversity reserve. The second is a stand of trees over 80 years in age and covers 17 hectares. It is not harvested.

Heaths and wooded heaths cover only a small part of the biodiversity reserve and are found on rock, thin tills and, occasionally, over-drained sandy deposits (Ducruc *et al.*, 1988). These environments are typical of a more northern location and are found on soils that are extremely dry compared to the soils supporting forest cover elsewhere in the biodiversity reserve.

The heaths contain open stands. The most heavily-forested heath areas are open black spruce or balsam fir-*Cladonia* stands, home to numerous shrubs in the Ericaceae family and lichens. These include dwarf birch (*Betula pumila*), sheep laurel (*Kalmia angustifolia*), bog laurel (*Kalmia polifolia*) and Labrador tea (*Ledum groenlandicum*), in addition to a wide range of plants from the Gramineae and Cyperaceae families. The lichens present include *Cladonia uncialis* and three species from the *Cladina* subgenus: *C. stellaris*, *C. rangiferina* and *C. mitis*. These habitats with sparse tree cover are found on hilltops in the west sector. A single group of lichens growing on sand is found in the biodiversity reserve, visible on either side of the track from Sabourin lake to the lake known as "Lac à la Truite".

The impermeable layer of lacustrine clay and the relatively flat terrain have led to the development of numerous wetlands in the low-lying areas (33% of the biodiversity reserve). Most are ombotrophic peat bogs, a type of bog that receives water only from rain and snowfall and contains few nutritional elements. Some acid-loving species grow there, and the bogs are composed of carpets of peat moss with isolated black spruce and larch. The largest bog is located south of Sabourin lake and covers 17 km². Two other gigantic bogs covering over 10 km² are found further east, the two largest in the entire Abitibi region (Miron, 2000). The east sector is almost entirely composed of bogs. Several wetlands have been created by beaver dams.

Wildlife: The mammals known to live in the biodiversity reserve are black bear, American porcupine, long-tailed weasel, beaver, red squirrel, snowshoe hare, wolf, river otter, lynx, American marten, fisher, raccoon, muskrat, ermine, red fox, mink, coyote, moose and woodland caribou.

Of the 51 species of bird identified, 43 nest in the protected area (SLOA, 2004b). One unusual species, the sandhill crane, is occasionally spotted feeding in the large peat bogs around Sabourin lake. A small colony of common terns (*Sterna hirundo*) is found on an island in Sabourin lake.

Twelve species of fish have been identified in Sabourin lake, but only five in Crémazie lake, all species commonly found in walleye lakes. In Sabourin lake, walleye can grow to up to 503 mm in six years, compared to 340 mm in other lakes in the Abitibi region. This remarkable productivity is attributed by biologists to the higher transparency of the water in Sabourin lake. The abundance and diversity of prey species could also be a factor in rapid growth. Other factors are the large area of the lake and its shallow water, which can heat up in the summer to temperatures as high as 20°C (Girard and Jourdain, 1993).

2.2.2. Outstanding elements

The biodiversity reserve has great interest from an ecological point of view, since it is home to a residual population of Woodland Caribou (*Rangifer tarandus caribou*) that were formerly more abundant in southern Québec. At the start of the last century the herd was found from north of La Sarre to the centre of the La Vérendrye wildlife sanctuary. The herd, living in the boreal forest, is sedentary in both summer and winter, a feature that distinguishes it from the population in northern Québec, which migrates and lives in the tundra. Another feature is that the Val-d'Or Woodland Caribou is part of the forest ecotype. The herd is currently found between Highway 117 and the northern boundary of the La Vérendrye wildlife sanctuary. The tiny herd of around thirty individuals is in

a precarious situation, both because of its small size and because of its isolation. The decline of the species has been caused mainly by changes to its habitat and predation by wolves; the local wolf population has grown in proportion to the increase in the moose population which uses logged areas. The Val-d'Or Woodland Caribou, a forest ecotype, was entered in February 2005 on the list of wildlife species designated as vulnerable.

2.3 Land occupation and use

Land occupations and uses in the Réserve de biodiversité des Caribous-de-Val-d'Or are shown on the map in Schedule 2.

Land rights have been granted on 35 sites:

- 3 private cottage sites;
- 32 leases for rough shelters.

In the cottage sector around Sabourin lake, there are 32 private cottage sites and 6 cottage leases on public land. A boat ramp on Sabourin lake is located in this sector.

One maple sugar producer has a permit to use 14 hectares of the sugar maple stand named Érablière Lemieux which is located at the southwest of Sabourin lake, close to Chemin Twin.

Almost all of the proposed reserve (over 90%) lies within the Grand-Lac-Victoria beaver reserve, where the Algonquin community of Anishnabe residing on the west shore of Simon lake, 32 km to the southeast of Val-d'Or, has special rights regarding the hunting and trapping of fur-bearing animals.

The northeast part of the biodiversity reserve covers two trapping sectors, in one case over 20% of its total area, and in the other case over 10% of its total area.

No trails with right-of-way authorization from the MRNF are found in the biodiversity reserve, but many different trails provide access to hunting camps in the biodiversity reserve or simply cross the area. The Outaouais, Marrias and Sabourin rivers are used for canoeing and kayaking.

Sabourin lake is used for various waterborne activities and for fishing.

The road network has a total linear length of 190 km, mostly made up of unpaved roads and trails not suitable for road vehicles.

The habitat fragmentation score is calculated by dividing the total length of forest roads and trails by the area of the reserve. The biodiversity reserve has a low fragmentation score of around 0.44 km of roads and trails per square kilometre.

3. Conservation and development of the Réserve de biodiversité des Caribous-de-Val-d'Or

This section sets out conservation and development guidelines and specific objectives for the Réserve de biodiversité des Caribous-de-Val-d'Or.

Biodiversity protection

The biodiversity reserve should be managed in a way that protects ecosystems and the species that depend on those ecosystems, to ensure that the processes governing their lives continue to exist. In addition, ecosystems that are currently subjected to disturbance must be allowed to return to their natural dynamics and characteristics.

In addition, biodiversity protection includes protection of the landscapes. The existing modes of land occupation and use that are compatible with the protection objectives of the biodiversity reserve will be maintained. Current modes of land occupation and activities should be managed in a way that ensures that they have a minimum negative impact on biodiversity.

Specific objectives

1. Help ensure the growth of the woodland caribou herd

The woodland caribou herd, currently composed of around thirty individuals, is in a critical situation. The creation of the biodiversity reserve, which covers 434 km², is a key element in the strategy to ensure the growth of the herd. Protection for the terrestrial ecosystems of the biodiversity reserve and particularly for the habitats used by the caribou, which roam over an estimated area of 1 200 km² or 2 000 km² if wintering grounds are considered, will complement the wildlife site development plan for woodland caribou south of Val-d'Or ("Plan d'aménagement du site faunique du caribou au sud de Val-d'Or"). The biodiversity reserve could also act as a refuge and even a nursery area for the herd.

Several factors may cause disturbance to the habitat used by woodland caribou and also, in some cases, change the behaviour of the species. The disturbance caused by motor vehicles, the noise of firearms and the fragmentation caused by trail development are all examples of this. The MDDEP, in its management of the

biodiversity reserve, will focus on reducing this type of disturbance, not by prohibiting or restricting activities, but by working with the users concerned to draw up a strategy to reduce impacts by adapting the way the land and its resources are used. Information and awareness will be a key part of this strategy to involve all biodiversity reserve residents, users and visitors. The sites of most importance for the woodland caribou, such as winter feeding, summer feeding, calving and rutting grounds, will be managed in this way, in collaboration with Faune Québec. The proposed zoning for the biodiversity reserve will be used as a tool to achieve this objective.

Section 4, on zoning, adds details concerning the measures that will be applied to limit the disturbance to the woodland caribou and its habitat, and describes the zones and time periods concerned.

2. Restore the natural dynamics of forest ecosystems:

Given that around 142 km² of the biodiversity reserve, or over one-third of its total area, is covered by peat bogs and that other areas are unproductive forest, the logging carried out over the last thirty years on around 83 km² of land has affected over 30% of the potentially productive woodland in the reserve. The forest ecosystems that have been disturbed must be allowed to recover their natural characteristics, and the banning of all forms of logging will improve their resilience. In addition, activities that have a less severe impact on the natural environment will have to be supervised. The network of trails that criss-crosses practically all the reserve, fragmenting its area and leading to the erosion of fragile soils (peat bogs and poorly drained silt and clay), will be rationalized. However, the trails providing access to sites covered by existing rights will be maintained.

Areas of ecological interest, such as the jack pine stands in the southwest area of the biodiversity reserve, the sugar maple stands to the east of Chemin Twin, the yellow birch stands, the kettle lakes, the lichen groups and the forests 90 years old and over, will be a particular focus of conservation efforts.

3. Protect lake and shoreline ecosystems:

Almost forty cottages are found around Sabourin lake, all on the east shore. The number of motorized vessels that use the lake has been estimated at over 70. Cottage development can have an impact on the aquatic and shoreline environment when septic systems fail to work properly or when more than the permitted area of shoreline vegetation is cleared.

The MDDEP will ensure that lake and shoreline environments are protected, and that the water quality in Sabourin lake remains high. The MDDEP expects to meet this objective by raising awareness about sound practices (use and maintenance of motorized vessels, clearing and planting of shoreline, and maintenance of septic systems) and insuring the application of current and future standards concerning the protection of bodies of water. Cottage dwellers and all other users of lakes and shorelines will have access to the necessary information to get there collaboration.

Knowledge acquisition and monitoring of the natural environment

More knowledge about the natural environment will not only help achieve specific protection objectives, but will also ensure better monitoring of biodiversity and help in the drafting of reports. The knowledge acquired will also be used to develop nature discovery, educational and awareness-raising activities. Last, it will help managers analyze development projects and facilitate a shared understanding of issues with other management partners.

Ecological knowledge, especially concerning the support capacity of each environment, and knowledge about the impact of recreational and tourism-related activities on the natural environment, must be developed in order to appreciate the wealth of resources in the territory and to provide the data and tools needed for sound management, thereby ensuring the conservation of the territory's characteristic biodiversity.

Specific objectives:

1. Monitor the natural environment:

To determine whether the biodiversity reserve and its management model achieve the objective of biodiversity protection, the natural environment will be monitored and the results will be published in a regular report by the MDDEP. The first report will be issued seven years after the creation of the biodiversity reserve, and other reports will follow every ten years. The monitoring will begin with a report on the current state of the natural environment and the definition of indicators. Changes in biodiversity will be assessed using the indicators. Objectives, as well as protection and management methods, may be revised after the publication of each report.

Sustainable development based on educational activities

The level of land use and land occupation in the biodiversity reserve is relatively low. However, since the reserve contains many sensitive habitats of great

importance for the woodland caribou population, sustainable development is only possible if it is limited to educational and discovery activities in the natural environment, which have a low impact.

In this context, new activities and new development in the territory must not conflict with existing activities or, when added to existing impacts, exceed the support capacity of the natural environment. In addition, development in the biodiversity reserve should be carried out in such a way that the increased human presence does not change the dynamics of the natural environment, to avoid any negative impacts on its ecological and cultural integrity and to maintain the quality of the "nature-oriented" experience for visitors and users. In short, the development of activities should be designed to maintain or improve the quality of the natural structure and the harmonious interactions between human beings and nature. All development activities in key woodland caribou habitat will be exhaustively assessed to ensure minimum disturbance.

Given the current occupation and use of the territory, the MDDEP does not intend to encourage the development of new activities. However, if development projects are presented, it will give priority to educational projects and will deal strictly with projects likely to have an impact on the natural environment. The biodiversity reserve offers development potential for education and interpretation, based on the presence of woodland caribou, maple stands at the northern limit of their distribution area, including one operated at a craft level, and some of the largest peatbogs in the Abitibi region.

Integrated management and stakeholder involvement in the management process

The presence of woodland caribou in and around the biodiversity reserve will require the integrated management of activities. The best way to achieve this is to involve other stakeholders in discussions on the choice of management approaches for the biodiversity reserve to promote conservation and comply with the Natural Heritage Conservation Act.

Specific objective:

1. Establish participatory management and a joint approach:

The characteristics of the territory of the biodiversity reserve and adjacent land will require the MDDEP to implement a type of management based on the participation of all stakeholders, in order to achieve the objectives of conservation of the natural environment and harmonious development of recreational activities. The

MDDEP and its government's partners will identify the individuals and groups concerned by the conservation and development of the territory, and will invite them to take part in various kinds of studies and discussions. Multiple use, conflicting uses and development projects will be discussed. An action plan will be drawn up by the MDDEP regional office, in collaboration with the community. The action plan will, in particular, specify actions, selected methods, the stakeholders who will implement specific actions, the timeframe for implementation and the mechanism used to assess results.

4. Zoning

The Réserve de biodiversité des Caribous-de-Val-d'Or covers an area that also includes a cottage sector, although it is excluded from the actual territory of the reserve. In addition, given that the biodiversity reserve is located close to the urban centre of Val-d'Or and contains a high proportion of the habitats considered vital for the woodland caribou, the management of existing activities and the development of new activities and projects will be closely controlled. Taking into account ecosystems, habitats and their use, land occupation and use, the current state of the natural environment, and the protection and management objectives, the biodiversity reserve has been subdivided into four zones. The zones share similar protection levels and activity frameworks, but the protection and development measures take their particularities into consideration.

The boundaries of the zones are shown on the map in Schedule 3. The Minister will take the zoning into account in the management of the biodiversity reserve and when authorizing activities and development. In addition, the prohibitions and restrictions applying with regard to the woodland caribou match those in the Act respecting threatened or vulnerable species and the objectives defined by Faune Québec for the growth of the Val-d'Or herd.

The land in the biodiversity reserve, and mainly the land in Zone I, is used more by the woodland caribou during the months when it is free from snow, in other words from April to mid-November. The winter habitats vary more from year to year, and the forest management plan for the area around the biodiversity reserve attempts to meet the need to protect these generally more critical habitats.

Throughout the protected area, big game hunting will be maintained so as not to increase the number of predators such as wolves and black bears who can threaten the survival of the caribou. An ongoing effort should be made to maintain awareness among users.

Zone I

This zone protects important sectors for the woodland caribou herd. It includes winter feeding grounds, calving grounds, and the areas where the caribou assemble during the rutting season. Zone I covers a total of 327.3 km², or over 75% of the territory of the biodiversity reserve. It contains one of the highest telemetrically-observed densities of caribou in the distribution area of the Val-d'Or herd. Most of the zone is covered by extensive peat bogs. The human occupation level is low, and concentrated on the non-bog sections. Almost all the forests 90 years old or older of the biodiversity reserve are found in this zone, although the proportion of mature forests is low. Most stands contain black spruce, with a few white birch stands. The other species found in the zone are aspen, along some watercourses, and jack pine on the till hillocks to the east of Crémazie lake. Larch is relatively abundant, growing alongside black spruce in the wooded bog sectors and poorly-drained sites.

The woodland caribou use many different habitats at various times of the year. Sometimes, the herd uses the same area as a winter feeding ground, calving ground and rutting ground. Since the use of the habitats often overlaps in Zone I and also varies over time, it was not considered necessary to determine sub-zones with temporal restrictions.

For all of Zone I, no development likely to increase the impact on woodland caribou habitats or on individual herd members will be encouraged. Management of existing activities and development on new activities, installations and infrastructures will be controlled. Education or interpretation projects and special forest management work to improve habitats and ensure the growth of the caribou herd will be privileged.

The objective for this zone is to minimize disturbance for individual members of the herd, and to minimize disturbance for the components of the natural environment in the caribou habitats. Activities and interventions in Zone I must comply with the following time restrictions:

December 1 to March 31: For the winter feeding grounds, in addition to the protection of lichen-covered areas and the forest canopy, quiet is important. Disturbance by quadbikes and snowmobiles should be avoided. Access to existing buildings will be maintained. Outside this critical period, hunting and trapping will be managed in a way designed to reduce the number of caribou predators, such as wolves and black bears, and also to reduce their habitual prey, such as moose.

May 15 to June 30: On the calving grounds used during this period, the herd is scattered over a wide area. Disturbances must be avoided, especially quadbike use outside existing trails and in boggy areas.

September 15 to November 30: On the gathering and rutting grounds used during this period, the herd gathers in small groups of various sizes, from 2 to 20 individuals, mainly on boggy ground. No specific disturbance rules have been proposed. Making users aware of the possibility of disturbance, and providing information on the rutting grounds, are the main measures that will be applied.

Zone II

This zone covers 60.3 km², or almost 14% of the total area of the biodiversity reserve, and is situated southwest of Chemin Twin. Its main characteristic is the presence of a high density of lichen islands suitable for caribou feeding. The main tree species are black spruce and white birch, with stands of jack pine on till-covered hillocks and rocky outcrops. Occupation, use and disturbance levels are all low. Because of the presence of lichen islands, the management of this zone will be based on knowledge of how it is used by the woodland caribou herd. Like Zone I, development and activities will be closely supervised to minimize impacts on the natural environment and the lifestyle of the caribou. Special forest management work to improve certain habitats and promote the growth of the caribou herd may be considered.

Zone II includes caribou winter feeding grounds. Winter activities and traffic will be managed, from December 1 to March 31, to reduce circulation and maintain traffic, as possible, only on existing trails and roads. Outside this critical period, hunting and trapping will be managed in a way designed to reduce the number of caribou predators, such as wolves and black bears, and also to reduce their habitual prey, such as moose.

Zone III

This zone covers 14.4 km² and is located on either side of Chemin Twin. The environment is composed of till buttes whose soil is less sensitive to disturbance than clay or peaty soils. The occupation level is low, and the area is home to a diversified forest in which black spruce, white birch, aspen and jack pine grow alongside each other. One key feature is that the zone contains two stands of sugar maple, and two stands of yellow birch. One of the two sugar maple stands (14 hectares) is operated at a craft level, with 1 500 to 1 800 taps. The presence of an operating sugar bush and the proximity of a forest road of key importance for forest traffic, Chemin Twin, mean that this zone is

more likely to be disturbed. The management approach will target the protection of the yellow birch and sugar maple stands, while allowing for the ongoing operation of the sugar bush subject to a lease.

Zone IV

This zone covers 32.2 km². It includes Sabourin lake and part of the esker on which the access road to the cottage sector on Sabourin lake is constructed. The zone can be considered as a recreational zone, and could be used, if necessary, as a reception and service area. Human presence and use are already high. The sandy soils are less sensitive to vehicle traffic (automobiles, quadbikes), and recreational activities will suit in this zone.

The forest cover is mainly made up of stands of black spruce and white birch; it is relatively young, and has been disturbed.

The zone includes sites used by woodland caribou, especially for winter feeding (December 1 to March 31) and rutting (September 15 to November 30). Quiet is important, and disturbances by quadbikes and snowmobiles should be avoided during those sensitive periods.

5. Activities within the reserve

5.1 Legislative framework under the Natural Heritage Conservation Act

Activities in a biodiversity reserve are generally governed by the provisions of the Natural Heritage Conservation Act.

A biodiversity reserve is intended to protect natural environments and their components. For this reason, activities that may have a major impact on ecosystems and biodiversity are prohibited, especially those of an industrial nature. In this type of protected area, however, less harmful activities and modes of land occupation are permitted, such as recreational, wildlife-related and educational activities.

The biodiversity reserve must be considered as an area devoted to the protection of the natural environment, the enjoyment of nature and recreation.

Under the Natural Heritage Conservation Act, the main activities prohibited in an area with biodiversity reserve status are:

— mining, gas and petroleum exploration and development;

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

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

Although these prohibitions are essential for the long-term protection of the land and its ecosystems, they do not introduce all the standards required for the proper management of the biodiversity reserve and the conservation of the environment. Under the Act, the government may specify, in the conservation plan, the legal framework that will apply in the territory of a reserve.

Provisions in Schedule 4 prohibits activities in addition to those prohibited under the Act and provides the framework for the various activities permitted so as to better protect the natural environment in keeping with the conservation principles and other management objectives established for the biodiversity reserve. Accordingly, certain activities require the prior authorization of the Minister and compliance with the conditions determined by the Minister.

Several of the provisions in Schedule 4 provide for authorization from the Minister, an approach that allows for the introduction of appropriate conditions in specific circumstances.

For example, the construction of some types of buildings (such as a reception centre or shelter) and trails may fall within the management and conservation objectives of the reserve, while other types of construction may have a negative impact on the environment and biodiversity and will not be considered appropriate – and will not be authorized.

Many of the standards in Schedule 4 have been designed to allow the Minister to exercise an appropriate level of supervision, taking the context into account and with the flexibility needed when the circumstances and the characteristics of the target environment allow, so as to provide adequate guidance for various activities.

It is important to note that the measures in the Schedule target new interventions in particular within the reserve, and do not generally affect existing facilities or current activities, preserving many compatible existing land uses.

Since the terms of the legal framework set out in Schedule 4 cannot indicate whether an application for authorization will be accepted or refused, the MDDEP will make public the criteria it will use in its management to analyze the applications made. Guides, instructions or directives will be drawn up and made public.

For example, the MDDEP will establish a list of activities mentioned in Schedule 4 that will only be authorized in exceptional circumstances, or only in a few cases, because they are considered a priori to have a negative impact.

In contrast, despite the introduction of control mechanisms, many other activities may be seen as compatible with the objectives of the protection status. For these cases, the authorization process will be used to ensure that the MDDEP is aware of the activities, and is able where necessary to impose improvements to the approach proposed by the applicant.

Last, to avoid the imposition of control measures of little use because of the low risk of a negative impact, or because they duplicate other control measures under other legislation, Schedule 4 also lists exemptions to the requirement of obtaining authorization for certain activities: routine maintenance work, for example, on existing facilities.

5.2 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 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) and its regulations.

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

— Development and conservation 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 threatened or vulnerable wildlife species, to outfitting operations and beaver reserves and the measures contained in applicable federal legislations or regulations, in particular the fishery legislation and regulation.

— Flora species designated as threatened or vulnerable: measures set out in the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01) prohibiting the removal of such species.

Access and land rights related to the domain of the State: 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 Watercourses Act (R.S.Q., c. R-13).

— Issue and supervision of forest management permits (harvest of firewood for domestic purposes, for sugar bush management for acericultural purposes, or for a wildlife or recreational development project): measures set out in the Forest Act (R.S.Q., c. F-4.1).

— 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).

— Construction and layout standards: regulatory measures adopted by regional and local municipal authorities under the Acts applicable to them.

6. Management

6.1 Responsibilities of the Minister of Sustainable Development, Environment and Parks

The management of the Réserve de biodiversité des Caribous-de-Val-d'Or is under the responsibility of the Minister of Sustainable Development, Environment and Parks who will, in particular, monitor and control activities within the reserve, and enforce the law. The management responsibilities will be entrusted to the MDDEP regional office for analysis and expertise in the Abitibi-Témiscamingue and Nord-du-Québec regions (DRAE-08). In managing the reserve, the MDDEP will work with other government stakeholders with specific responsibility for the area concerned or for adjacent areas.

6.2 Monitoring

As mentioned in the section “Conservation and development of the Réserve de biodiversité des Caribous-de-Val-d'Or”, the state of the natural environment will be monitored with the regional and local partners concerned in the municipal, environmental, recreation and education sectors, as well as cottage dwellers, hunters, fishers and trappers.

6.3 Stakeholder participation

As mentioned in the section “Conservation and development of the Réserve de biodiversité des Caribous-de-Val-d'Or”, the MDDEP will receive assistance for the management of the biodiversity reserve from the stakeholders concerned. The MDDEP intends to draft an action plan to guide the management of the

biodiversity reserve in keeping with the protection and development of the land and its resources. The MDDEP will draft the action plan in collaboration with regional stakeholders. The mechanism for the participation and involvement of stakeholders in the community will be developed by the MDDEP regional office on the basis of regional and local realities.

The biodiversity reserve will be managed in keeping with the following conservation principles:

- maintain natural ecosystem dynamics;
- restore damaged ecosystems, as required and over the medium term;
- respect the ecosystem support capacity;
- maintain non-industrial harvesting activities, without encouraging their development;
- gather and disseminate knowledge about the natural and cultural heritage;
- participate in the management of adjacent areas to ensure harmonization with the conservation objectives pursued within the biodiversity reserve.

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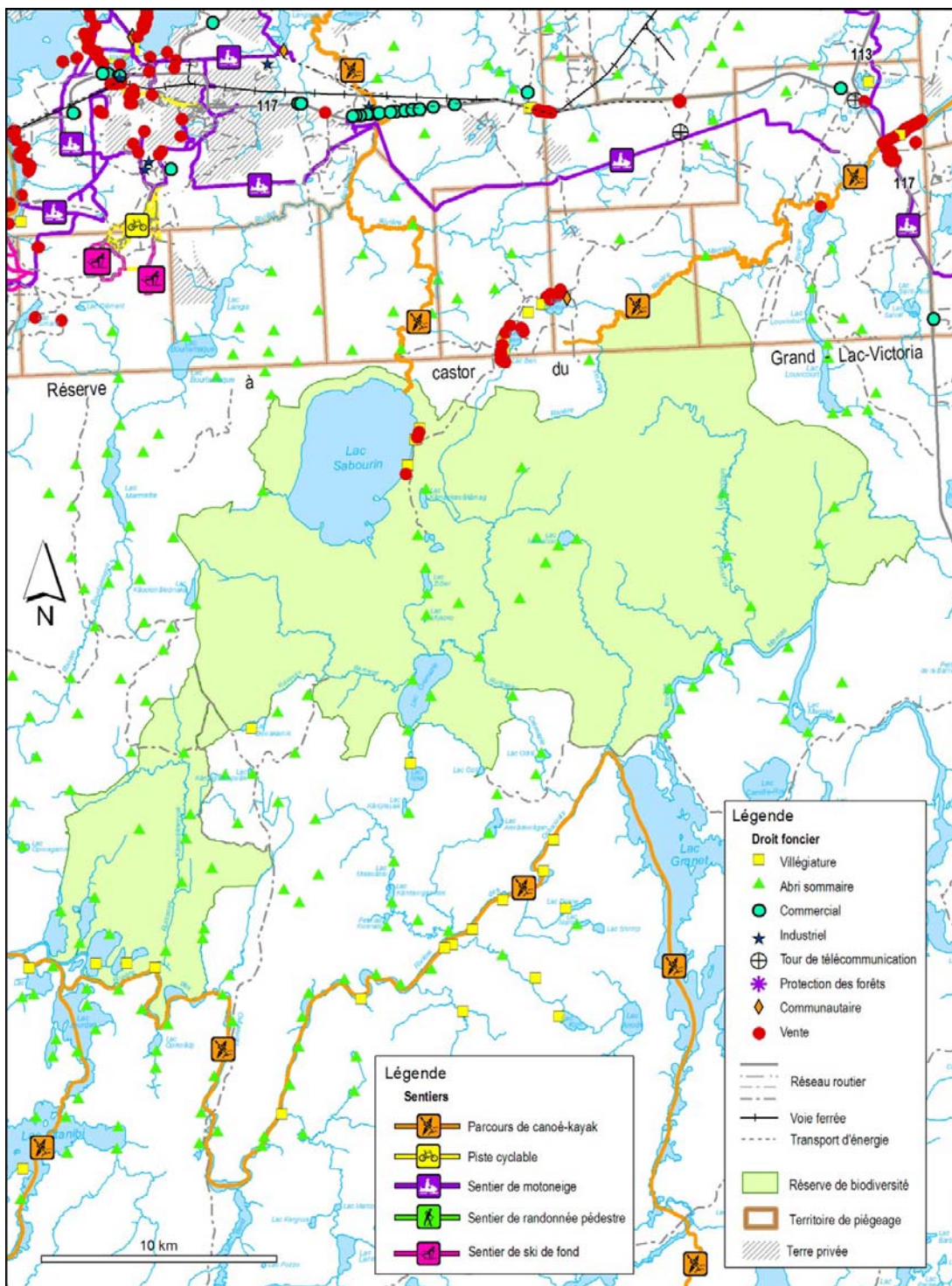
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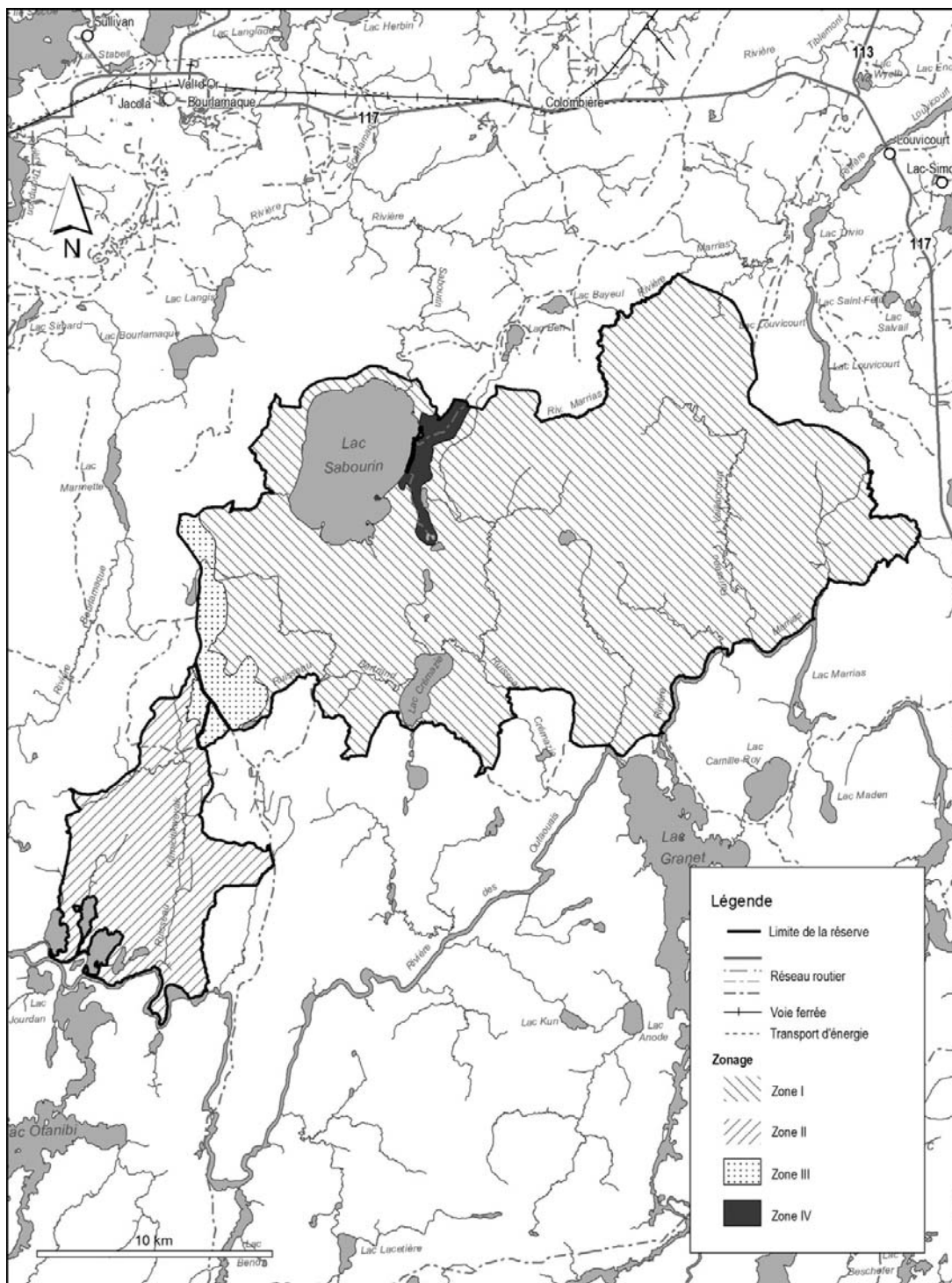
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SCHEDULE 2**RÉSERVE DE BIODIVERSITÉ DES CARIBOUS-DE-VAL-D'OR : LAND OCCUPATION AND USE**

SCHEDULE 3**RÉSERVE DE BIODIVERSITÉ DES CARIBOUS-DE-VAL-D'OR : ZONING**

SCHEDULE 4

(s. 5.1)

**ACTIVITIES FRAMEWORK FOR THE CARIBOU-
DE-VAL-D'OR BIODIVERSITY RESERVE****— STANDARDS ADDITIONAL TO THOSE IN
THE ACT****PROHIBITIONS, PRIOR AUTHORIZATIONS AND
OTHER CONDITIONS GOVERNING ACTIVITIES
IN THE BIODIVERSITY RESERVE**

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

DIVISION I**PROTECTION OF RESOURCES AND THE
NATURAL ENVIRONMENT**

1. Subject to the prohibition in the second paragraph, no person may establish in the biodiversity reserve any specimens or individuals of a native or non-native species of fauna, including by stocking, 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.

No person may establish in the biodiversity reserve a non-native species of flora, unless the person has been authorized by the Minister and complies with the conditions the Minister determines.

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 of rehabilitating degraded environments or habitats within the biodiversity reserve, and the interest in reintroducing certain species that have disappeared.

2. No person may use fertilizer or fertilizing material in the biodiversity reserve. Compost for domestic purposes is permitted if used at least 20 metres from a watercourse or body of water measured from the high-water mark.

The high-water mark means the high-water mark defined in the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains, adopted by Order in Council 468-2005 dated 18 May 2005.

3. 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, including a marsh, swamp or bog;

(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) install or erect any structure, infrastructure or new works in or on the bed, banks, shores or floodplain of a watercourse or body of water, although no authorization is required for minor works such as a wharf, platform or boathouse erected for private purposes and free of charge under section 2 of the Regulation respecting the water property in the domain of the State made by Order in Council 81-2003 dated 29 January 2003;

(5) carry on any activity other than those referred to in the preceding subparagraphs that is likely to degrade the bed, banks or shores of a body of water or watercourse or directly and substantially affect the quality of the biochemical characteristics of aquatic or riparian environments or wetland areas in the biodiversity reserve, including by discharging or dumping waste or pollutants into those areas;

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

(7) install or erect any structure, infrastructure or new works;

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

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

(11) 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

(12) hold a sports event, tournament, rally or similar event if more than 15 persons are likely to participate in the activity and have access to the proposed 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 proposed reserve is highly unfeasible.

The conditions determined by the Minister for the 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 on-site materials, 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 11 of the first paragraph refers.

4. Despite subparagraphs 6, 7, 8 and 9 of the first paragraph of section 3, no authorization is required to carry out work referred to in subparagraph 1 of this section when the requirements of subparagraph 2 are met.

(1) The work involves

(a) work to maintain, repair or upgrade an existing structure, infrastructure or works such as a camp, cottage, road or trail, including ancillary facilities such as lookouts or stairs;

(b) the construction or erection of

i. an appurtenance or ancillary facility of a trapping camp, rough shelter, shelter or cottage such as a shed, well, water intake or sanitary facilities; or

ii. a trapping camp, rough shelter, shelter or cottage if such a building was permitted under the right to use or occupy the land but had not been constructed or installed on the effective date of the status as a biodiversity reserve; or

(c) the demolition or reconstruction of a trapping camp, rough shelter, shelter or cottage, including an appurtenance or ancillary facility such as a shed, well, water intake or sanitary facilities.

(2) The work is carried out in compliance with the following requirements:

(a) the work involves a structure, infrastructure or works permitted within the biodiversity reserve;

(b) the work is carried out within the area of land or right-of-way subject to the right to use or occupy the land in the biodiversity reserve, whether the right results from a lease, servitude or other form of title, permit or authorization;

(c) the nature of the work or elements erected by the work will not operate to increase the area of land that may remain deforested beyond the limits permitted under the provisions applicable to the sale, lease and granting of immovable rights under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and, if applicable, the limits allowed under an authorization for the structure, works or infrastructure; and

(d) the work is carried out in compliance with the conditions of a permit or authorization issued for the work or in connection with the structure, infrastructure or works involved, and in accordance with the laws and regulations that apply.

For the purposes of this section, repair and upgrading work includes work to replace or erect works or facilities to comply with the requirements of an environmental regulation.

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

Despite the first paragraph, an outfitting operation does not require an authorization to use a disposal facility or site in compliance with the Environment Quality Act and its regulations if the outfitting operation was already using the facility or site on the effective date of the protection status as a biodiversity reserve.

DIVISION II

RULES OF CONDUCT FOR USERS

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

7. Every person who makes a campfire must

(1) first 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.

8. In the biodiversity reserve, no person may

(1) cause any excessive noise;

(2) behave in a manner that unduly disturbs other persons or interferes with their enjoyment of the biodiversity 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 or for the permitted use of property, a device or an instrument within the biodiversity reserve is considered excessive or undue.

9. No person may enter, carry on an activity or travel in a vehicle in a given sector of the biodiversity 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.

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

DIVISION III

ACTIVITIES REQUIRING AN AUTHORIZATION

11. No person may occupy or use the same site in the biodiversity reserve for a period of more than 90 days in the same year, unless the person has been authorized by the Minister and complies with the conditions the Minister determines.

(1) For the purposes of the first paragraph,

(a) the occupation or use of a site includes

i. staying or settling in the biodiversity reserve, including for vacation purposes;

ii. installing a camp or shelter in the proposed reserve; and

iii. installing, burying or leaving property in the biodiversity reserve, including equipment, any device or a vehicle;

(b) “same site” means any other site within a radius of 1 kilometre from the site.

(2) Despite the first paragraph, no authorization is required if a person,

(a) on the effective date of the protection status as a biodiversity reserve, 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;

(b) 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 *a*, and whose right to occupy the land is renewed or extended on the same conditions, subject to possible changes in fees; or

(c) elects to acquire land the person legally occupies on the effective date of the protection status as a biodiversity reserve, pursuant to the Act respecting the lands in the domain of the State.

12. (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 determined by the Minister for the 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 is not required if a person staying or residing in the biodiversity reserve collects wood to make a campfire.

An authorization of the Minister is also not required if a person collects firewood to meet domestic needs in the following cases and on the following conditions:

(a) the wood is collected to supply a trapping camp or a rough shelter permitted within the biodiversity reserve if

i. 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 (R.S.Q., c. F-4.1);

ii. the quantity of wood collected does not exceed 7 apparent cubic metres per year;

(b) in all other cases if

i. the wood is collected within a sector designated by the Minister of Natural Resources and Wildlife as a sector for which a permit for the harvest of firewood for domestic purposes under the Forest Act may be issued, and for which, on the effective date of the protection status as a biodiversity reserve, a designation as such had already been made by the Minister;

ii. the wood is collected by a person who, on the effective date of the protection status as a biodiversity reserve or in any of the three preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the biodiversity reserve;

iii. 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.

(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 biodiversity reserve in accordance with this conservation plan carries on the forest management activity for the purpose of

(a) clearing the permitted areas, maintaining them or creating visual openings, or 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, including work for access roads, stairs and other trails permitted under those provisions; or

(b) clearing the necessary area for the installation, connection, maintenance, repair, reconstruction or upgrading of facilities, lines or mains for water, sewer, electric power or telecommunications services.

If the work referred to in paragraph *b* 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 in sections 13 and 15.

(4) Despite subsection 1, an authorization to carry on a forest management activity to maintain a sugar bush and harvest maple products for domestic needs is not required if

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

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

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

DIVISION IV **AUTHORIZATION EXEMPTIONS**

13. Despite the preceding provisions, an authorization is not required for an activity or other form of intervention within the biodiversity 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 disaster. The person concerned must, however, immediately inform the Minister of the activity or intervention that has taken place.

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

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

(1) any activity or intervention required within the biodiversity reserve to complete a project for which express authorization had previously been given by the Government and the Minister, or only by the Minister, 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 the activity or intervention is carried out in conformity 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 ascertain the impact of electric 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.

DIVISION V

GENERAL PROVISIONS

16. 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.

17. The Minister's authorization, which is general or for a group, may be communicated for the benefit of the persons concerned by any appropriate means including a posted notice or appropriate signage at the reception centre or any other location within the biodiversity reserve that is readily accessible to the public. The Minister may also provide a copy to any person concerned.

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Gouvernement du Québec

O.C. 300-2009, 25 March 2009

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

Establishment of the “Réserve aquatique de l'Estuaire-de-la-Rivière-Bonaventure”

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 aquatic reserve status be assigned to all or part of land set aside under section 27 of the Act and that the applicable conservation plan be approved;

WHEREAS, in accordance with section 39 of the Act, a public consultation was held by the Bureau d'audiences publiques sur l'environnement, following the setting aside of land of the proposed Bonaventure river estuary aquatic reserve, and the report of the Bureau was made public on 2 February 2007;

WHEREAS the report recommends the assigning of permanent aquatic reserve status and review of the proposed boundaries so as to remove certain sectors whose vocation is inconsistent with the envisaged protection status, in particular the marina area and beach adjoining the municipal camping ground;

WHEREAS, taking into consideration the recommendations in the report, the Minister has revised the boundaries of the proposed area, has prepared a new conservation plan and has had the plan and technical description of the Réserve aquatique de l'Estuaire-de-la-Rivière-Bonaventure prepared;

WHEREAS the land within the reserve 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 Municipalité régionale de comté de Bonaventure has certified that the proposed aquatic reserve is consistent with the objectives of its land use planning and development plan;

WHEREAS the Commission de toponymie has approved the use of the name “Réserve aquatique de l'Estuaire-de-la-Rivière-Bonaventure”;

WHEREAS, to facilitate the preservation of biodiversity, it is expedient to assign permanent aquatic reserve status to the land whose plan and technical description are attached to this Order in Council, under the name “Réserve aquatique de l’Estuaire-de-la-Rivière-Bonaventure”, and to approve the proposed conservation plan for the aquatic 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 aquatic reserve status be assigned to the land whose plan and technical description are attached to this Order in Council, under the name “Réserve aquatique de l’Estuaire-de-la-Rivière-Bonaventure”;

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

THAT the aquatic reserve status and the conservation plan of the reserve come into force on the date of publication in the *Gazette officielle du Québec* of the notice of the decision of the Government provided for in paragraph 3 of section 44 of the Natural Heritage Conservation Act.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

QUÉBEC
GASPÉSIE-ÎLES-DE-LA-MADELEINE
ADMINISTRATIVE REGION REGISTRATION
DIVISION OF BONAVENTURE NO. 1

TECHNICAL DESCRIPTION

RÉSERVE AQUATIQUE DE L’ESTUAIRE-DE-LA-RIVIÈRE-BONAVENTURE

A territory made of 2 parts at the mouth of rivière Bonaventure, in the territory of Municipalité de la Ville de Bonaventure, Municipalité régionale de comté de Bonaventure, in the Gaspésie-Îles-de-la-Madeleine administrative region.

1. PART “A”

1.1 Designation

Part “A” of the territory is of irregular shape and includes what is known and designated as follows in reference to the cadastre of the township of Hamilton, registration division of Bonaventure No. 1: part of lot A2, lots 417-4-1, 444, 445 (île des Prés), 446, 447, 448 and 449, parts of lots 450, 451 (île des Chardons) and 452 (île Arsenault), lots 453 and 454 (île des Sapins), parts of the Beaubassin harbour (barachois) (without cadastral designation) and the bed of rivière Bonaventure (without cadastral designation).

Part “A” of the territory situated in the township of Hamilton, includes what is designated as follows in reference to the original survey:

— Part of the other Bonaventure Barachois entity (part of lot A2 cad.);

— Part of lot D, Range I East (lot 417-4-1 cad.);

— Île Innomée, Rivière Bonaventure (lot 444 cad.);

— Île des Prés, Rivière Bonaventure (lot 445 cad.);

— Île B, Rivière Bonaventure (lot 446 cad.);

— Île C, Rivière Bonaventure (lot 447 cad.);

— Île A, Rivière Bonaventure (lot 448 cad.);

— Île D, Rivière Bonaventure (lot 449 cad.);

— Parts of Île P, Rivière Bonaventure (parts of lot 450 cad.);

— Parts of Île aux Chardons, Rivière Bonaventure (parts of lot 451 cad.);

— Parts of Île Arsenault, Rivière Bonaventure (parts of lot 452 cad.);

— Île E, Rivière Bonaventure (lot 453 cad.);

— Île aux Sapins, Rivière Bonaventure (lot 454 cad.);

— Islands G and H, Rivière Bonaventure, and parts of Block A and of Rivière Bonaventure [parts of the Beaubassin harbour (barachois) (without cadastral designation) and the bed of rivière Bonaventure (without cadastral designation)].

1.2 Perimeter

The perimeter of that part of territory may be described as follows:

Commencing at the intersection of the northern limit of the right of way of route 132 with the southeast line of lot 1444-2, namely the dividing line between lot 1444-2 and part of lot A2 particularly described hereinafter in section 1.3;

Thence, successively the following lines and demarcations:

In an average easterly direction, the dividing line between the said part of lot A2 on the one side and lots 1444-2, 1444-1, 1448, B18, B19, 381-2, 381-3-1, 381-4-1, 381-5, 381-6, 382-1, 384-6, 384A-4-1 384A-2, 384A-3-1 on the other side, part of lot 386-1, lots 394 and 417-1-1 to the dividing line between lots 417-1-1 and 417-4-1;

Northeasterly, the dividing line between lots 417-1-1 and 417-4-1 to the dividing line between lots 417-4-1 and 417-5;

Southeasterly, the dividing line between lots 417-4-1 and 417-5 then the dividing line between lots 417-4-1 and 417-3 to the high-water mark of rivière Bonaventure (without cadastral designation);

Northeasterly, the high-water mark of the right bank of rivière Bonaventure (without cadastral designation) to the dividing line between lots 428-3-4 and 428-3-5;

Southeasterly, a straight line across a branch of rivière Bonaventure (without cadastral designation) to the west point of part of lot 428-6;

In an average easterly direction, the high-water mark of rivière Bonaventure (without cadastral designation) by the south side of part of lot 428-6 to the east point of part of the lot forming an islet;

Northeasterly, a straight line across a branch of rivière Bonaventure (without cadastral designation) to the intersection of the high-water mark of the right bank of that river with the dividing line between lots 428-6-4 and 428-6-5;

Southeasterly, a straight line across rivière Bonaventure (without cadastral designation) to the intersection of the high-water mark of the left bank of that river with the dividing line between lots 492-3-4 and 492-3-5;

In an average southwesterly direction, the high-water mark of the left bank of rivière Bonaventure (without cadastral designation) and the limit of the Beaubassin harbour (barachois) (without cadastral designation) to the northeastern limit of the right of way of route 132;

In an average northwesterly direction, the northeastern and northern limits of the right of way of route 132 and of its possible excesses bounded at the high-water mark of rivière Bonaventure, to the southeast line of lot 1444-2, point of commencement.

1.3 Special description of part of lot A2 (parcel 1)

Part of lot A2 of the cadastre of the township of Hamilton, registration division of Bonaventure No. 1, indicated as parcel 1 and within the perimeter described above in section 1.2, is of irregular shape and is bounded and described as follows:

Southerly by another part of lot A2, being the right of way of route 132, measuring respectively along that limit 479.08 metres along a bearing of 290°13'48", 31.05 metres along a bearing of 278°55'46" and 60.26 metres along a bearing of 290°46'49";

Northwesterly, by lots 1444-2 and 1444-1, measuring along that limit, 104.46 metres along a bearing of 29°01'34";

Northwesterly, northeasterly, northwesterly and southwesterly by lot 1448, measuring respectively along those limits 27.75 metres along a bearing of 33°30'16" for the northwestern limit, 8.92 metres along a bearing of 144°02'24" for the northeastern limit, 16.95 metres along a bearing of 51°33'05", 20.37 metres along a bearing of 55°33'44" and 10.08 metres along a bearing of 30°57'10" for the northwestern limits, 27.73 metres along a bearing of 326°10'34" for the southwestern limit;

Northwesterly by lot B18, measuring along that limit 21.81 metres along a bearing of 36°04'52";

Northwesterly by lot B19, measuring along that limit 9.88 metres along a bearing of 38°56'04";

Northwesterly by lot 381-2, measuring along that limit 10.47 metres along a bearing of 55°54'01";

Northwesterly by lot 381-3-1, measuring along that limit 15.65 metres along a bearing of 48°37'46";

Northwesterly by lot 381-4-1, measuring along that limit 5.12 metres along a bearing of 55°10'01";

Northerly by lot 381-5 measuring along that limit 14.66 metres along a bearing of 99°28'30";

Northwesterly and northerly by lot 381-6, measuring respectively along those limits 14.92 metres along a bearing of 67°13'10" and 27.67 metres along a bearing of 89°27'57";

Northerly by lot 382-1, measuring along that limit 12.61 metres along a bearing of 78°44'43";

Northerly by lot 384-6, measuring along that limit 20.13 metres along a bearing of 86°42'38";

Northwesterly by lot 384A-4-1, measuring along that limit 12.36 metres along a bearing of 36°53'19";

Northerly by lot 384A-2, measuring along that limit 37.56 metres along a bearing of 77°35'16";

Northerly by lot 384A-3-1, measuring along that limit 13.41 metres along a bearing of 83°39'39";

Northerly by part of lot 386-1, measuring along that limit 45.88 metres along a bearing of 77°23'02";

Northeasterly by lot 394, measuring along that limit 50.32 metres along a bearing of 115°38'31";

Northeasterly, easterly, northerly, northeasterly, northwesterly, northerly, northeasterly, southerly, southeasterly and easterly by lot 417-1-1, measuring respectively along those limits 19.58 metres along a bearing of 142°59'44" and 32.98 metres along a bearing of 118°10'17" for the northeastern limits, 47.33 metres along a bearing of 161°02'33" for the eastern limit, 13.43 metres along a bearing of 94°09'54" and 43.54 metres along a bearing of 85°29'40" for the northern limits, 27.78 metres along a bearing of 113°31'12" for the northeastern limit, 27.99 metres along a bearing of 25°32'56" for the northwestern limit, 30.82 metres along a bearing of 88°59'19" for the northern limit, 12.37 metres along a bearing of 123°54'03" for the northeastern limit, 10.98 metres along a bearing of 260°19'05" for the southern limit, 16.66 metres along a bearing of 228°25'46" for the southeastern limit, 13.70 metres along a bearing of 172°39'07" and 8.92 metres along a bearing of 161°17'42" for the eastern limits;

Northeasterly, easterly, northerly, northeasterly, easterly, southerly, southeasterly, easterly and southeasterly by lot 417-4-1, measuring respectively along those limits 10.34 metres along a bearing of 128°33'13" for the northeastern limit, 25.50 metres along a bearing of 202°22'42" and 28.18 metres along a bearing

of 158°15'41" for the eastern limits, 9.32 metres along a bearing of 112°08'54" for the northern limit, 123.80 metres along a bearing of 132°53'21" and 33.53 metres along a bearing of 148°56'21" for the northeastern limits, 6.28 metres along a bearing of 170°46'40", 13.77 metres along a bearing of 170°21'20" and 9.76 metres along a bearing of 171°47'31" for the eastern limits, 58.00 metres along a bearing of 263°30'07" for the southern limit, 39.76 metres along a bearing of 243°07'41" for the southeastern limit, 32.63 metres along a bearing of 194°19'59" for the eastern limit, 45.75 metres along a bearing of 208°25'55" and 19.36 metres along a bearing of 227°30'31" for the southeastern limits.

That part of lot A2 has an area of 16.297 hectares.

1.4 Withdrawal

To be withdrawn from part of the territory whose perimeter is described above in section 1.2 the parcels described hereinafter in sections 1.4.1 and 1.4.2 in reference to the cadastre of the township of Hamilton, registration division of Bonaventure No. 1.

1.4.1 Former route 6 (parcel 2)

The segment of the former route 6 (shown on the original) indicated as parcel 2, of irregular shape, extending from the high-water mark of the right bank of rivière Bonaventure fronting lots 424-3 and 424-4 to the high-water mark of the left bank of the said river fronting lots 492-1 and 1508.

1.4.2 Power line (parcel 3)

The segment of the power line indicated as parcel 3, along the segment of the former route 6 described above in section 1.4.1, having a right of way nine (9) metres wide and extending from the high-water mark from one bank to the other of rivière Bonaventure, crossing lots 450, 451 (île des Chardons) and 452 (île Arsenault).

1.5 Area

Part "A" of the territory has an area of 103.5 hectares.

2. PART "B"

2.1 Designation

Part "B" of the territory is of irregular shape and includes what is known and designated as lot 491B and part of lots 491 and 491A in reference to the cadastre of the township of Hamilton, registration division of Bonaventure No. 1.

Part “B” of the territory includes what is designated as follows in reference to the original survey:

— Block 40, Gulf of St. Lawrence, St. Lawrence River (lot 491B cad.);

— Part of Block 39, Gulf of St. Lawrence, St. Lawrence River (part of lot 491A cad.);

— Part of Banc Sud-Est de la Rivière Bonaventure, township of Hamilton (part of lot 491 cad.).

2.2 Perimeter

The perimeter of that part of the territory may be described as follows:

Commencing at the north corner of lot 491A, namely the intersection of the northwest line of that lot with the dividing line between that lot and lot 1507;

Thence, successively the following lines and demarcations:

In an average southerly direction, the dividing line between lot 491A on the one side and lot 1507 on the other side, part of lot 493-1, lot 494-1, part of lot 495-1, lots 1519, 1520, part of lot 496-1, lots 497-4, 497-3, 497-2, 497-1, part of lot 498-2, lots 1540, 1541, 501-3, 501-2, 501-1, 505-3, 505-2, part of lot 505-1, lots 1504, 1505, part of lot 506-1 and lot 508-2, then the southeast line of lots 491, 491A and 491B to the south corner of the latter lot;

Northwesterly, northeasterly, northwesterly then northeasterly, respectively the southwest, northwest, southwest and northwest lines of lot 491B, then the northwest line of lot 491A, again the northwest line of lot 491B and again the northwest line of lot 491A to the north corner of the latter lot, point of commencement.

2.3 Withdrawal

To be withdrawn from the territory whose perimeter is described above in section 2.2 the parcels that are described hereinafter in sections 2.3.1 and 2.3.2 in reference to the cadastre of the township of Hamilton, registration division of Bonaventure No. 1.

2.3.1 Part of lot 491 (parcel 4)

Part of lot 491 indicated as parcel 4, of irregular shape, is described as follows:

Commencing at the point of intersection of the dividing line between lots 508-2 and 491 with the eastern limit of lot 491A;

From that point, along a line having a bearing of $4^{\circ}26'53''$ over a distance of 13.20 metres;

Thence, along a line having a bearing of $71^{\circ}08'52''$ over a distance of 4.29 metres;

Thence, along a line having a bearing of $175^{\circ}58'46''$ over a distance of 10.20 metres;

Thence, along a line having a bearing of $233^{\circ}00'27''$ over a distance of 7.27 metres, to the point of commencement.

That part of lot 491 is bounded to the north and east by another part of lot 491, to the southeast by lot 508-2, to the west by part of lot 491A hereinafter described in section 2.3.2 and has an area of 57.1 square metres.

2.3.2 Part of lot 491A (parcel 5)

Part of lot 491A indicated as parcel 5, of irregular shape, is described as follows:

Commencing at the point of intersection of the dividing line between lots 508-2 and 491 with the eastern limit of lot 491A;

From that point, along a line having a bearing of $233^{\circ}00'27''$ over a distance of 6.18 metres;

Thence, along a line having a bearing of $11^{\circ}46'57''$ over a distance of 4.26 metres;

Thence, along a line having a bearing of $7^{\circ}37'01''$ over a distance of 11.59 metres;

Thence, along a line having a bearing of $71^{\circ}08'52''$ over a distance of 3.75 metres;

Thence, along a line having a bearing of $184^{\circ}26'53''$ over a distance of 13.20 metres, to the point of commencement.

That part of lot 491A is bounded to the north by another part of lot 491A, to the east by part of lot 491 described hereinafter in section 2.3.1, to the southeast by baie des Chaleurs (without cadastral designation), to the west by another part of lot 491A and has an area of 55.1 square metres.

2.4 Area

Part “B” of the territory has an area of 76.9 hectares.

3. TOTAL AREA

The territory of the aquatic reserve, formed of parts “A” and “B” described above respectively in sections 1 and 2, has a total area of 180.4 hectares.

4. PLAN

The territory of the aquatic reserve described herein is shown on a plan drawn to a scale of 1:5 000, from an extract of the cadastral map by the Ministère des Ressources naturelles et de la Faune du Québec, folios 22A 03-200-0101 and 22A 04-200-0102. The plan, prepared by the undersigned, bears the same minute number as this accompanying technical description.

5. NOTES

— This technical description was prepared considering the following sources of information:

— The plans and the books of reference of the original cadastre and the revised cadastre of the township of Hamilton;

— The technical description and the plan, folios 1, 2, 3 and 4, signed by Pascal Mercier, Land Surveyor, on 21 September 2000, under number 0713 of his minutes;

— The plan bearing number L-2016, prepared by André Léonard, Land Surveyor, on 16 July 1979 and mentioned in the deed registered in the registry office for the registration division of Bonaventure No. 1 on 6 May 1980 under number 41 831;

— The deed of gift received by Rachel Caissy, Notary, on 8 November 2001 under number 6 340 of her minutes and registered in the registry office for the registration division of Bonaventure No. 1 on 23 November 2003 under number 88 459;

— The detailed plan concerning the current route 132, dated 6 June 1972 and kept in the archives of the Ministère des Transports du Québec under number 202-E-6B, folios 3, 4, 5 and 6 of 8;

— The survey plan of the former route 6, prepared by Jean-Paul Lavoie, Land Surveyor, on 15 February 1989, under number 3 648 of his minutes and kept in the archives of the Ministère des Transports du Québec under number 622-87-A0-168, folio 1 of 2;

— The Register of the domain of the State, Ministère des Ressources naturelles et de la Faune du Québec.

— The compilation of lots is based on the cadastral map produced by the Ministère des Ressources naturelles et de la Faune du Québec, folios 22A 03-200-0101 and 22A 04-200-0102.

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

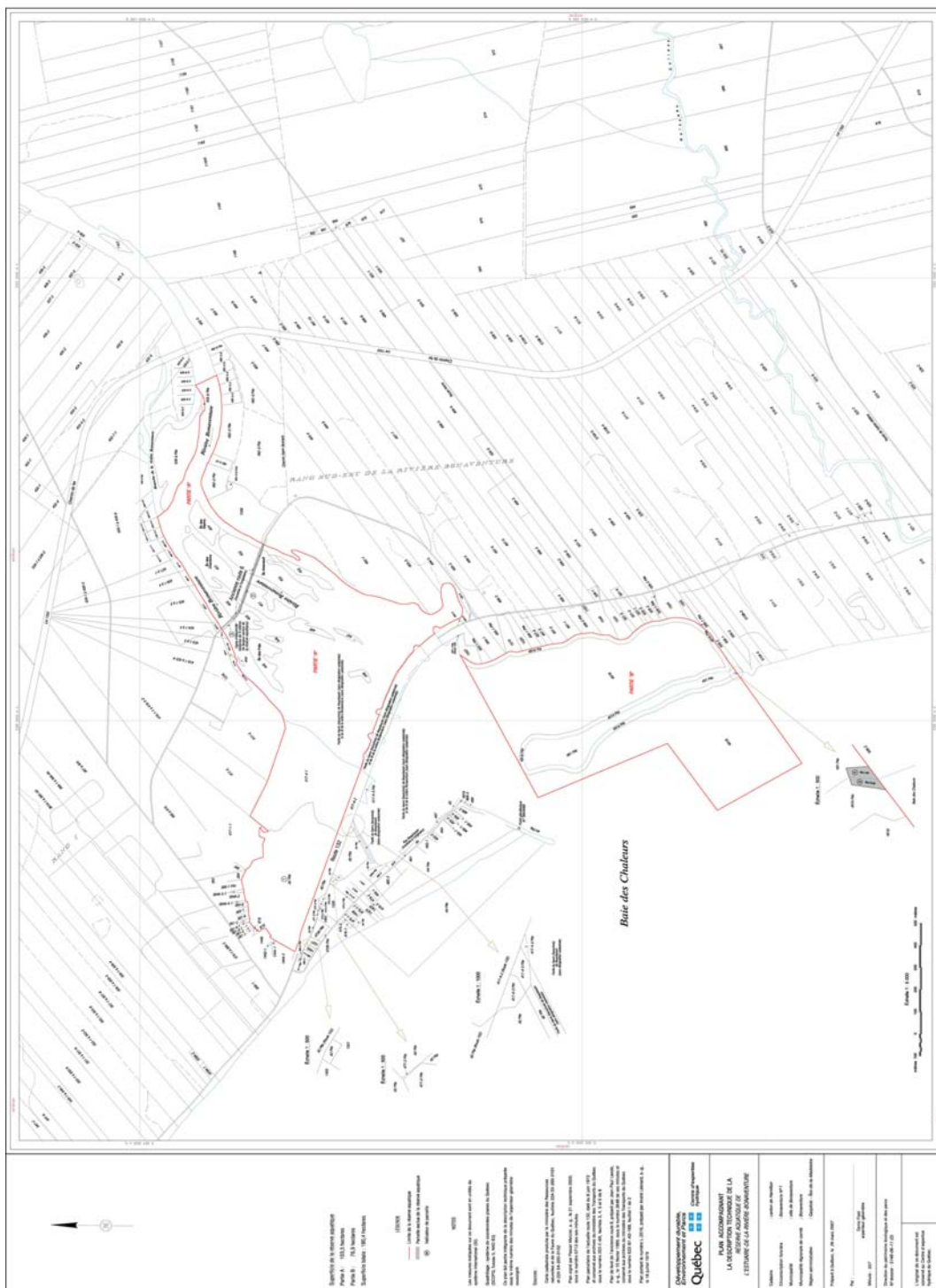
— The directions are bearings in reference to the Québec plane coordinate system (SCOPQ), Modified Transverse Mercator projection (MTM), Zone 5 (central meridian 64°30'00" west), North American Datum 1983 (NAD 83).

Prepared at Québec, on 26 March 2007, under number 557 of my minutes.

DENIS FISET,
Land surveyor

Ministère du Développement durable,
de l'Environnement et des Parcs du Québec
Direction du patrimoine écologique et des parcs

Centre d'expertise hydrique du Québec
Direction de la gestion du domaine hydrique de l'État
File No.: 5148-06-11 (2)





Protected areas
in Québec:

A Lifelong Heritage

Réserve aquatique de l'Estuaire-de-la- Rivière-Bonaventure



CONSERVATION PLAN

Québec 

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Schedule 2: Activities framework for the Réserve aquatique de l'Estuaire-de-la-Rivière-Bonaventure — Standards additional to those in the act

Introduction

On June 20, 2005, the Québec government authorized the Minister of Sustainable Development, Environment and Parks to assign the legal status of proposed aquatic reserve to the estuary of the Bonaventure river under the Natural Heritage Conservation Act (R.S.Q., c. C-61.01). The legal status became effective on September 7, 2005, prohibiting the main industrial activities likely to threaten the conservation of the natural environment (logging, hydroelectric generation and mining).

The proposed aquatic reserve covering the estuary of the Bonaventure river was created with the following objectives:

— conservation of an outstanding estuary in the Appalachians natural province;

— stronger protection for the habitat of species of flora designated as threatened or vulnerable, or likely to be so designated;

— preservation of the biodiversity in the aquatic ecosystems and riparian ecotones;

— development of the natural and cultural heritage;

— involvement of local communities in the protection of the site;

— acquisition of additional knowledge about the natural and cultural heritage, as required.

It is important to note that this type of ecosystem is not currently represented in the network of protected areas. Despite its small size, the Réserve aquatique de l'Estuaire-de-la-Rivière-Bonaventure will make a highly significant contribution to the network.

On July 25, 2006, the Minister of Sustainable Development, Environment and Parks asked the Bureau d'audiences publiques sur l'environnement (BAPE) to conduct an inquiry and public hearing on the Réserve de biodiversité projetée du karst de Saint-Elzéar and the Réserve aquatique projetée de l'estuaire de la rivière Bonaventure under section 39 of the Natural Heritage Conservation Act, which provides for a period of public consultation before the Québec government is asked to grant permanent status to land set aside as a protected area. The BAPE inquiry began in August 2006 and ended in December 2006. The BAPE commission held public hearings in Saint-Elzéar and Bonaventure on September 19 and 20 and October 24, 2006. The report on the BAPE inquiry and public hearing (rapport 234) was submitted to the Minister of Sustainable Development, Environment and Parks in December 2006, and released by the Minister in February 2007.

The Commission noted widespread acceptance for the project in the community, as expressed by individuals, community organizations and public authorities. Like these participants, the Commission recommended that the protected area be granted permanent protection status as soon as possible.

This conservation plan was drafted by the Ministère du Développement durable, de l'Environnement et des Parcs (MDDEP) following the BAPE hearing and recommendations. It sets out the MDDEP's vision concerning the conservation and development of the land included in the Réserve aquatique de l'Estuaire-de-la-Rivière-Bonaventure and repeats much of the content of the document prepared by the MDDEP in July 2006 for the public hearing, released as part of the BAPE inquiry and public consultation process. The conservation plan reflects the concerns of all the governmental and non-governmental stakeholders involved, in connection with this project, in the implementation of the strategic action plan for protected areas.

1. Area covered by the aquatic reserve

1.1 Historical background to the conservation project

The land in the Réserve aquatique de l'Estuaire-de-la-Rivière-Bonaventure formerly belonged to Emballages Smurfit-Stone (Canada) Inc. The company transferred it, on November 8, 2001, to the Ministère de l'Environnement under the Ecological Gifts Program and the tax certificate provided for in the Québec Taxation Act and the Canadian Income Tax Act.

The objective of the donation was to strengthen the protection provided for certain threatened or vulnerable species of flora found on the islands in the Bonaventure river estuary, namely two species of plant listed as threatened under the Act respecting threatened or vulnerable species and one species likely to be designated as threatened or vulnerable.

Since 2005, all the islands in the estuary have been listed as forming part of the Barachois-de-Bonaventure plant habitat in the Regulation respecting threatened or vulnerable plant species and their habitats, enacted under order in council 757-2005 dated 17 August 2005 (*Gazette officielle du Québec*, 31 August 2005, no 35). A map of the plant habitat was published in the *Gazette officielle du Québec* on May 26, 2006. The conservation status associated with these actions provides special protection for the habitat of threatened or vulnerable species of flora; several activities are thus prohibited or subject to MDDEP authorization.

After the adoption of the Natural Heritage Conservation Act in 2002, the MDDEP organized several information sessions and workshops for community organizations to explain the reasons for creating an aquatic reserve covering all the land in the Bonaventure river estuary acquired under the Ecological Gifts

Program, taking into account the concerns of the MDDEP and the community for both the conservation and the development of the area. During these meetings, the main conservation, management and development problems were identified and discussed with the local and regional stakeholders concerned by the future of the Bonaventure river estuary.

Following the meetings, the MDDEP asked the Québec government to grant the area the status of proposed aquatic reserve, a form of protection status that was compatible with all current land uses. On June 20, 2005, the Québec government granted legal status as a proposed aquatic reserve to the Bonaventure river estuary, and the status became effective on September 7, 2005.

During the public hearing, it was proposed that the boundaries of the aquatic reserve be moved to exclude the marina and the beach beside the municipal campground. The proposals received almost unanimous public support. The goal of the exclusion is to maintain public acceptance for the project in the specific context of a conservation project located within an inhabited environment. The MDDEP agreed to exclude the two following areas from the aquatic reserve:

- the public beach on the Beaubassin sand spit: the need to include the sand spit in the aquatic reserve has often been questioned; the public beach and its narrow connection to the mainland, close to the municipal campground, is popular and the land has already been disturbed; the use of the area is incompatible with the conservation focus of the aquatic reserve;

- the body of water between Route 132 and the Bonaventure marina: a project to extend the marina and the dredging work needed to combat the sedimentation process in this part of the estuary and maintain access to the fishing port appear to be incompatible with the conservation focus of an aquatic reserve; since the facilities are of structural importance for the community, the MDDEP agreed to exclude the sector to facilitate the management of the reserve. The exclusion has little effect on biodiversity.

On the other hand, there were several reasons for including the plant habitat in the aquatic reserve:

- the islands are an integral part of the ecological and geomorphologic unit of the Bonaventure river estuary;

- the islands are, in fact, wetlands and the status of aquatic reserve highlights the importance of protecting wetlands;

— the planning of activities and the management of the estuary as a whole will be more coherent if the question of threatened or vulnerable species is also taken into account;

— the presence of a plant habitat adds an important showcase for raising public awareness about the question of threatened or vulnerable species;

— the technical description of the area covered by the aquatic reserve is simplified.

1.2 Toponym

The toponym selected by the MDDEP for the aquatic reserve following a favourable report by the Office de la langue française is “Réserve aquatique de l’Estuaire-de-la-Rivière-Bonaventure”. The name highlights the ecological context of the Bonaventure river estuary.

1.3 Geographic location

The location and boundaries of the Réserve aquatique de l’Estuaire-de-la-Rivière-Bonaventure are shown on the maps in Schedule 1.

Location

The Réserve aquatique de l’Estuaire-de-la-Rivière-Bonaventure is located in the Appalachians natural province, which covers the Estrie, Bas-Saint-Laurent and Gaspésie—Îles-de-la-Madeleine administrative regions.

The aquatic reserve lies within the Gaspésie—Îles-de-la-Madeleine administrative region between 48°01’ and 48°03’ latitude north and 65°27’ and 65°29’ longitude west, in the territory of the Ville de Bonaventure and the regional county municipality of Bonaventure.

Area and boundaries

The aquatic reserve covers an area of 180.4 hectares in the estuary formed at the mouth of the Bonaventure river.

The boundaries of the aquatic reserve match those of the property transferred by Emballages Smurfit-Stone (Canada) Inc. to the Ministère de l’Environnement under the Ecological Gifts Program, except for the two sectors described in Section 1.1, namely the Beaubassin beach and the body of water between Route 132 and the marina.

The aquatic reserve comprises the bodies of water up to the high water mark and the bed of the river, of the adjacent shallow basins, and of the lagoons and delta shoals. It includes the islands located in the estuary, particularly Île des Prés, Île Arsenault, Île aux Sapins

and Île des Chardons, forming part of the plant habitat. Two barrier beaches, or sand spits, oriented north-west – south-east separate the estuary from the marine environment; the sand spit located to the south-east, referred to locally as Île aux Pirates, forms part of the aquatic reserve. The proposed aquatic reserve extends in two places into Chaleur Bay, bordering the sand spit.

Various infrastructures and facilities are excluded from the protection perimeter, including Route 132, the foot bridge and the three decommissioned bridges along the former Route 6 as well as the electric power distribution equipment and its 9-metre wide right-of-way. All the land immediately adjacent to the aquatic reserve is privately owned, and is mainly occupied by dwellings and businesses.

Access

The Bonaventure river estuary is one of the most accessible estuaries on the Gaspé peninsula. It is crossed by Route 132. To the south of the harbour, the long sand spit is accessible from Cap-de-Sable road, a residential road located one kilometre southeast of Rue des Vieux-Ponts.

A hiking trail has been created along the old Route 6. It includes bridges to three of the islands situated in the mouth of Bonaventure river.

The aquatic reserve is also accessible by boat, either from the Bonaventure river or the shore, and by foot from the beach on the eastern sand spit.

The sand spits were formerly used extensively by off-road vehicles (ATVs, motorbikes, four-wheel drives), an activity that is now prohibited by the regulations under the Environment Quality Act. In winter, a snowmobile trail crosses the western barachois basin. A tourist lookout area has been created next to the Musée acadien, with a view over the marshes in the Bonaventure river estuary.

1.4 Ecological and social background

1.4.1 Overview

The aquatic reserve is located in the Appalachian natural province, within which the Bonaventure river is one of the major watercourses.

The natural province corresponds, in large part, to the Appalachian mountain range, which was formed between 450 and 290 million years ago. The geological foundation is mainly composed of folded and deformed sedimentary or volcanic rocks.

The dominant landscape feature of the aquatic reserve is the river delta, typically triangular in shape. Its maximum altitude is a few metres above sea level.

The barachois, oriented southwest, is affected by semi-daily and seasonal tides; its currents, water level and salinity vary on a daily basis. Between 80 000 and 1 000 000 cubic metres of salt water pass through the estuary at each tide. The influence of the salt water is felt up to 350 metres upstream from the Route 132 bridge, especially during low water periods. The Bonaventure river estuary is one of ten barachois estuaries in Québec. The barachois is composed of sand, gravel and silt, with a small percentage of clay.

The reserve has a wide range of plant groups: algal communities (on the foreshore), saltgrass communities, shrubby swamps, wooded bogs, peat bogs, fens, meadows, gravel and limestone flats, channels and pools, are all examples of habitats found in the mouth of the Bonaventure river. Their singularity lies in the fact that they are exposed to tides and to a degree of salinity.

Because of the wide range of habitats it offers, the Bonaventure barachois is attractive to bird life, and inventories have recorded the presence of around 240 different species.

Since the late 19th century and particularly since the early 1960s, the configuration of the estuary has been affected by the construction of a log-driving channel (to a sawmill that no longer exists), Route 132 and Avenue de Grand-Pré, a causeway, harbour facilities and a marina. The construction work involved backfilling and dredging that caused considerable disturbance to the natural water flow and the sedimentation process in the lagoon environment. As a result, several channels, shallows and pools gradually filled in and stabilized because of the reduced or non-existent inflow and outflow of seawater. To correct the situation, restorative work began in the 1990s. The causeway between Route 132 and the Beaubassin sand spit was demolished, and a culvert was built under the highway to improve the circulation of water in the northwest basin.

The Bonaventure barachois is an estuary system influenced by tidal ebbs and flows, and periods of high and low water. As a result, it constitutes a dynamic coastal wetland in a state of constant change. It comprises four ecological units each with its own distinctive morphology: the delta, the lagoons, the sand spits and the foreshore. These ecological units interact with each other and present specific conservation problems in terms of land occupation and human use.

1.4.2 Description of ecological units

The delta

The ecological unit comprising the delta includes the tidal stretch of the Bonaventure river and all the islands to the north of Route 132. It is subject to silting.

Ecology

The Bonaventure river has its source in the Chic-Choc mountains at an altitude of 487 metres. It has an average slope of 3.3 m/km, and is incised along most of its length. It flows from the north to the south until it reaches the coast, when it turns to the southwest. The river, which has a total length of 125 kilometres, empties into Chaleur Bay.

The Bonaventure river, which has a watershed of 2 391 square kilometres, carries a large quantity of sediments into the barachois, especially during spring flooding. Because of the river currents, this ecological unit has coarse sediments. The average flow of the Bonaventure river, 46 m³/s, is one of the highest on the Gaspé peninsula, after the Ristigouche and Matapédia rivers.

The islands consist of marine deposits that are coarser to the north of Route 132 than in the rest of the barachois. They are separated from each other by the secondary channels of the Bonaventure river. Over the years, the shape of the islands has changed as the result of the erosion and sedimentation caused by recurrent high water and ice scouring.

Flora

The river channel has been colonized by extensive beds of filamentous algae, especially hollow green weed, a species highly tolerant of changes in salinity.

To the northeast of the former Route 132, the banks of the islands are covered by wooded swamps of black spruce, American elm and balsam poplar; beds of grasses and shrubs with a wide range of species are found in the freshwater marshes on the islands. Broad-leaf cattail is the most common species in the freshwater marshes, while the wet meadows are home to bluejoint reedgrass, side-flowering skullcap, bloodroot and swamp loosestrife. The shrubby swamps generally contain speckled alder, Bebb willow and woolly willow, almost always accompanied by sweet gale and bloodroot. The slight rises are covered by stands of white spruce and eastern white cedar.

Wildlife

Two species of Salmonids are found in the Bonaventure river: Atlantic salmon, with an adult population of around 2 500, and brook trout. Rainbow smelt also use the river for reproduction; it is one of the most important spawning grounds for the species in the region. The fish pass through the estuary when migrating between the sea where they grow to maturity and the river where they spawn. Other species such as smooth flounder and winter flounder are also found in the river or estuary.

The channel between Île Arsenault and Île des Prés is a favourite sector for waterfowl during migration periods. The most abundant species are the Canada goose, mallard and green-winged teal.

Outstanding elements

The islands in the estuary constitute a plant sanctuary of outstanding importance and interest, and are home to three threatened or vulnerable species in Québec.

Macoun's fringed gentian, an annual herbaceous plant, grows along the shores of freshwater or brackish estuaries. In eastern Canada, the species is found only on the shores of the Great Lakes and in Québec, in particular around James Bay and in the Bonaventure river estuary, the only site on the Gaspé peninsula. The species was designated as a threatened species in Québec in February 2001 under the Act respecting threatened or vulnerable species. The Committee on the Status of Endangered Wildlife in Canada (COSEWIC) designated it as of special concern in 1987.

Anticosti aster, a plant endemic to the Gulf of St. Lawrence, is extremely rare in worldwide terms. In February 2001, it was designated as a threatened species in Québec under the Act respecting threatened or vulnerable species. It was also designated as threatened in 1990 by the Committee on the Status of Endangered Wildlife in Canada, a status that was maintained following a re-examination in May 2000.

Mat mulhy, a plant found on the shoreline and on limestone flats, occurs sporadically in North America. In Québec, it grows on around fifteen sites in the Lower Saint Lawrence, the Gaspé peninsula and Anticosti Island. The species is likely to be designated as threatened or vulnerable in Québec under the Act respecting threatened or vulnerable species.

Gaspé peninsula arrow-grass, which grows in the intertidal zone of salt marshes around the Gulf of Saint Lawrence, is found in the aquatic reserve and is listed as a threatened or vulnerable species or a species likely to

be so designated. In early 2007, a committee of botanists was formed by the MDDEP to review changes to the list and recommended that it be removed; the MDDEP will implement this recommendation at the next publication of the revised list. For this reason, the species is no longer considered to be a threatened or vulnerable species within the aquatic reserve.

The islands are also home to 27 vascular plants that are seldom found in the region, including the rare small yellow water-crowfoot and the unusual marshland variety of New York aster.

Land occupation and use

Facilities and infrastructures

- Avenue de Grand-Pré, crossing from Île Arsenault to Île des Chardons (footbridge and decommissioned bridges).

- Old log-driving channel.

- Biopark on the northeast shore.

- Cottages and houses in the surrounding area.

Activities

- Duck hunting.

- Sports fishing (salmon is fished upstream from the reserve in the ZEC de la Rivière-Bonaventure).

- Waterborne activities (canoeing, kayaking, use of motorized vessels).

- Avenue de Grand-Pré is frequently used for recreation and hiking.

- Swimming.

Conservation concerns

- Waste from ice fishing (abandoned fishing huts).

- Conservation of Atlantic salmon, brook trout and rainbow smelt populations and habitats in the Bonaventure river.

- Ongoing protection for the habitats of species designated as threatened or vulnerable, or likely to be so designated.

- Monitoring of the populations of rare plants on the islands in the estuary.

Lagoons

This ecological unit covers all the shallow pools in the barachois.

Ecology

The extremely weak currents in the pools and secondary channels promote the sedimentation of fine particles such as sand and silt. In addition, the weak river current, combined with the action of the spring tides, allows saltwater from Chaleur Bay to intrude into the sectors upstream from the barachois, which in turn receive more freshwater during flood periods. Over the years, human activities and constructions have led to a decrease in the biological productivity of the lagoons.

Flora

The flora in the pools is dominated by eelgrass, often accompanied by hollow green weed, a filamentous algae species that is tolerant of changes in salinity and is especially abundant along the shores of Île aux Pirates. Other plants include sea lettuce, sea grass and horned pondweed. The lagoons are, in places, adjacent to saltwater or brackish marshes. The most common paludal species are Baltic rush, scaly sedge, red fescue, freshwater cordgrass, New York aster and saltmarsh spikerush.

Fauna

The main species of plankton present are copepods and crustacean nauplii. Fourteen benthic species are present, the most common being rag worm and swamp hydrobia. The lagoons offer possibilities for shelter, food, reproduction and spawning for around fifteen species of fish. The most abundant are sticklebacks and silversides. Mummichog, grubby, smooth flounder, winter flounder, eel, rainbow smelt, Atlantic herring and Atlantic tomcod have also been identified.

Several bird species are found in the mudflats at low tide. These migratory species include shorebirds and web-footed water birds that stay on the mud flats long enough to feed and regain their strength. They include several species likely to be designated as threatened in Québec or of special concern in Canada, or that are rarely seen on the Gaspé peninsula; in the first case, these include the yellow rail and the red-headed woodpecker and, in the second case, the American coot, little gull, common black-headed gull and great egret.

Land occupation and use

The various types of construction introduced since the 19th century have increased sedimentation in the Havre area, and the silting of the lagoons accelerated following the construction of Route 143 in 1971. The degree of sedimentation has caused problems for recreational sailing and harbour activities, especially since the end of regular dredging.

Equipment and infrastructures

— Route 132.

Activities

— Migratory bird hunting.

— Sports and ice fishing.

— Snowmobiling in the west pool.

— Waterborne activities (kayaking, canoeing, use of motorized vessels, etc.).

— Bird-watching.

Conservation concerns

— Maintaining the ecological integrity of the lagoon ecosystems:

— impact on biodiversity of possible dredging work and control of the sedimentation process in the Bonaventure river estuary, as well as a possible extension of the marina;

— waste water outflows;

— waste from ice fishing (abandoned fishing huts);

— impact of personal watercraft: disturbance for residents and birds.

— Maintaining bird habitats and the quality of bird-watching sites.

The sand bar

To the southwest, the Bonaventure barachois is separated from Chaleur Bay by a two-kilometre sand bar divided at its centre point by a deep channel which, in ecological terms, belongs to the shoreline environment. Although the two sand spits are identical in terms of geomorphology, they constitute two separate sub-units with regard to their occupation and use.

Ecology

The sand bar of the Bonaventure river barachois is made up of coarse sediment – including sand, gravel and pebbles – in varying proportions at different places. The beaches adjacent to the sand bar are composed of an upper section in the form of a mound of accumulated sediment and a lower section made up of mud flats. The sand bar encloses an inner basin, the Beaubassin harbour, in which saltwater and freshwater mingle. The eastern section of the sand bar, the sand spit known as Île aux Pirates, is part of the aquatic reserve.

Flora

Because of their sand and gravel composition and their elevation above the water table, the sand spits have been colonized by psammophilous¹ and xerophytic² vegetation. On the eastern sand spit, the most common plants are marram grass, sea lyme grass, beach pea, toadflax, pitseed goosefoot, sea rocket and sea-beach sandwort.

In contrast, on the western sand spit, which is not included in the aquatic reserve, the vegetation has been extensively disturbed and contains plant species commonly found in manmade environments. The most common are yellow sweet clover, quackgrass, yarrow, scentless chamomile and smooth brome. The range of species introduced is quite broad, and includes redstem filaree, oak-leaved goosefoot, common peppergrass, kochia, grassleaf orache and climbing nightshade.

The upper beach is home to extensive beds of smooth cordgrass, accompanied by Canada sandspurry, common glasswort, sea plantain and sea blight. The muddy tidal flats are dominated by eelgrass and, sporadically, by seaweed groups.

Fauna

The shores of the sand bank are visited by a large number of birds, especially water and shore birds.

Land occupation and use

Equipment and infrastructures

Several infrastructures and facilities are found close to the aquatic reserve:

- campground;
- fishing jetty;
- marina;
- houses;
- businesses.

Activities

- Motor vehicles: ATVs and 4x4s on the beaches.
- Swimming along the entire sea front.
- Recreation and hiking.
- Campfires on the beach.
- Bird-watching.
- Hunting.
- Fishing.

Conservation concerns

- Degradation of the vegetation on Île aux Pirates because of intense foot and motor vehicle traffic, especially ATVs, motorbikes and 4x4s.
- Fires on the beach.
- Waste.
- Increase in sea levels and erosion of the sand bank.

Shoreline

The aquatic reserve includes a small area of land below the low tide limit close to Île aux Pirates.

Ecology

Water flows between the barachois and the sea through a gap known as the “gut”. The gut in the Bonaventure river estuary has an average depth of 2.7 metres during an outgoing tide and 2.1 metres during an incoming tide, with an average width of 182 and 167 metres respectively. This passage controls the hydrological conditions in the barachois and ongoing changes by influencing the sedimentation process.

¹ Growing on a sandy substrate.

² Able to withstand drought

Flora

In general, below the line of the lowest tides, the vegetation is mainly composed of beds of eelgrass. An eelgrass bed stretches almost 5.5 kilometres from the beach at Pointe de Beaubassin to the marsh at Saint-Siméon. Offshore from Bonaventure, the substratum also supports an underwater prairie of brown algae, mainly composed of blade kelp. The rocky seabed is covered by algae, mainly from the species rockweed, bladder wrack, Irish moss, sea colander, knotted wrack and dulse.

Fauna

The coastal waters are home to a number of marine invertebrates such as blue mussel, soft-shelled clam, giant scallop, Iceland scallop, green urchin, common periwinkle, common starfish, snow crab and lobster. The water plant communities also provide refuge and food for the common crab, sand shrimp and lugworm. Last, almost thirty species of fish have been identified, including Atlantic tomcod and American eel, two species given priority in the St. Lawrence Vision 2000 federal-provincial agreement.

The Bonaventure shoreline is important for migratory birds, especially waterfowl and shorebirds, and has been designated as a waterfowl gathering area. Barrow's goldeneye, a species of duck whose situation is considered of special concern in Canada, has been observed on the Bonaventure shore. In addition, the area is used by several species of marine mammal, including the minke whale, fin whale, harbour seal, grey seal and porpoise.

Land occupation and use

- Sports fishing.
- Commercial and recreational navigation.
- Swimming.
- Hunting.

Conservation concerns

- Degradation of the vegetation.
- ATV traffic on the foreshore.

2. Conservation and development

The primary objective of an aquatic reserve is the preservation of aquatic and terrestrial ecosystems, the conservation of the biological processes that depend on it, and the protection of its biotic and abiotic components.

The Réserve aquatique de l'Estuaire-de-la-Rivière-Bonaventure will be managed in such a way as to meet two main ecological objectives: to protect threatened or vulnerable species, or species likely to be so designated, and their habitats; and to maintain the ecological integrity of the barachois and the estuary.

Another goal of protected areas is to preserve land for the benefit of present and future generations. Local communities should be the first to benefit, and should therefore be involved in managing the areas. For similar reasons, the MDDEP encourages recreational activities compatible with the conservation status of a protected area.

2.1 Protecting threatened or vulnerable species and their habitats

The establishment of the aquatic reserve will confirm the conservation status of the islands that have been recognized as a plant habitat, and strengthen the protection they enjoy. It will also provide protection for species whose situation is of concern.

The islands in the Bonaventure river estuary constitute a plantlife sanctuary of outstanding importance and interest compared to other coastal wetlands on the Gaspé peninsula. They are home to several threatened or vulnerable plant species. This is why, since 2005, all the islands have been recognized as a plant habitat under the Regulation respecting threatened or vulnerable species and their habitats, a conservation status that provides permanent protection for plant habitats. The Act respecting threatened or vulnerable species restricts all activities that may alter the existing ecosystem, the present biological diversity or the physical or chemical components peculiar to that habitat.

Several threatened or vulnerable species of bird are also found in the protected area, including the bald eagle, a vulnerable species, the harlequin duck, Barrow's goldeneye and the red-headed woodpecker, all species likely to be designated as threatened or vulnerable.

The establishment of the aquatic reserve should provide more control over activities close to the plant habitats and, if needed, prevent the future impact of such activities on biodiversity. The boundaries of the aquatic reserve extend beyond the plant habitats, and the reserve thus acts as a buffer zone. In addition, the establishment of the aquatic reserve should lead to greater public awareness of the question of threatened or vulnerable species of flora and fauna.

2.2 Maintaining ecological integrity

The Bonaventure river estuary is a wetland environment that, in the past, has been subjected to many different human disturbances. The establishment of the aquatic reserve will result in the prohibition of activities that are incompatible with the protection status of an aquatic reserve and the control of activities that be permitted within the reserve to ensure that they are pursued in a way consistent with the natural support capacity of each environment and its natural character.

2.3 Involving stakeholders

The MDDEP supports the involvement of local and regional stakeholders in the conservation and development of protected areas.

This is why the MDDEP intends to draft an action plan, in partnership with community organizations, to guide the management of the aquatic reserve towards the protection and development of the land and its resources.

The Table de concertation du littoral de Bonaventure (TCLB), because of its mission and the representative nature of its member organizations, has agreed to be the MDDEP's key partner in drafting the action plan and planning the management of the aquatic reserve. The drafting of an action plan to plan conservation and management activities within the reserve will be included in its mission.

2.4 Maintaining access to and recreational uses of the site

The area covered by the aquatic reserve has enormous potential for educational and recreational activities, because of its natural aspect, its location in the heart of an urban environment, its accessibility and the importance of its natural heritage.

Several current uses of the area are, generally speaking, compatible with the status of aquatic reserve. However, they must be maintained, extended and managed in a way that takes into account the fragility of some environments and obstacles to the construction of recreational facilities.

Some current activities are likely to have a negative impact on biodiversity in the aquatic reserve or to alter its natural aspect.

For these reasons, the MDDEP intends to:

- maintain recreational use of the Bonaventure river estuary;

- ensure, as far as possible, that activities in the aquatic reserve, new activities and the construction of new infrastructures do not have a negative impact on biodiversity;

- supervise activities likely to have an impact on biodiversity in the aquatic reserve or to jeopardize the peaceful enjoyment and safety of others users.

The MDDEP suggests that the plan of action should, among other things:

- plan for the implementation of a program to monitor activities in and around the aquatic reserve to assess their impact on biodiversity in the area;

- define possible ways to solve various problems, including:

- a reduction in the waste from ice fishing;

- ensure the safety of various activities, including hunting and campfires on the beach;

- reduce, if possible, the disturbance caused by personal watercraft.

3. Activities in the aquatic reserve

3.1 Legislative framework under the Natural Heritage Conservation Act

Activities in an aquatic reserve are generally governed by the provisions of the Natural Heritage Conservation Act.

An aquatic reserve is intended to protect a natural environment. For this reason, activities that may have a major impact on ecosystems and biodiversity are prohibited, especially those of an industrial nature. In this type of protected area, however, less harmful activities and modes of land occupation are permitted, such as recreational, wildlife-related and educational activities. Within the protected area, human beings are considered to form part of the ecosystem; the presence of humans is permitted, and a certain level of development is possible.

The aquatic reserve must be considered as an area devoted to the protection of the natural environment, the enjoyment of nature and recreation.

Under the Natural Heritage Conservation Act, the main activities prohibited in an area with aquatic reserve status are:

— mining, gas and petroleum exploration and development;

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

— the development of hydraulic resources and any production of energy on a commercial or industrial basis; §any type of activity likely to degrade the bed, banks or shoreline of a body of water or watercourse, or to affect its integrity.

Although these prohibitions are essential for the long-term protection of the land and its ecosystems, they do not introduce all the standards required for the proper management of the aquatic reserve and the conservation of the environment. Under the Act, the government may specify, in the conservation plan, the legal framework that will apply in the territory of a reserve.

Provisions in Schedule 2 prohibits activities in addition to those prohibited under the Act and provides the framework for the various activities permitted so as to better protect the natural environment in keeping with the conservation principles and other management objectives established for the aquatic reserve. Accordingly, certain activities require the prior authorization of the Minister and compliance with the conditions determined by the Minister.

Several of the provisions in Schedule 2 provide for authorization from the Minister, an approach that allows for the introduction of appropriate conditions in specific circumstances.

For example, the construction of some types of buildings (such as a reception centre or shelter) and trails may fall within the management and conservation objectives of the reserve, while other types of construction may have a negative impact on the environment and biodiversity and will not be considered appropriate – and will not be authorized.

Many of the standards in Schedule 2 have been designed to allow the Minister to exercise an appropriate level of supervision, taking the context into account and with the flexibility needed when the circumstances and the characteristics of the target environment allow, so as to provide adequate guidance for various activities.

It is important to note that the measures in the Schedule target new interventions in particular within the reserve, and do not generally affect existing facilities or current activities, preserving many compatible existing land uses.

Since the terms of the framework set out in Schedule 2 cannot indicate whether an application for authorization will be accepted or refused, the MDDEP will make public the criteria it will use in its management to analyze the applications made. Guides, instructions or directives will be drawn up and made public.

For example, the MDDEP will establish a list of activities mentioned in Schedule 2 that will only be authorized in exceptional circumstances, or only in a few cases, because they are considered *a priori* to have a negative impact.

In contrast, despite the introduction of control mechanisms, many other activities may be seen as compatible with the objectives of the protection status. For these cases, the authorization process will be used to ensure that the MDDEP is aware of the activities, and is able where necessary to impose improvements to the approach proposed by the applicant.

Last, to avoid the imposition of control measures of little use because of the low risk of a negative impact, or because they duplicate other control measures under other legislation, Schedule 2 also lists exemptions to the requirement of obtaining authorization for certain activities: routine maintenance work, for example, on existing facilities.

3.2 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 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) and its regulations.

— Removal of species of flora designated as threatened or vulnerable: measures set out in the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01) prohibiting the removal of such species;

— Development and conservation 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.

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

— Access and land rights related to the domain of the State: 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 Watercourses Act (R.S.Q., c. R-13).

— 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.

— Construction and layout standards: regulatory measures adopted by regional and local municipal authorities under the Acts applicable to them.

3.3 Protection of threatened or vulnerable species and their habitats

Species designated as threatened or vulnerable under the Act respecting threatened or vulnerable species are governed by either the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01), for flora, or the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1) and its regulations, for fauna. In the case of the aquatic reserve, this includes two plant species designated as threatened, Anticosti aster and Macoun's fringed gentian, and one bird species designated as vulnerable, the bald eagle.

In addition, to ensure the conservation of species likely to be designated as threatened or vulnerable, the regulatory provisions governing the aquatic reserve will prohibit their harvesting without authorization from the Minister. This applies to the mat muhly, the harlequin duck, Barrow's goldeneye and the red-headed woodpecker (Schedule 2).

4. Management

The MDDEP is responsible for the application of the Natural Heritage Conservation Act, which governs the aquatic reserve. Some activities will continue to be regulated by other government authorities under other Acts, in collaboration with the MDDEP.

The operational management of the aquatic reserve will be under the responsibility of the MDDEP regional office for analysis and expertise in the Bas-Saint-Laurent

and Gaspésie—Îles-de-la-Madeleine region, which will be required to ensure that conservation objectives are met in the aquatic reserve. The MDDEP ecological heritage and parks division will provide the scientific and technical support needed.

The MDDEP regional office for analysis and expertise in the Bas-Saint-Laurent and Gaspésie—Îles-de-la-Madeleine region will establish the procedure for participation by local and regional stakeholders interested in the management of the aquatic reserve.

The MDDEP hopes that the local and regional population will become a key partner in the drafting of an action plan, which will establish priorities for conservation and development actions over the short, medium and long term, and in the management of the reserve. The action plan could, if necessary, be revised periodically at the same time as the conservation plan, as provided for in the Natural Heritage Conservation Act.

The Table de concertation du littoral de Bonaventure has agreed to play this important role.

A mechanism will be established to monitor the conservation objectives and, if necessary, adjust the strategies implemented to achieve those objectives. The aquatic reserve will be managed in keeping with the following conservation principles:

- maintain natural ecosystem dynamics;
- restore damaged ecosystems, as required and over the medium term;
- respect the ecosystem support capacity;
- maintain non-industrial harvesting activities, without encouraging their development;
- gather and disseminate knowledge about the natural and cultural heritage;
- participate in the management of adjacent areas to ensure harmonization with the conservation objectives pursued within the aquatic reserve.

In the document released for the BAPE inquiry and hearings, the Protection and Management Framework for the proposed aquatic reserve, the MDDEP proposed the zoning of the area into two sectors with different permitted activities. Zone I, containing the plant habitat, would have been integrally protected, while conservation and moderate use would have applied in Zone II.

For this conservation plan, the MDDEP does not consider it necessary to establish an official zoning scheme, because:

— the area identified as a plant habitat on the map of the aquatic reserve already has almost integral protection; activities in it are governed by the Act respecting threatened or vulnerable species; all activities in the zone will be closely controlled by the MDDEP;

— the rest of the reserve is subject to conservation and moderate use; in this area, authorized activities must be consistent with ecosystem support capacity and have no negative impact on biodiversity, especially on biodiversity in plant habitats.

If needed, the MDDEP will review the advisability of zoning the aquatic reserve with stakeholders when drawing up the action plan, to create a framework for the possible development of activities and their pursuit in the protected area.

Conclusion

The Réserve aquatique de l'Estuaire-de-la-Rivière-Bonaventure will provide protection for an outstanding estuary, one of the most important coastal wetlands on the Gaspé peninsula. It will also help conserve various threatened or vulnerable species of flora and fauna and their habitats.

The conservation of this environment, which will be used for light recreation, the enjoyment of the natural and cultural heritage, and scientific research, should help diversify and consolidate the local tourist industry.

The reserve – because of its natural state, cultural importance and accessibility – offers an ideal location for the development of highly popular recreational and tourism-related activities, including ecotourism, nature observation and hiking.

The management methods applied in the Réserve aquatique de l'Estuaire-de-la-Rivière-Bonaventure will promote closer ties between various interest groups, by encouraging them to pool their efforts, their abilities and their skills to further a conservation and development project that is in harmony with and respectful of the concept of biodiversity.

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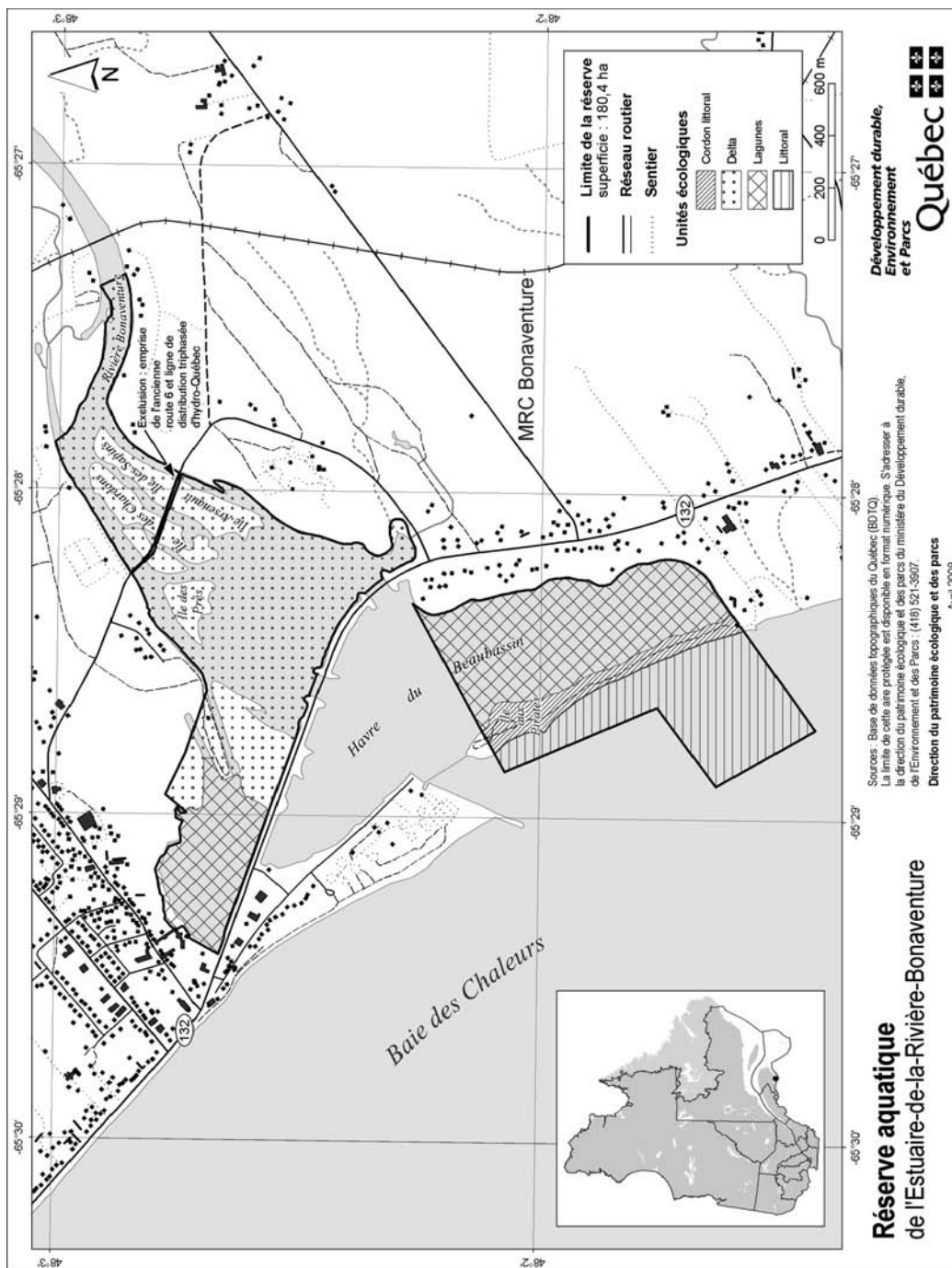
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SCHEDULE 2

(s. 3.1)

**ACTIVITIES FRAMEWORK FOR THE RÉSERVE
AQUATIQUE DE L'ESTUAIRE-DE-LA-RIVIÈRE-
BONAVENTURE****— STANDARDS ADDITIONAL TO THOSE
IN THE ACT****PROHIBITIONS, PRIOR AUTHORIZATIONS AND
OTHER CONDITIONS GOVERNING ACTIVITIES
IN THE AQUATIC RESERVE**

Natural Heritage Conservation Act
(R.S.Q., c. C-61.01, ss. 46, 47 and 49)

**DIVISION I
PROTECTION OF RESOURCES AND
THE NATURAL ENVIRONMENT**

1. Subject to the prohibition in the second paragraph, no person may establish in the aquatic reserve any specimens or individuals of a native or non-native species of fauna or flora, including by stocking, 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 of rehabilitating degraded environments or habitats within the aquatic reserve, and the interest in reintroducing certain species that have disappeared.

In addition, no person may remove the following species of flora and fauna, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines:

- (1) mat muhly (*Muhlenbergia richardsonis*);
- (2) harlequin duck (*Historionicus historionicus*);
- (3) Barrow's goldeneye (*Bucephala islandica*);
- (4) red-headed woodpecker (*Melanerpes erythrocephalus*).

2. No person may use fertilizer or fertilizing material in the aquatic reserve. Compost for domestic purposes is permitted if used at least 20 metres from a watercourse or body of water measured from the high-water mark.

The high-water mark means the high-water mark defined in the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains, adopted by Order in Council 468-2005 dated 18 May 2005.

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

(1) carry out any type of work or intervention in the aquatic reserve. For the purposes of this subparagraph, an intervention includes

(a) erecting any structure, infrastructure or new works, and reconstruction or demolition work;

(b) any burial, earthwork, excavation, removal or displacement of surface materials or vegetation cover, for any purpose including recreational and tourism purposes such as trail development;

(c) creating or developing new watercourses or bodies of water; and

(d) modifying the natural drainage or water regime;

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

(3) 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

(4) hold a tournament or similar event.

The conditions determined by the Minister for the authorization may pertain to the location of the authorized activity, the methods used, the types of material that may be used including on-site materials, 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 3 of the first paragraph refers.

If the proposed activity is situated in a wetlands or in or on the bed, banks or floodplain of a watercourse or body of water, no authorization may be issued by the Minister under this section unless the applicant, in addition to showing that the activity will not degrade or affect the integrity of the watercourse or body of water, has shown to the Minister, as the case may be,

- (1) that it is impossible to hold the activity elsewhere;
- (2) the importance or necessary character of the activity for the advancement of scientific knowledge of the ecosystems; or
- (3) the necessity of holding the activity to preserve ecosystems or to rehabilitate or restore disturbed or degraded hydric environments or wetlands.

4. Despite subparagraph 1 of the first paragraph of section 3, no authorization is required to carry out work referred to in subparagraph 1 of this section when the requirements of subparagraph 2 are met.

(1) The work involves

(a) work to maintain, repair or upgrade an existing structure, infrastructure or works such as a shelter or trail, including ancillary facilities such as lookouts or stairs;

(b) the construction or erection of an appurtenance or ancillary facility for an existing shelter or building in the aquatic reserve such as a shed, well, water intake or sanitary facilities; or

(c) the demolition or reconstruction of a shelter or building or of an appurtenance or ancillary facility such as a shed, well, water intake or sanitary facilities.

(2) The work is carried out in compliance with the following requirements:

(a) the work involves a structure, infrastructure or works permitted within the aquatic reserve;

(b) the work is carried out within the area of land or right-of-way subject to the right to use or occupy the land in the aquatic reserve, whether the right results from a lease, servitude or other form of title, permit or authorization; and

(c) the work is carried out in compliance with the conditions of a permit or authorization issued for the work in connection with the structure, infrastructure or works involved, and in accordance with the laws and regulations that apply.

For the purposes of this section, repair and upgrading work includes work to replace or erect works or facilities to comply with the requirements of an environmental regulation.

5. No person may bury, abandon or dispose of waste, snow or other residual materials elsewhere than in waste disposal containers, facilities or sites determined by the

Minister or in another place with the authorization of the Minister and in compliance with the conditions the Minister determines.

DIVISION II

RULES OF CONDUCT FOR USERS

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

7. With the exception of campfires which are allowed on Île aux Pirates, fires, including fireworks, are prohibited in the aquatic reserve.

Every person who makes a campfire on the island must

(1) first clear an area around the fire site sufficient to prevent the fire from spreading;

(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.

8. In the aquatic reserve, no person may

(1) cause any excessive noise;

(2) behave in a manner that unduly disturbs other persons or interferes with their enjoyment of the aquatic 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 or for the permitted use of property, a device or an instrument within the aquatic reserve is considered excessive or undue.

9. No person may enter, carry on an activity or travel in a vehicle in a given sector of the aquatic 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.

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

DIVISION III

ACTIVITIES REQUIRING AN AUTHORIZATION

11. No person may occupy or use a site in the aquatic reserve, unless the person has been authorized by the Minister and complies with the conditions the Minister determines.

For the purposes of this section, the occupation or use of a site includes staying or settling in the aquatic reserve, including for vacation purposes, installing a camp or shelter in the aquatic reserve or leaving, burying or installing equipment, any device or a vehicle.

12. 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 determined by the Minister for the 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.

DIVISION IV

AUTHORIZATION EXEMPTIONS

13. Despite the preceding provisions, an authorization is not required for an activity or other form of intervention within the aquatic 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 disaster. The person concerned must, however, immediately inform the Minister of the activity or intervention that has taken place.

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

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

(1) any activity or intervention required within the aquatic reserve to complete a project for which express authorization had previously been given by the Government and the Minister, or only by the Minister, 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 the activity or intervention is carried out in conformity 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 ascertain the impact of electric 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.

DIVISION V

GENERAL PROVISIONS

16. 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.

17. The Minister's authorization, which is general or for a group, may be communicated for the benefit of the persons concerned by any appropriate means including a posted notice or appropriate signage at the reception centre or any other location within the aquatic reserve that is readily accessible to the public. The Minister may also provide a copy to any person concerned.

9158

Gouvernement du Québec

O.C. 301-2009, 25 March 2009

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

Establishment of the “Réserve de biodiversité Uapishka”

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 under section 27 of the Act and that the applicable conservation plan be approved;

WHEREAS, in accordance with section 39 of the Act, following the setting aside of the proposed Monts Groulx biodiversity reserve, a public consultation was held by the Bureau d’audiences publiques sur l’environnement and the report of the Bureau was made public on 25 September 2003;

WHEREAS the report recommends the assigning of permanent biodiversity reserve status to a part of the proposed biodiversity reserve and the extension of the boundaries of the proposed reserve to better protect the ecological integrity of the reserve, considering in particular the regional and national support for the project;

WHEREAS, taking into consideration the recommendations in the report, the Minister has revised and extended the total area of the proposed reserve, has prepared a new conservation plan and has had the plan and technical description of the Réserve de biodiversité Uapishka prepared;

WHEREAS the land within the reserve 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 Municipalité régionale de comté de Caniapiscau has certified that the proposed biodiversity reserve is consistent with the objectives of its land use planning and development plan;

WHEREAS Municipalité régionale de comté de Manicouagan has amended its land use planning and development plan to ensure that the proposed biodiversity reserve is consistent with its objectives;

WHEREAS Municipalité régionale de comté de Sept-Rivières has amended its land use planning and development plan to ensure that the proposed biodiversity reserve is consistent with its objectives;

WHEREAS the Commission de toponymie has approved the use of the name “Réserve de biodiversité Uapishka”;

WHEREAS, to facilitate the preservation of biodiversity, it is expedient to assign permanent biodiversity reserve status to the land whose plan and technical description are attached to this Order in Council, under the name “Réserve de biodiversité Uapishka”, 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 whose plan and technical description are attached to this Order in Council, under the name “Réserve de biodiversité Uapishka”;

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 come into force on the date of publication in the *Gazette officielle du Québec* of the notice of the decision of the Government provided for in paragraph 3 of section 44 of the Natural Heritage Conservation Act.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

CANADA
PROVINCE OF QUÉBEC
REGISTRATION DIVISION OF SAGUENAY

TECHNICAL DESCRIPTION

RÉSERVE DE BIODIVERSITÉ
UAPISHKA

1. NOTES

In this technical description, the limits defined by the shore of a lake or the bank of a river correspond to the normal high-water mark.

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

The technical description was made using maps from the BDTQ and BDTA, sheets 22N, 22N 08-200-0101, 0102, 0201, 0202, 22N 09-200-0101, 0102, 0201, 0202, 22N 16-200-0101, 0102, 22O, 22O 05-200-0101, 0102, 0201, 0202, 22O 12-200-0101, 0102, 0201, 22O 13-200-0101 in reference to the Québec plane coordinate system (SCOPQ, Zone 6, central meridian 67° 30' 00" west, NAD83). The division of a section of the western limit comes from cells defined by official maps of mining rights (geographical coordinates, NAD 83).

In this description, coordinates in parentheses are expressed in metres and were determined graphically on maps drawn to a scale of 1:20 000 and a scale of 1:250 000 produced by the Ministère des Ressources naturelles et de la Faune du Québec, sheets 22N, 22N 08-200-0101, 0102, 0201, 0202, 22N 09-200-0101, 0102, 0201, 0202, 22N 16-200-0101, 0102, 22O, 22O 05-200-0101, 0102, 0201, 0202, 22O 12-200-0101, 0102, 0201, 22O 13-200-0101 in reference to the Québec plane coordinate system (SCOPQ, Zone 6, central meridian 67° 30' 00" west, NAD83).

To an observer looking in the general direction of the description, the right bank of watercourses is on the right of such an observer and the left bank is on the left of the observer.

2. DESCRIPTION OF THE TERRITORY OF THE
RÉSERVE DE BIODIVERSITÉ UAPISHKA

2.1 Designation

A territory of irregular shape in the undivided part of Bassin-de-la-Rivière-Manicouagan and the townships of Le Courtois, Fagundez, Godefroy, Belle-Roche, Jauffret and Brien, in the unorganized territories of Rivière-aux-Outardes, Rivière-Mouchalagane and Lac-Walker, in

the regional county municipalities of Manicouagan, Caniapiscau and Sept-Rivières, in the Côte-Nord administrative region, registration division of Saguenay.

2.2 Perimeter

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

Commencing at point "A" situated at the intersection of the left bank of ruisseau Kapishtukatakau and the right bank of another watercourse, being point "A" of the technical description of the Réserve écologique de la Lande-Alpine-des-Monts-Groulx (5 733 099 m NORTH, 298 167 m EAST);

Thence, in a general southwesterly direction, along the right bank of the watercourse to point "B" (5 731 052 m NORTH, 287 620 m EAST);

Thence, along a straight line having a bearing of 226° 00' 00" over a distance of 370 metres, namely point "C" (5 730 793 m NORTH, 287 356 m EAST);

Thence, along a straight line having a bearing of 179° 00' 00" over a distance of 292 metres to the right bank of a watercourse, namely point "D" (5 730 501 m NORTH, 287 361 m EAST);

Thence, in a general southwesterly direction, along the right bank of a watercourse, of lac Raudot and other lakes and watercourses to the left bank of a watercourse, namely point "E" (5 727 493 m NORTH, 279 557 m EAST);

Thence, in a general southwesterly direction, along the left bank of the watercourse to point "F" (5 727 255 m NORTH, 279 055 m EAST);

Thence, along a straight line having a bearing of 155° 00' 00" over a distance of 326 metres to the right bank of a watercourse, namely point "G" (5 726 960 m NORTH, 279 194 m EAST);

Thence, in a general southwesterly direction, along the right bank of the watercourse to point "H" (5 725 178 m NORTH, 278 287 m EAST);

Thence, along a straight line having a bearing of 163° 00' 00" over a distance of 268 metres to the right bank of a watercourse, namely point "J" (5 724 922 m NORTH, 278 367 m EAST);

Thence, in a general southwesterly direction, along the right bank of the watercourse to the left bank of rivière Beupin, namely point "K";

Thence, in a general southeasterly direction, along the left bank of rivière Beupin, the left shore of a lake, the left bank of another watercourse and the left shore of a small lake to point “L” (5 719 256 m NORTH, 284 534 m EAST);

Thence, along a straight line having a bearing of 136° 00' 00" over a distance of 74 metres to the left bank of a watercourse, namely point “M” (5 719 203 m NORTH, 284 586 m EAST);

Thence, in a general southeasterly direction, along the left shore of the lakes and the left bank of watercourses to the right bank of another watercourse, namely point “N” (5 715 659 m NORTH, 290 616 m EAST);

Thence, in a general southeasterly direction, along the right bank of a watercourse, the right shore of a lake, the right bank of rivière Touloustouc Nord and of another watercourse to point “P” (5 712 874 m NORTH, 291 558 m EAST);

Thence, along a straight line having a bearing of 342° 00' 00" over a distance of 47 metres, namely point “Q” (5 712 919 m NORTH, 291 543 m EAST);

Thence, in a general southerly direction, along the watershed passing by points “R” (5 711 965 m NORTH, 292 125 m EAST), “S” (5 709 857 m NORTH, 292 949 m EAST), “T” (5 708 844 m NORTH, 293 027 m EAST), to point “U” (5 706 891 m NORTH, 291 360 m EAST);

Thence, along a straight line having a bearing of 178° 00' 00" over a distance of 165 metres, namely point “V” (5 706 726 m NORTH, 291 365 m EAST);

Thence, along a straight line having a bearing of 238° 00' 00" over a distance of 1,230 metres to the right bank of a watercourse, namely point “W” (5 706 082 m NORTH, 290 317 m EAST);

Thence, in a southwesterly direction, along the right bank of rivière Touloustouc Nord to point “X” (5 694 415 m NORTH, 288 256 m EAST);

Thence, along a straight line having a bearing of 65° 00' 00" over a distance of 60 metres to the left bank of rivière Touloustouc Nord, namely point “Y” (5 694 440 m NORTH, 288 311 m EAST);

Thence, in a general northwesterly direction, along the left bank of rivière Touloustouc Nord and the left shore of other lakes and the left bank of other watercourses to point “Z” (5 695 091 m NORTH, 285 171 m EAST);

Thence, along a straight line having a bearing of 305° 00' 00" over a distance of 715 metres to the left bank of a watercourse, namely point “AA” (5 695 504 m NORTH, 284 587 m EAST);

Thence, in a general westerly direction, along the left bank of the watercourse to point “BB” (5 695 554 m NORTH, 284 073 m EAST);

Thence, along a straight line having a bearing of 240° 00' 00" over a distance of 111 metres to the left bank of a watercourse, namely point “CC” (5 695 499 m NORTH, 283 977 m EAST);

Thence, in a general southwesterly direction, along the left bank of the watercourse to the right bank of rivière Gobeil, namely point “DD”;

Thence, in a general northerly direction, along the right bank of rivière Gobeil to the left bank of another watercourse, namely point “EE” (5 696 632 m NORTH, 283 353 m EAST);

Thence, in a general northwesterly direction, along the left bank of the watercourse to point “FF” (5 697 198 m NORTH, 279 842 m EAST);

Thence, along a straight line having a bearing of 252° 00' 00" over a distance of 204 metres, namely point “GG” (5 702 642 m NORTH, 254 706 m EAST);

Thence, along a straight line having a bearing of 326° 00' 00" over a distance of 1 501 metres to the left bank of a watercourse, namely point “HH” (5 698 396 m NORTH, 278 828 m EAST);

Thence, in a general southwesterly direction, along the left bank of the watercourse to point “JJ” (5 692 458 m NORTH, 271 833 m EAST);

Thence, along a straight line having a bearing of 236° 00' 00" over a distance of 731 metres to the left bank of a watercourse, namely point “KK” (5 692 053 m NORTH, 271 224 m EAST);

Thence, in a general northwesterly direction, along the left bank of the watercourse to point “LL” (5 694 041 m NORTH, 268 584 m EAST);

Thence, along a straight line having a bearing of 297° 00' 00" over a distance of 221 metres to the left bank of a watercourse, namely point “MM” (5 694 143 m NORTH, 268 388 m EAST);

Thence, in a general southwesterly direction, along the left bank of the watercourse to point “NN” (5 692 853 m NORTH, 264 404 m EAST);

Thence, along a straight line having a bearing of 219° 00’ 00’’ over a distance of 124 metres to the left bank of a watercourse, namely point “PP” (5 692 790 m NORTH, 264 297 m EAST);

Thence, in a general southwesterly direction, along the left shore of the lakes and the left bank of the watercourses to point “QQ” (5 691 825 m NORTH, 260 895 m EAST);

Thence, along a straight line having a bearing of 0° 00’ 00’’ over a distance of 184 metres to the left bank of a watercourse, namely point “RR” (5 692 009 m NORTH, 260 894 m EAST);

Thence, in a general northwesterly direction, along a curve passing by points “SS” (5 692 273 m NORTH, 260 827 m EAST), “TT” (5 692 757 m NORTH, 260 484 m EAST), “UU” (5 693 056 m NORTH, 260 062 m EAST), to the left shore of a lake, namely point “VV” (5 693 340 m NORTH, 259 477 m EAST);

Thence, in a general southwesterly direction, along the left bank of the watercourse to point “WW” (5 693 860 m NORTH, 258 123 m EAST);

Thence, in a general northwesterly direction, along a curve to point “XX” (5 693 884 m NORTH, 258 074 m EAST);

Thence, in a general northwesterly direction, along a height of land, secondary basin dividing drainage basins numbers 34202 and 34205 established by the Ministère des Ressources naturelles et de la Faune du Québec (Direction des inventaires forestiers) passing by points “YY” (5 694 045 m NORTH, 258 160 m EAST) and “ZZ” (5 694 267 m NORTH, 257 834 m EAST);

Thence, in a general northwesterly direction, along a curve to the east shore of a lake, namely point “AAA” (5 694 440 m NORTH, 257 480 m EAST);

Thence, in a general northwesterly direction, across the said lake, along a curve to point “BBB” (5 694 626 m NORTH, 257 204 m EAST);

Thence, in a general northwesterly direction, along a curve to the left bank of a watercourse, namely point “CCC” (5 695 052 m NORTH, 256 907 m EAST);

Thence, in a general southwesterly direction, along the left bank of the watercourse to the left bank of another watercourse, namely point “DDD” (5 694 950 m NORTH, 256 873 m EAST);

Thence, in a general northwesterly direction, along the left bank of the watercourse to the right of way of route 389, namely point “EEE”;

Thence, in a general westerly direction, along the left bank of the watercourse to spot elevation 362.71 metres of water retaining of the shore of réservoir Manicouagan, namely point “FFF”;

Thence, in a general northeasterly direction, along spot elevation 362.71 metres of water retaining of the shore of réservoir Manicouagan to point “GGG” (5 695 499 m NORTH, 283 977 m EAST);

Thence, along a straight line having a bearing of 110° 00’ 00’’ over a distance of 724 metres to the east right of way of route 389, namely point “HHH”;

Thence, along a straight line having a bearing of 118° 00’ 00’’ over a distance of 384 metres, namely point “JJJ”;

Thence, along a straight line having a bearing of 103° 00’ 00’’ over a distance of 349 metres, namely point “KKK”;

Thence, along a straight line having a bearing of 93° 00’ 00’’ over a distance of 86 metres, namely point “LLL”;

Thence, along a straight line having a bearing of 0° 00’ 00’’ over a distance of 626 metres, namely point “MMM”;

Thence, along a straight line having a bearing of 90° 00’ 00’’ over a distance of 1,159 metres, namely point “NNN”;

Thence, along a straight line having a bearing of 180° 00’ 00’’ over a distance of 927 metres, namely point “PPP”;

Thence, along a straight line having a bearing of 90° 00’ 00’’ over a distance of 2,317 metres, namely point “QQQ”;

Thence, along a straight line having a bearing of 0° 00’ 00’’ over a distance of 2,781 metres, namely point “RRR”;

Thence, along a straight line having a bearing of 270° 00' 00" over a distance of 1,737 metres, namely point "SSS";

Thence, along a straight line having a bearing of 0° 00' 00" over a distance of 2,782 metres, namely point "TTT";

Thence, along a straight line having a bearing of 270° 00' 00" over a distance of 1,158 metres, namely point "UUU";

Thence, along a straight line having a bearing of 0° 00' 00" over a distance of 1,854 metres, namely point "VVV";

Thence, along a straight line having a bearing of 270° 00' 00" over a distance of 1,735 metres, namely point "WWW";

Thence, along a straight line having a bearing of 0° 00' 00" over a distance of 2,781 metres, namely point "XXX";

Thence, along a straight line having a bearing of 270° 00' 00" over a distance of 1,706 metres, namely point "YYY" (5 712 037 m NORTH, 253 379 m EAST);

Thence, along a straight line having a bearing of 270° 00' 00" over a distance of 2,926 metres to spot elevation 362.71 metres of water retaining of the shore of réservoir Manicouagan, namely point "ZZZ";

Thence, in a general northeasterly direction, along spot elevation 362.71 metres of water retaining of the shore of réservoir Manicouagan to the left bank of a watercourse, namely point "AAAA" (5 724 720 m NORTH, 255 694 m EAST);

Thence, in a general southwesterly direction, along the left bank of a watercourse to point "BBBB" (5 724 590 m NORTH, 255 631 m EAST);

Thence, in a general southeasterly direction, along a straight line to point "CCCC" (5 724 571 m NORTH, 255 675 m EAST);

Thence, in a general southeasterly direction, along the right right of way of a road to the right right of way of route 389, namely point "DDDD";

Thence, in a general northeasterly direction, along the right right of way of route 389 to the right bank of rivière Beupin, namely point "EEEE";

Thence, in a general northeasterly direction, along the right bank of rivière Beupin to point "FFFF" (5 729 790 m NORTH, 266 193 m EAST);

Thence, along a straight line having a bearing of 46° 00' 00" over a distance of 6,591 metres, namely point "GGGG" (5 734 384 m NORTH, 270 919 m EAST);

Thence, along a straight line having a bearing of 61° 00' 00" over a distance of 3,729 metres, namely point "HHHH" (5 736 218 m NORTH, 274 166 m EAST);

Thence, along a straight line having a bearing of 44° 00' 00" over a distance of 1,285 metres, namely point "JJJJ" (5 737 146 m NORTH, 275 055 m EAST);

Thence, along a straight line having a bearing of 67° 00' 00" over a distance of 1,070 metres, namely point "KKKK" (5 737 570 m NORTH, 276 037 m EAST);

Thence, along a straight line having a bearing of 93° 00' 00" over a distance of 2,362 metres, namely point "LLLL" (5 737 439 m NORTH, 278 395 m EAST);

Thence, along a straight line having a bearing of 65° 00' 00" over a distance of 2,212 metres, namely point "MMMM" (5 738 361 m NORTH, 280 406 m EAST);

Thence, along a straight line having a bearing of 86° 00' 00" over a distance of 1,498 metres to the left bank of a watercourse, namely point "NNNN" (5 738 471 m NORTH, 281 900 m EAST);

Thence, in a general northeasterly direction, along the left bank of the watercourse to point "PPPP" (5 739 528 m NORTH, 286 088 m EAST);

Thence, along a straight line having a bearing of 0° 00' 00" over a distance of 231 metres to the right right of way of a road, namely point "QQQQ" (5 739 759 m NORTH, 286 088 m EAST);

Thence, in a general easterly direction, along the right right of way of a road to the right right of way of a railway, namely point "RRRR" (5 739 451 m NORTH, 291 105 m EAST);

Thence, in a general southeasterly direction, along the right right of way of a railway to the right right of way of a road, namely point "SSSS" (5 738 232 m NORTH, 297 842 m EAST);

Thence, in a general southeasterly direction, along the right right of way of the road to the right right of way of a railway, namely point "TTTT" (5 737 486 m NORTH, 298 471 m EAST);

Thence, in a general southeasterly direction, along the right right of way of a railway to the left bank of ruisseau Kapishtukatakau, namely point “UUUU”;

Thence, in a general southwesterly direction, along the left bank of ruisseau Kapishtukatakau to the point of commencement “A”.

2.3 Withdrawal

The following parcels are withdrawn from the Réserve de biodiversité Uapishka:

2.3.1. The six (6) vacation leases approximately 4,000 square metres each.

LEASES	COORD. Y	COORD. X	AREA
1	5 714 214.288	253 551.480	4,000.0 m ²
2	5 739 490.697	287 069.952	4,000.0 m ²
3	5 727 325.657	262 751.639	4,000.0 m ²
4	5 715 478.359	254 532.776	4,000.0 m ²
5	5 716 259.331	250 234.442	4,000.0 m ²
6	5 714 566.552	250 561.357	4,000.0 m ²

2.3.2. The tourist site (1) approximately 4,000 square metres.

TOURIST SITE	COORD. Y	COORD. X	AREA
1	5 727 070.665	262 874.411	4,000.0 m ²

2.3.3. The rough shelter (1) approximately 100 square metres.

ROUGH SHELTER	COORD. Y	COORD. X	AREA
1	5 725 373.542	267 818.764	100.0 m ²

2.3.4. The telecommunication site (1) 3,600 square meters, being block 1 of the township of Brien.

TELECOM. SITE	COORD. Y	COORD. X	AREA
1	5 721 492	254 650	3,600.0 m ²

Note: The coordinate for each location is the centroid in reference to the Québec plane coordinate system (SCOPQ, Zone 6, central meridian 67° 30' 00" west, NAD83).

2.3.5. The right of way of the road to go to the telecommunication site described above (see 2.3.4).

2.3.6. Route 389 and its current actual right of way.

2.4 Area

The territory of the Réserve de biodiversité Uapishka has a total area of 138,191 hectares (1,381.9 km²) and is shown on the attached plan drawn to a scale of 1:20 000 from an extract of the topographical map produced by the Ministère des Ressources naturelles et de la Faune du Québec, sheets 22N, 22N 08-200-0101, 0102, 0201, 0202, 22N 09-200-0101, 0102, 0201, 0202, 22N 16-200-0101, 0102, 22O, 22O 05-200-0101, 0102, 0201, 0202, 22O 12-200-0101, 0102, 0201, 22O 13-200-0101, prepared by Claude Vincent, Land Surveyor, bearing number six thousand one hundred thirty-four (6134) of his minutes.

Prepared at Québec, this twentieth day of the month of March of the year two thousand and nine.

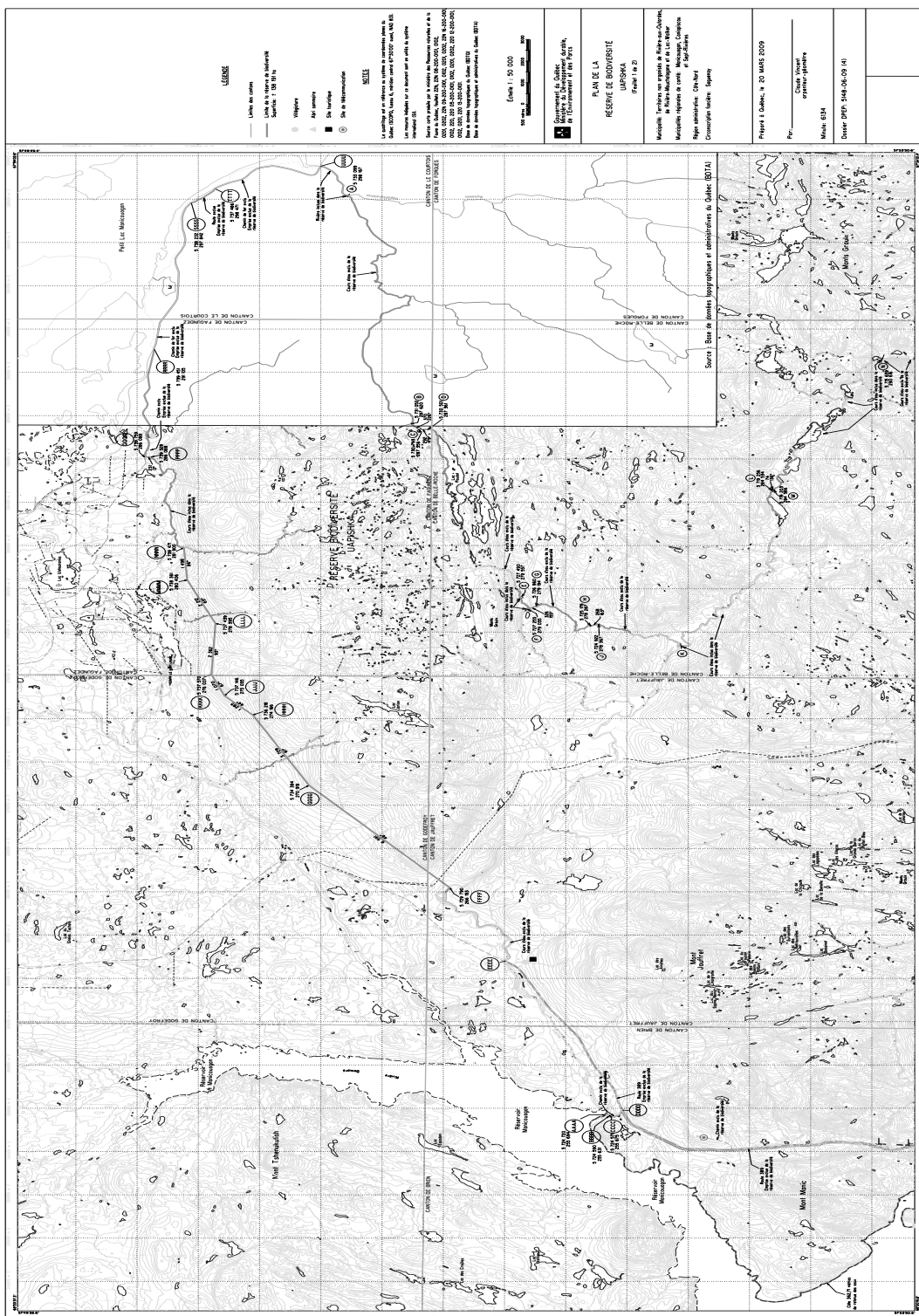
CLAUDE VINCENT,
Land surveyor

TRUE COPY OF THE ORIGINAL

issued on:.....

Land surveyor

MDDEP file: 5148-06-09 [4]
File: 09-100
Minute: 6134





Protected areas
in Québec:

A Lifelong Heritage

Réserve de biodiversité Uapishka



CONSERVATION PLAN

Québec 

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Introduction

In May 2002, the Québec government took the necessary administrative measures to ensure the protection of part of Monts Groulx by prohibiting the main industrial activities likely to jeopardize the conservation of that environment (forestry, hydroelectricity and mining activities).

The legal provisional status of proposed biodiversity reserve was officially granted to this part of Monts Groulx on June 19, 2003, under section 90 of the Natural Heritage Conservation Act (R.S.Q., c. C-61.01).

By attributing a status of permanent protected area to the Réserve de biodiversité Uapishka, the Québec government provides definitive protection to representative samples of the biodiversity of the Central Laurentides Mountains natural province (Li and Ducruc, 1999) and specifically ecosystems that are representative of the natural region of the Sainte-Marguerite plateau, which is characterized by a plateau covered in a very dense network of fractures that make up an alternating pattern of parallel hills and valleys.

This biodiversity reserve is integrated into a vast network of representative and exceptional protected areas that cover Québec's various types of ecosystems. It was selected mainly for its particular features related to the ecosystems it shelters. The creation of the Réserve de biodiversité Uapishka aims to protect a mountain range where the vegetation succession extends from the boreal forest to the tundra. All these ecosystems contain a unique biodiversity and the fact that they are found in such a small area is exceptional in itself. The grand landscapes are another reason justifying the selection of this site. These landscapes are in fact already enjoyed by a good number of hikers who visit the area.

On March 31, 2003, the Minister of the Environment mandated the Bureau d'audiences publiques sur l'environnement (BAPE) to hold a public consultation on the proposed Monts Groulx (Uapishka) and Île René-Levasseur (Météorite) protected area projects. The BAPE's mandate began on April 11, 2003, and ended on September 11 of the same year. The commission held public hearings in Baie-Comeau on May 12 and 13, and June 9 and 10, 2003. The BAPE's investigation and public consultation report (report 181) was submitted to the Minister of the Environment in September 2003.

The commission recommended assigning permanent status as soon as possible to the protected areas given the strong local and regional support they received.

This conservation plan was developed by the Ministère du Développement durable, de l'Environnement et des Parcs (MDDEP) further to the consultation and recommendations of the BAPE. It sets forth the vision of the conservation and development of the territory of the Réserve de biodiversité Uapishka. It reiterates a large part of the document prepared by the Ministère in April 2003 for the public consultation and takes into account the recommendations in BAPE report no. 181. The conservation plan thus reflects the concerns of all the government and non-government players involved, within the context of the project, in the implementation of the Strategic action plan for protected areas.

The objective of this conservation plan is to inform the public about the legislative framework that will apply to the biodiversity reserve. Section 4 of the document introduces the Activities framework, which is completed by the standards additional to those in the act found in Appendix 4. The conservation plan also aims to guide the Management Committee, which will be created by specifying the conservation and development objectives specific to the Réserve de biodiversité Uapishka. These objectives, found in sections 2.1 and 2.2, are summarized as follows:

- Protecting the biodiversity;
 - Rationalise use of snowmobiles;
 - Protect the natural character of the landscapes;
 - Encourage knowledge acquisition and follow-up;
- Develop the territory;
 - Offer education and awareness raising activities;
 - Harmonise uses.

1 The territory of the biodiversity reserve

1.1 Conservation project background

Since the construction of Route 389 in 1987, the territory of Monts Groulx has been visited by numerous hikers, skiers and backcountry enthusiasts.

In 2000, the Les Amis des Monts Groulx association was officially formed with the objective to protect the natural integrity of the massif.

In May 2001, the Manicouagan regional tourism association (ATRM) submitted an initial proposal for application of the status of UNESCO's World Biosphere Reserve to the territory including Monts Groulx, the Manicouagan astrobleme and the Daniel-Johnson dam (Messier et al. 2001). The Comité de création de la Réserve de la biosphère Manicouagan - Uapishka was

formed to pursue this objective and their efforts were rewarded when, on September 20, 2007, the Manicouagan – Uapishka World Biosphere Reserve was officially designated. This recognition by UNESCO is not a legal designation but allows for efforts to be recognized in terms of sustainable development and the particular links between people and nature.

The First Nation Pessamit Innu also manifested an interest in the conservation of the Monts Groulx massif. In fact, the Agreement-in Principle of General Nature between the Mamuitun First Nations and the governments of Québec and Canada signed in the fall of 2002 provides for the creation of Innu parks in Nitassinan, notably the Monts Groulx regional park.

A regional park was also envisaged by the RCMs of Caniapiscau, Manicouagan and Sept-Rivières in the Monts Groulx territory.

The creation of the Réserve de biodiversité Uapishka therefore supports a regional desire to protect the territory and reflects the sustainable development view taken with world biosphere reserves.

1.2 Official toponym

The official name is Réserve de biodiversité Uapishka. Uapishka is the name given by the Innu to the Monts Groulx massif and means "rocky summits always covered in snow" (Drapeau 1994).

1.3 Geographical location

The location and boundaries of the Réserve de biodiversité Uapishka are shown on the maps provided in Appendix 1 and Appendix 2.

Location

The Réserve de biodiversité Uapishka is located on the North Shore, between 51°21' and 51°48' north latitude and 67°34' and 68°21' west longitude. It is situated approximately 325 km north of Baie-Comeau and is accessible from the west by Route 389, which links Baie-Comeau to Fermont. It protects the western portion of the Monts Groulx massif. It partially covers the unorganized territories of Rivière-Mouchalagane, Rivière-aux-Outardes and Lac-Walker, which are part of the regional county municipalities (RCM) of Caniapiscau, Manicouagan and Sept-Rivières. The western limit of the biodiversity reserve follows the Réservoir Manicouagan while the eastern limit follows the residual portion of the Réserve de biodiversité projetée des monts Groulx for which a status of ecological reserve is considered.

Route 389 runs from north to south through the western part of the biodiversity reserve. The average right-of-way width of the road in the protected area is 35 metres. The current actual right-of-way of Route 389 is excluded from the biodiversity reserve.

Dimensions and boundaries

The revised boundaries chosen by the Ministère for obtaining the status of biodiversity reserve cover 1,382 km². This does not include the part of the former Réserve de biodiversité projetée des mont Groulx which is to be given the status of ecological reserve as the Lande-alpine-des-Monts-Groulx ecological reserve (Appendix 2). The boundaries of the reserve correspond to the maximum critical water level of the Réservoir Manicouagan, which is 362.71 metres.

The area represented by the different land rights granted inside the perimeter of the biodiversity reserve prior to its creation are excluded from the final boundaries. The restrictions and prohibitions provided for activities under the Natural Heritage Conservation Act therefore do not apply to the excluded areas. The areas excluded are approximately 4,000 m² for each lease for private vacation purposes. These areas are approximately 4,000 m² for each of the six vacation leases and the tourism site, 3,600 m² for the telecommunications site, and 100 m² for the temporary shelter.

The legal boundaries of the Réserve de biodiversité Uapishka are defined in the technical description prepared by surveyor Claude Vincent in the minutes as follows: réserve de biodiversité Uapishka, minute: 6134.

Access

The biodiversity reserve is accessible from the west by Route 389, which links Baie-Comeau to Fermont.

Three hiking trails, which start from kilometres 335, 350 and 365 on Route 389 provide access to the interior of the reserve. Also, two snowmobile trails, which both start at kilometre 337 on Route 389 gave snowmobilers access to the plateau before this activity was prohibited at the summits.

1.4 Ecological portrait

The Réserve de biodiversité Uapishka lies within the Central Laurentides Mountains natural province. It protects the natural settings that are representative of the natural region of the Sainte-Marguerite plateau.

Climate

The area is characterized by a cold, subpolar and subhumid continental climate, with a short growing season (Gerardin and M'Kenney, 2001). It belongs to the bioclimatic field of mossy spruce stands (Ministère des Ressources naturelles, 2003).

Geology and geomorphology

The Monts Groulx massif is in the Grenville geologic province, which is formed of Precambrian rocks deformed over one billion years ago during the Labradorian and Grenvillian orogenies. The bedrock is mainly gabbro-norite, a mafic rock rich in magnesium and iron. The rocky basement in the northern part of the biodiversity reserve consists of anorthosite, a mafic igneous rock, while in the eastern part, it is formed of metamorphic rocks, in this instance gneiss and paragneiss. Over time, the zone of igneous rock protected a part of the metamorphic rocks from erosion, which contributed to the formation of the Monts Groulx massif. Certain layered sequences of metamorphic rock contain paragneisses and quartzites, as may be observed to the south-west of Lac Mora and in the area around Lac Boissinot.

The Monts Groulx massif is a tabular mass with a long plateau surrounded by steep flanks in the uppermost part. Several slightly convex peaks are over 1,000 m in altitude. The altitude varies from approximately 360 m at the edge of the Réservoir Manicouagan to 1,104 m at the summit of Mont Veyrier. The Monts Groulx is the third largest of its kind in Québec in terms of area and the sixth highest. From a geomorphologic perspective, the peaks of the highland have rocky outcrops. The flanks are covered with a deposit of till that is up to several metres thick in the concave parts of the longer slopes. The valley bottoms are covered with recent alluvial deposits, fluvial deposits, and frequently peat-covered sandy, fluvio-glacial deposits.

Hydrography

The Réserve de biodiversité Uapishka is in the Rivière Manicouagan watershed, which feeds three large rivers, the Rivière Toulouste, the Rivière Hart Jaune and the Rivière Manicouagan. The drainage system is formed mainly of headwater streams, associated with twenty or so small lakes that occupy shallow depressions.

Vegetation

The vegetation of the Monts Groulx mountains changes with altitudinal cline. From the base of the slopes to an altitude of approximately 700 m, the forest is mainly black spruce (*Picea mariana*) and balsam fir (*Abies balsamea*), with some white spruce (*Picea glauca*), white birch (*Betula papyrifera*) and trembling aspen (*Populus tremuloides*). Above 700 m, the deciduous trees disappear, the cover opens up and white spruce becomes more frequent. Above 800 m, cover density and tree size decrease, and the heath, also found in sheltered valleys on the plateau, begins. The number of trees decreases with increasing altitude. A few resistant, isolated specimens of krummholz forms of spruce and fir can be found in some slightly protected topographic positions. Generally, the tree line is situated at approximately 900 m. Above this altitude, the landscape is an alpine heath where the vegetation is dominated by arctic-alpine plants. The proportion of different types of cover in the Réserve de biodiversité Uapishka is similar to what is found throughout the Monts Groulx massif.

Of the vegetation of Réserve de biodiversité Uapishka, four species are designated as threatened, vulnerable or likely to be threatened or vulnerable. They are a fern (*Athyrium alpestre subsp. americanum*), two species from the composite family (*Agoseris aurantiaca* and *Gnaphalium norvegicum*) and one species from the rose family (*Alchemilla glomerulans*).

Wildlife

The Monts Groulx massif is also believed to shelter one threatened species, the wolverine (*Gulo gulo*), which was designated as threatened in March 2000. A forest ecotype of the woodland caribou (*Rangifer tarandus caribou*), designated as vulnerable in March 2005, was observed on the mountains. Four other animal species with protection status are also present in the area: the golden eagle (*Aquila chrysaetos*) designated as vulnerable in March 2005, the bald eagle (*Haliaeetus leucocephalus*) designated as vulnerable in September 2003, the rock vole (*Microtus chrotorrhinus*) and the least weasel (*Mustela nivalis*) both likely to be designated as threatened or vulnerable.

Among the birds inventoried, three species have particular heritage significance: the willow ptarmigan (*Lagopus lagopus*), the osprey (*Pandion haliaetus*) and the rough-legged hawk (*Buteo lagopus*).

Outstanding elements

The Ministère des Ressources naturelles et de la Faune has identified two exceptional forest ecosystems (EFE) within the boundaries of the biodiversity reserve. They are old-growth montane white spruce stands which have been undisturbed by human activity or have not recently experienced any natural disturbances. This type of forest ecosystem is rare in Québec.

1.5 Occupation and land use

The occupations and uses in the Réserve de biodiversité Uapishka are shown on the map in Appendix 2. Route 389, which crosses the western part of the biodiversity reserve, is excluded from the reserve.

The territory lies within the Bersimis and Saguenay beaver reserves in which the Innu have special rights for the hunting and trapping of fur-bearing animals. There are four traplines located in the Bersimis beaver reserve and one in the Saguenay beaver reserve. The status of biodiversity reserve does not affect their rights and traditional practices. No archaeological site has been identified on the territory of the biodiversity reserve.

Nine land rights have been granted within the perimeter of the Réserve de biodiversité Uapishka:

- 7 are for private vacation resort purposes;
- 1 for commercial tourism purposes;
- 1 authorization for a hiking trail with authorization to build 8 camping platforms.

The interior of the biodiversity reserve is accessible by three trails located at:

- kilometre 335 of Route 389, at the site referred to as Camp Nomade;
- kilometre 365, at the site referred to as Camp Matsheshu;
- kilometre 350 (a cross-country ski trail).

A new trail reaches Mont Harfang from Route 389.

Before the assignment of permanent status and its associated regulations, there were a number of trails used by snowmobilers to reach the peaks:

- at kilometre 337 on Route 389, two trails go from the old prospector outfitter;
- the winter trail on Rivière Toulmoustouc;
- the winter trail on Rivière Beaupin;
- the winter trail on Rivière Le torrent.

A number of activities, including hiking, snowshoeing, cross-country skiing, telemarking and dogsled tours, are carried on in these mountains. There are approximately 500 visitors to the area each year. Some hunting and fishing is carried on in the southern and western parts. Snowmobiling was also practiced at the summits before permanent protection status was obtained and is now limited to the area below 800 metres (section 2.1).

2 Conservation and development

This section describes the management orientations with regard to conservation and development of the Réserve de biodiversité Uapishka. Specific objectives to be reached are also presented in order to target the conservation and development priorities.

2.1 Protection of the biodiversity

Management of the biodiversity reserve must serve to protect the existing ecosystems and the species that depend on them. This also means enabling the currently disturbed ecosystems to regain their balance and natural characteristics.

Protection of the biodiversity must also be associated with the protection of the landscapes, as well as the existing types of occupation and use, compatible with the protection of the biodiversity reserve. Management of the existing occupations and activities must ensure that they have minimal negative impact on the biodiversity. In the event that archaeological sites are discovered, the archaeological heritage must also be protected and developed.

The conservation challenge of the Réserve de biodiversité Uapishka consists in preserving the ancient ecosystems and fragile arctic-alpine vegetation at the summits and upper plateaus while enabling the pursuit of outdoor activities that the area is famous for. In this context, it would be interesting to encourage the acquisition of knowledge on the support capacity of this environment with regard to recreational and tourism activities.

Specific objectives:

— Rationalization of the use of snowmobiles:

Monts Groulx is an increasingly popular destination with snowmobilers. However, use of the snowmobile has negative impacts on the natural setting. Snowmobiles can have a negative impact on the vegetation of the alpine tundra (Greller, 1974), caribou (Simpson, 1987), wildlife in general (Bury, 1978) and on the environment (Greer, 1979). Thus, snowmobile use may have an

impact on the biodiversity of the reserve. In fact, the Uapishka reserve shelters woodland caribou designated as vulnerable and vegetation at the summits is particularly sensitive to snowmobile traffic given the thin snow cover in these areas. Plants with protection status have been identified on the slopes, plateaus and summits of the biodiversity reserve. Thus, under the principle of precaution and section 9 of the activity framework (Appendix 4), snowmobiling is prohibited in the sectors where the altitude is over 800 metres (Zone I). Appropriate signposting will serve to advise snowmobilers.

Rationalizing the use of snowmobiles will also mean the creation of an awareness raising program for snowmobilers. The awareness program will focus on respect for other users, education regarding impacts of the snowmobile and on proposals for alternative routes.

— Protection of the natural character of the landscapes:

Monts Groulx is known for its remarkable landscapes and for its natural quality. This reputation attracts in fact attracts more and more visitors. The Ministère du Développement durable, de l'Environnement et des Parcs wishes to maintain the quality of these landscapes. Part of these landscapes seen from Mont Groulx is in fact protected by two other protected areas: the Réserve de biodiversité de la Météorite and the Réserve écologique Louis-Babel.

One of the ways proposed to reach this objective is first to make users aware of the impacts of their practices on the territory and inform them about the different ways to reduce the impact. The Ministère will also help the partners restore the polluted sites identified in the Réserve de biodiversité Uapishka. Equally, users of the territories surrounding the protected area must be made aware of the preservation of quality landscapes. The creation committee of the Manicouagan - Uapishka World Biosphere Reserve has already carried out a great deal of work in this regard and the expertise that is gained will be useful.

— Knowledge acquisition and follow-up:

Monts Groulx are of great interest for scientific research and education, since they have a tremendous variety of settings, ecological conditions, species and landscapes. The current state of knowledge offers good possibilities for researchers from highly diverse fields such as biology, forest ecology, alpine ecology, geology and tourism. Moreover, given that studies of arctic settings Monts Groulx by road could be of interest to more than one researcher. The different research can enrich future educational programs that will be developed.

Knowledge acquisition, in addition to contributing a great deal to reaching the specific objectives stemming from the principle of protecting the natural heritage, would serve to provide a description and follow-up of the biodiversity and natural character. In fact, knowledge of the wildlife and vegetation of Monts Groulx are incomplete and inventories could be done with the help of the partners. Knowledge acquired could also contribute to development of discovery, education, and awareness activities. Finally, it will help managers in their understanding of the operation and evolution of the ecosystems, analysis of development proposals and facilitate a mutual understanding of the issues with management partners.

Ecological knowledge, notably that of the support capacity of the settings, and knowledge of the impact of recreational and tourism activities on the natural environment, should be developed in order to appreciate the riches of the territory and to have the data and tools needed for management that is respectful of the territory's biodiversity.

As part of the rationalization of snowmobile use, a study program must be set up with help from the partners. The program will enable the impact of snowmobiles on the alpine vegetation to be studied in the case where the management committee would recommend authorization of the snowmobile in an alpine zone that is less sensitive and occupied by rare or threatened species.

Follow-up on use of the Réserve de biodiversité Uapishka could also be envisaged even if the territory is for the moment not visited extensively. However, users of the area have noted an increase in visitors, particularly snowmobiles. Granting permanent protection status to this territory may serve to increase its reputation which is likely to increase traffic. Given its fragility, any uncontrolled increase will create a great deal of pressure on the area, both from hikers and snowmobilers. Moreover, the open forests of the plateau valleys do take well to the cutting of dead trees for campfires. Indeed, tree density is low in these areas and their regeneration and growth is slow. In the mid-term, these ecosystems will be lost in some areas. Multiplication of these campfires could change the landscape, since once they are extinguished, they leave a mark on the landscape. Thus, abusive use of the territory could have negative consequences on these landscapes: garbage, trampling, increased number of campfires, woodcutting, etc.. The peat bogs, beaches, floodplains, permafrost and alpine heaths are all environments that could be affected by a too high level of humans in the biodiversity reserve. The follow-up of the use could therefore serve to adjust the future control measures and awareness programs according to increases in the signs of degradation.

2.2 Sustainable development and education

The level of use and occupation of the biodiversity reserve is relatively low but the fragility of the ecosystems is significant. Sustainable development can only be possible if it is limited and well structured. In this context, new activities or new facilities that contribute to the territory's development must not conflict with the existing ones, nor, through the cumulative effects of the impacts, exceed the environment's support capacity. In the absence of precise knowledge of the support capacity, the principle of precaution must be applied to the planning of development activities. Moreover, development of the biodiversity reserve must be done in such manner that it does not excessively change the environment, in order to avoid affecting the ecological and cultural integrity and maintain the quality of the "nature" experience of visitors and users. In short, the development of activities must aim to maintain or improve the quality of the natural structure and the dynamic of the interaction between nature and culture.

In the current context of the territory's occupation and use, the MDDEP is open to the development of new activities. However, development proposals will be analyzed before being authorized.

Specific objectives:

— Offer education and awareness activities:

Several researchers have demonstrated that teaching visitors about practices having less impact on the environment was more efficient for protecting the environment than introducing regulations (Widner and Marion, 1993/4). The objective of the Ministère du Développement durable, de l'Environnement et des Parcs is therefore to promote education of the visitors about good environmental practices, such as respectful use of the trails and campsites. People must also be made aware of the ecological value of these areas and of the importance of keeping them intact.

To reach the conservation objectives, the territory's particularities must be known, but equally important is adequately informing, communicating and making users and the population aware. The reasons for seeking its protection, the different projects underway and the objectives pursued must be known and explained.

— Harmonizing uses:

By defining a conservation vocation for the territory, while allowing recreational activities, approaches must be taken to evaluate the compatibility of activities with the conservation objectives of the biodiversity reserve

and ensure that the practice of an activity does not interfere with another one. Monts Groulx have long been visited by backcountry enthusiasts. It appears that in recent years snowmobiling has increased and has led to conflicts between winter hikers and the snowmobilers. Particular attention must be paid to the harmonization of snowmobilers and outdoor enthusiasts in Zone II.

3 Zoning

The altitudinal cline in the Réserve de biodiversité Uapishka is typified by two distinct environment types in terms of their ecological fragility: high altitude settings and low altitude settings. By taking this different sensitivity into account and the resulting protection and management objectives, the biodiversity reserve was subdivided into two zones. These zones, which have similar levels of protection and activity schedules will serve to guide the management measures according to the respective particularities and fragility of each one. The boundaries of the zones are illustrated on the plan in Appendix 3. The Minister will take this zoning into account for management of the biodiversity reserve and for authorization of activities and facilities.

3.1 Zone I

Zone I is mainly within an altitude above 800 metres. It is comprised of wooded heaths and alpine heaths located on the upper slopes, plateaus and summits of the massif. From this altitude, the vegetation is made up of increasingly sparse trees, krummholz and, on the summits, shrubs and herbaceous characteristic of arctic settings.

This part of the territory is characterized by a high level of naturalness (low level of occupation and use, low fragmentation index, natural or intact character of the environment, etc.) It is also characterized by a marked ecological and landscape interest. Moreover, it is a fragile setting and of low autoregeneration capacity. This zone is therefore managed in such manner as to limit anthropogenic disturbances and pressures in an effort to encourage the natural dynamic and the maintaining of the natural landscape qualities. It is an ideal area to experience nature where the ecosystems have evolved with little influence from human activities.

This zone allows for maintaining the existing occupation and the pursuit of recreational activities that do not have a negative impact on the wildlife and vegetation. Activities are framed according to their impact level and specific conservation objectives that are pursued. In the Réserve de biodiversité Uapishka, the fragility of the arctic-alpine vegetation at the summits and the presence

of plants designated or likely to be designated as threatened or vulnerable require that, under the principle of precaution, signposting be installed forbidding prohibiting motorized activity in that zone. Moreover, new infrastructures and uses are not allowed except if the additional impact is not significant and that the landscapes qualities are not affected. Generally, any intervention or activity that creates additional fragmentation is not allowed. Circulation and traffic, generally free in this zone, must be cause minimal impact to the environment.

The purpose of development in this zone will be education, interpretation, ecotourism and any other type of nature appreciation activity without harvesting of the resources or use of motorized vehicles. Development activities with resource harvesting and those involving the use of motorized vehicles may be considered only if the impact on the environment is not significant. Conditions for their practices may be considered. This zone has potential for the development of elements of an ecological and cultural interest through the realization of education and interpretation activities.

3.2 Zone II

Zone II, which is mainly below 800 metres, is made up of coniferous and deciduous forests located on the foothills. This part of the territory is characterized by a partially developed natural setting (occupation and use facilities) whose level of naturalness is lower than the one for Zone I.

The management objective of this zone is to ensure the maintenance of the balance between extensive occupation and use and the natural dynamic of the ecosystems while encouraging an increase in the level of naturalness.

This zone therefore enables the maintenance of occupation and pursuit of existing recreational activities. It is an area for framed or unframed education, interpretation, recreation and tourism activities. Infrastructures and equipment for these activities may be set up. However, it would be preferable if they had a low impact on the natural setting. The analysis of the development projects will take cumulative impacts into account.

4 Activity framework

4.1 Legal framework under the Natural Heritage Conservation Act

Activities practiced inside the biodiversity reserve are mainly governed by the provisions of the Natural Heritage Conservation Act.

The biodiversity reserve aims to protect the biodiversity associated with the natural environments. For this purpose, the main activities prohibited under the Natural Heritage Conservation Act in a territory with a biodiversity reserve status are the following:

- mining, and gas or petroleum development;
- mining, gas and petroleum exploration, including 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);
- the development of hydraulic resources and any production of energy on a commercial or industrial basis.

However fundamental to the long-term protection of the territory and ecosystems, these prohibitions do not, however, cover all the standards deemed desirable to ensure sound management of the reserve and conservation of the environment. The Act allows the government to specify in the conservation plan the legal framework applicable in the reserve.

A more specific framework was therefore developed. Appendix 4 of this plan contains additional standards that were planned by the government to frame the activities that could take place in the reserve in such manner as to better protect the natural environment following the principles of conservation and the other management objectives of the biodiversity reserve. Thus, certain activities are notably subject to prior authorization from the Minister and in keeping with the conditions set by her for their realization.

Several provisions of Appendix 4 therefore provide for an authorization schedule by the Minister that will enable the introduction of conditions for the appropriate realization taking the circumstances into consideration.

Examples of this are certain constructions (reception building or shelters) or trails that in many cases may be part of the management and conservation objectives, whereas other types of soilwork or constructions, much more damaging for the environment and preservation of the biodiversity will not be deemed appropriate nor authorized.

Several standards set forth in Appendix 4 are therefore formulated to enable the Minister to carry out an appropriate framework taking into account the context and enabling her to be flexible when circumstances and characteristics of the environments warrant it to adequately guide the realization of different activities.

In other respects it should be noted that the measures contained in this appendix are specifically intended for new interventions on the territory and generally do not question the installations already present nor certain activities already underway on the territory, thus preserving several existing compatible uses.

Since the terms of the legal framework in Appendix 4 give little indication of whether or not the requests for authorization will be approved the MDDEP will publish the criteria it will use in its management to analyse the requests that will be addressed to it. Guides, instructions or directives will be developed and made public. For example, the MDDEP will establish a list of the activities in Appendix 4 that will not be authorized except in exceptional or rare cases given their impact that is initially deemed damaging.

On the other hand, despite the introduction of a control plan, a good number of activities may be perceived as being completely compatible with the objectives of the protection status. The authorization plan in this case will aim to ensure rather that the undertaking of these activities is known, allowing the MDDEP to make adjustments as needed with the person concerned.

Finally, in order to avoid controls deemed relatively useless due to low damaging impact or useless due to a doubling with other control measures provided for by other laws. Appendix 4 also contains certain exemptions from the requirement to obtain authorization before carrying on certain activities (e.g., routine maintenance on existing installations).

4.2 Other activities governed by other laws

Certain activities likely to be practiced inside the biodiversity reserve are also governed by other applicable legislative and regulatory provisions, including those requiring a permit or authorization or payment of certain fees. The practice of certain activities may also be prohibited or limited under other laws or regulations applicable on the territory of the biodiversity reserve.

In the biodiversity reserve, a particular legal framework may, notably in the following fields, provide guidelines for the following activities:

- Environmental protection: measures provided for particularly under the Environment Quality Act (R.S.Q., c. Q-2) and its regulations.
- Harvesting flora species deemed threatened or likely to be designated as such: measures prohibiting the harvesting of these species under the Act respecting threatened or vulnerable species (R.S. Q., c. E-12.01).

— The use and conservation of wildlife species: measures provided for by the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), including the provisions pertaining to threatened or vulnerable wildlife species, to outfitting operations and beaver reserves and the measures contained in applicable federal legislations, in particular the fishery regulation.

— Archaeological research: measures provided for in particular by the Cultural Property Act (L.R.Q., c. B-4).

— Access and land rights related to land in the domain of the state: measures provided for under the Act respecting the lands in the domain of the state (R.S.Q., c. T-8.1) and the Watercourses Act (R.S.Q., c. R-13).

— Issue and control of permits for forestry operations provided for under the Forest Act (R.S.Q., c. F-4.1).

— Circulation: measures provided for in particular by the Act respecting the lands in the domain of the state (R.S.Q., c. T-8.1) as well as regulations governing the circulation of motorized vehicles in certain fragile environments identified under the Environment Quality Act.

— Construction and building standards: regulatory measures adopted by the municipal, regional and local authorities under the applicable laws.

5 Management

5.1 Responsibilities of the Minister of Sustainable Development, Environment and Parks

Management of the Réserve de biodiversité Uapishka is the responsibility of the Minister of Sustainable Development, Environment and Parks. Among other things, it oversees the monitoring and control of activities that may be carried on and the application of the law. These management responsibilities are assigned to North Shore environmental control centre of the MDDEP (CCEQ-09). The Minister is assisted in her management duties through the collaboration and participation of other government officials who have specific responsibilities on this territory or in proximity to it.

5.2 Participation of other actors and integrated management

Given the occupation and use of the territory, an integrated form of management is required for the activities. For this purpose, the participation of the players concerned in the choice of management for the biodiversity reserve is essential. The Ministère du Développement durable, de l'Environnement et des Parcs would like the management of the Réserve de biodiversité Uapishka to be an opportunity for local and regional partners to work together to protect and develop the Monts Groulx massif. Thus, they will develop a shared vision of how to raise the awareness of the population of the importance of protecting the biological diversity and enable responsible development.

Creation of the biodiversity reserve is therefore an opportunity to bring together several local players with different objectives. This integrated management also aims to allow the region to appropriate these projects. It is also hoped that this synergy will have repercussions on the territories located in the periphery of the reserve.

A management committee will be created with the mandate to develop an action plan aimed at the conservation and development of the biodiversity reserve. Several partners will be called upon to sit on the committee. The Pessamit community Band Council and the creation committee of world reserve of the Biosphère Manicouagan- Uapishka will be key partners. The Takuaihan Uashat mak Mani-Utenam Innu could also be a partner if they wish. These groups represent the different interests of the region because the representatives of the Société des amis des monts Groulx, RCMs, regional tourist association, forestry companies, environmental and native groups sit on the committees. Other local and regional organizations, as well as cottage and user associations and local communities could be asked to act as partners based on the priorities established by the management committee.

An action plan will be developed by the management committee under the responsibility of the MDDEP's regional branch. The plan will determine the actions to take, the preferred methods, the actors identified to perform the actions, the timetable, the evaluation mechanism for the results of these actions and the financing modes, if applicable.

5.3 Follow-up

As mentioned in the section "Conservation and Development," a follow-up of the state of the natural environment will be set up, in cooperation with the regional and local parties concerned.

Ideally a mechanism should be set up to keep track of the conservation objectives and, as needed, rectify the strategies in place to reach them. It is also hoped that management of the biodiversity reserve respects the following conservation principles:

- Maintain the natural dynamic of the ecosystems;
- Restore, as needed and in the long term, perturbed ecosystems;
- Respect the support capacity of the ecosystems (or according to the principle of precaution in the absence of sufficient knowledge);
- Encourage the acquisition and dissemination of knowledge about natural and cultural heritage;
- Harmonize land management in the peripheral areas with the conservation objectives of the biodiversity reserve.

Conclusion

The Réserve de biodiversité Uapishka protects a mountain range that is unique in Québec. Protection of this portion of Monts Groulx enables the conservation of an altitudinal cline of vegetation that starts with the boreal forest and ends with taiga. It was necessary as a result to protect the future of this geological jewel, while allowing development of its riches for the benefit of all.

It is appropriate to point out here the energy deployed by the local players in seeking to preserve and showcase this unique natural site. Protection of this unique natural site crowns their efforts. In fact, the Réserve de biodiversité Uapishka will benefit local and regional communities first, as an area to relax and fully enjoy its attractions. It is in this perspective in fact that the MDDEP proposed to implement management that calls on the partnership of organizations based in the community. In this perspective, a management committee will become the preferred partner of the Ministère for all issues related to the drawing up of an action plan and management planning in the Réserve de biodiversité Uapishka.

Conservation of this territory, devoted to recreation, natural heritage discovery activities, education and scientific research to contribute to consolidating the local tourism offer. The territory with its natural character, uniqueness and accessibility offers a highly favourable framework for the development of popular recreational and tourism activities such as ecotourism, nature observation and hiking.

The management approach that is planned for the Réserve de biodiversité Uapishka encourages the different interest groups to work together by inviting them to combine their efforts, means and skills to design a conservation and development project that is respectful of and in harmony with the biodiversity.

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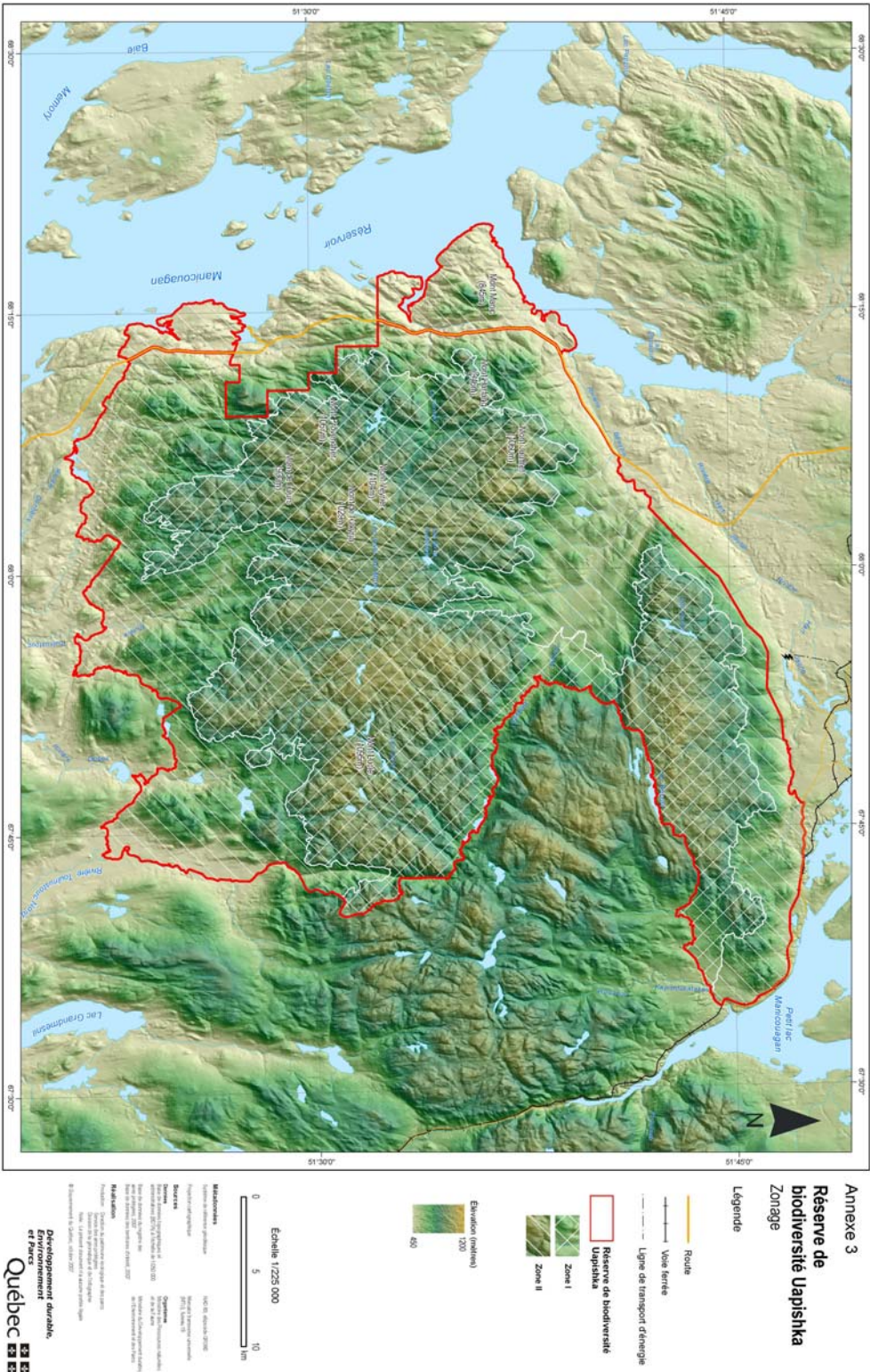
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APPENDIX 3 RÉSERVE DE BIODIVERSITÉ UAPISHKA: ZONING

Annexe 3
Réserve de
biodiversité Uapishka
Zonage



APPENDIX 4

ACTIVITIES FRAMEWORK IN THE RÉSERVE DE BIODIVERSITÉ UAPISHKA

— STANDARDS ADDITIONAL TO THOSE IN THE ACT

PROHIBITIONS, PRIOR AUTHORIZATIONS AND OTHER CONDITIONS GOVERNING ACTIVITIES IN THE BIODIVERSITY RESERVE

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

DIVISION I

PROTECTION OF RESOURCES AND THE NATURAL ENVIRONMENT

1. Subject to the prohibition in the second paragraph, no person may establish in the biodiversity reserve any specimens or individuals of a native or non-native species of fauna, including by stocking, 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.

No person may establish in the biodiversity reserve a non-native species of flora, unless the person has been authorized by the Minister and complies with the conditions the Minister determines.

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 of rehabilitating degraded environments or habitats within the biodiversity reserve, and the interest in reintroducing certain species that have disappeared.

2. No person may use fertilizer or fertilizing material in the biodiversity reserve. Compost for domestic purposes is permitted if used at least 20 metres from a watercourse or body of water measured from the high-water mark.

The high-water mark means the high-water mark defined in the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains, adopted by Order in Council 468-2005 dated 18 May 2005.

3. 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, including a marsh, swamp or bog;

(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) install or erect any structure, infrastructure or new works in or on the bed, banks, shores or floodplain of a watercourse or body of water, although no authorization is required for minor works such as a wharf, platform or boathouse erected for private purposes and free of charge under section 2 of the Regulation respecting the water property in the domain of the State made by Order in Council 81-2003 dated 29 January 2003;

(5) carry on any activity other than those referred to in the preceding subparagraphs that is likely to degrade the bed, banks or shores of a body of water or watercourse or directly and substantially affect the quality of the biochemical characteristics of aquatic or riparian environments or wetland areas in the biodiversity reserve, including by discharging or dumping waste or pollutants into those areas;

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

(7) install or erect any structure, infrastructure or new works;

(8) reconstruct or demolish an existing structure, infrastructure or works,

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

(11) 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

(12) hold a sports event, tournament, rally or similar event if more than 15 persons are likely to participate in the activity and have access to the biodiversity 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 biodiversity reserve is highly unfeasible.

The conditions determined by the Minister for the 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 on-site materials, 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 11 of the first paragraph refers.

4. Despite subparagraphs 6, 7, 8 and 9 of the first paragraph of section 3, no authorization is required to carry out work referred to in subparagraph 1 of this section when the requirements of subparagraph 2 are met.

(1) The work involves

(a) work to maintain, repair or upgrade an existing structure, infrastructure or works such as a camp, cottage, road or trail, including ancillary facilities such as lookouts or stairs;

(b) the construction or erection of

i. an appurtenance or ancillary facility of a trapping camp, rough shelter, shelter or cottage such as a shed, well, water intake or sanitary facilities; or

ii. a trapping camp, rough shelter, shelter or cottage if such a building was permitted under the right to use or occupy the land but had not been constructed or installed on the effective date of the status as a biodiversity reserve; or

(c) the demolition or reconstruction of a trapping camp, rough shelter, shelter or cottage, including an appurtenance or ancillary facility such as a shed, well, water intake or sanitary facilities.

(2) The work is carried out in compliance with the following requirements:

(a) the work involves a structure, infrastructure or works permitted within the biodiversity reserve;

(b) the work is carried out within the area of land or right-of-way subject to the right to use or occupy the land in the biodiversity reserve, whether the right results from a lease, servitude or other form of title, permit or authorization;

(c) the nature of the work or elements erected by the work will not operate to increase the area of land that may remain deforested beyond the limits permitted under the provisions applicable to the sale, lease and granting of immovable rights under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and, if applicable, the limits allowed under an authorization for the structure, works or infrastructure; and

(d) the work is carried out in compliance with the conditions of a permit or authorization issued for the work or in connection with the structure, infrastructure or works involved, and in accordance with the laws and regulations that apply.

For the purposes of this section, repair and upgrading work includes work to replace or erect works or facilities to comply with the requirements of an environmental regulation.

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

Despite the first paragraph, an outfitting operation does not require an authorization to use a disposal facility or site in compliance with the Environment Quality Act and its regulations if the outfitting operation was already using the facility or site on the effective date of the protection status as a biodiversity reserve.

DIVISION II

RULES OF CONDUCT FOR USERS

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

7. Every person who makes a campfire must

(1) first 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.

8. In the biodiversity reserve, no person may

- (1) cause any excessive noise;
- (2) behave in a manner that unduly disturbs other persons 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 or for the permitted use of property, a device or an instrument within the biodiversity reserve is considered excessive or undue.

9. No person may enter, carry on an activity or travel in a vehicle in a given sector of the biodiversity 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.

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

DIVISION III

ACTIVITIES REQUIRING AN AUTHORIZATION

11. No person may occupy or use the same site in the biodiversity reserve for a period of more than 90 days in the same year, unless the person has been authorized by the Minister and complies with the conditions the Minister determines.

(1) For the purposes of the first paragraph,

(a) the occupation or use of a site includes

- i. staying or settling in the biodiversity reserve, including for vacation purposes;
- ii. installing a camp or shelter in the reserve; and
- iii. installing, burying or leaving property in the reserve, including equipment, any device or a vehicle;

(b) “same site” means any other site within a radius of 1 kilometre from the site.

(2) Despite the first paragraph, no authorization is required if a person,

(a) on the effective date of the protection status as a biodiversity reserve, 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;

(b) 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 a, and whose right to occupy the land is renewed or extended on the same conditions, subject to possible changes in fees; or

(c) elects to acquire land the person legally occupies on the effective date of the protection status as a biodiversity reserve, pursuant to the Act respecting the lands in the domain of the State.

12. (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 determined by the Minister for the 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 is not required if a person staying or residing in the biodiversity reserve collects wood to make a campfire.

An authorization is also not required if a person collects firewood to meet domestic needs in the following cases and on the following conditions:

(a) the wood is collected to supply a trapping camp or a rough shelter permitted within the biodiversity reserve if

i. 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;

ii. the quantity of wood collected does not exceed 7 apparent cubic metres per year;

(b) in all other cases if

i. the wood is collected within a sector designated by the Minister of Natural Resources and Wildlife as a sector for which a permit for the harvest of firewood for domestic purposes under the Forest Act may be issued, and for which, on the effective date of the protection status as a biodiversity reserve, a designation as such had already been made by the Minister;

ii. the wood is collected by a person who, on the effective date of the protection status as a biodiversity reserve or in any of the three preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the biodiversity reserve;

iii. 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.

(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 biodiversity reserve in accordance with this conservation plan carries on the forest management activity for the purpose of

(a) clearing the permitted areas, maintaining them or creating visual openings, or 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, including work for access roads, stairs and other trails permitted under those provisions; or

(b) clearing the necessary area for the installation, connection, maintenance, repair, reconstruction or upgrading of facilities, lines or mains for water, sewer, electric power or telecommunications services.

If the work referred to in paragraph *b* 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 in sections 13 and 15.

DIVISION IV AUTHORIZATION EXEMPTIONS

13. Despite the preceding provisions, an authorization is not required for an activity or other form of intervention within the biodiversity 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 disaster. The person concerned must, however, immediately inform the Minister of the activity or intervention that has taken place.

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

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

(1) any activity or intervention required within the biodiversity reserve to complete a project for which express authorization had previously been given by the Government and the Minister, or only by the Minister, 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 the activity or intervention is carried out in conformity 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 ascertain the impact of electric 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.

DIVISION V GENERAL PROVISIONS

16. 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.

17. The Minister's authorization, which is general or for a group, may be communicated for the benefit of the persons concerned by any appropriate means including a posted notice or appropriate signage at the reception centre or any other location within the biodiversity reserve that is readily accessible to the public. The Minister may also provide a copy to any person concerned.

9168

Gouvernement du Québec

O.C. 302-2009, 25 March 2009

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

Establishment of the "Réserve de biodiversité de la Météorite"

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 under section 27 of the Act and that the applicable conservation plan be approved;

WHEREAS, in accordance with section 39 of the Act, following the setting aside of the proposed René-Levasseur island biodiversity reserve, a public consultation was held by the Bureau d'audiences publiques sur l'environnement and the report of the Bureau was made public on 25 September 2003;

WHEREAS the report recommends the assigning of permanent biodiversity reserve status and the extension of the boundaries of the proposed reserve to better protect the ecological integrity of the reserve, considering in particular the regional and national support for the project;

WHEREAS, taking into consideration the recommendations in the report, the Minister has revised and extended the total area of the proposed reserve, has prepared a new conservation plan and has had the plan and technical description of the Réserve de biodiversité de la Météorite prepared;

WHEREAS the land within the reserve 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 Municipalité régionale de comté de Caniapiscau has certified that the proposed biodiversity reserve is consistent with the objectives of its land use planning and development plan;

WHEREAS Municipalité régionale de comté de Manicouagan has amended its land use planning and development plan to ensure that the proposed biodiversity reserve is consistent with its objectives;

WHEREAS the Commission de toponymie has approved the use of the name "Réserve de biodiversité de la Météorite";

WHEREAS, to facilitate the preservation of biodiversity, it is expedient to assign permanent biodiversity reserve status to the land whose plan and technical description are attached to this Order in Council, under the name "Réserve de biodiversité de la Météorite", 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 whose plan and technical description are attached to this Order in Council, under the name "Réserve de biodiversité de la Météorite";

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 come into force on the date of publication in the *Gazette officielle du Québec* of the notice of the decision of the Government provided for in paragraph 3 of section 44 of the Natural Heritage Conservation Act.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

CANADA
PROVINCE OF QUÉBEC
REGISTRATION DIVISION OF SAGUENAY

TECHNICAL DESCRIPTION

RÉSERVE DE BIODIVERSITÉ
DE LA MÉTÉORITE

1. NOTES

In this technical description, the limits defined by the shore of a lake or the bank of a river correspond to the normal high-water mark.

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

The technical description was made using maps from the BDTQ, sheets 22N 07-200-0102, 0202, 22N 08-200-0101, 0102, 0201, 0202, 22N 09-200-0101, 0102 and 22N 10-200-0102 in reference to the Québec plane coordinate system (SCOPQ, Zone 6, central meridian 67° 30' 00" west, NAD83).

In this description, coordinates in parentheses are expressed in metres and were determined graphically on the map drawn to a scale of 1:20 000 produced by the Ministère des Ressources naturelles et de la Faune du Québec, sheets 22N 07-200-0102, 0202, 22N 08-200-0101, 0102, 0201, 0202, 22N 09-200-0101, 0102 and 22N 10-200-0102 in reference to the Québec plane coordinate system (SCOPQ, Zone 6, central meridian 67° 30' 00" west, NAD83).

To an observer looking in the general direction of the description, the right bank of watercourses is on the right of such an observer and the left bank is on the left of the observer.

2. DESCRIPTION OF THE TERRITORY OF THE
RÉSERVE DE BIODIVERSITÉ DE LA MÉTÉORITE

2.1 Designation

A territory of irregular shape in the undivided part of Bassin-de-la-Rivière-Manicouagan and the township of Quertier, in the unorganized territories of Rivière-aux-Outardes and Rivière-Mouchalagane, in the regional county municipalities of Manicouagan and Caniapiscau, in the Côte-Nord administrative region, registration division of Saguenay.

2.2 Perimetre

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

Commencing at point "A" situated at the intersection of spot elevation 362.71 metres of water retaining of the west shore of réservoir Manicouagan and the left bank of a watercourse, (5 709 065 m NORTH, 231 315 m EAST), being point "W" of the technical description of the Réserve écologique Louis-Babel (Order in Council 111-91, 30 January 1991);

Thence, in a general northwesterly direction, along successively the left bank of a watercourse, the shore of a lake skirting it to the south to the northwest edge of the said lake, the bottom of a valley, the left bank of a watercourse to the intersection with lac Iris, namely point "B" (5 710 453 m NORTH, 229 940 m EAST);

Thence, in a general westerly direction, along the shore of the said lake skirting it to the south to the right bank of a watercourse west of the said lake, then the right bank of the said watercourse and the northeast shore of a lake to its intersection with the watershed, namely point "C" (5 710 892 m NORTH, 228 494 m EAST);

Thence, in a general northeasterly direction along the watershed passing by points "D" (5 711 603 m NORTH, 228 211 m EAST), "E" (5 715 307 m NORTH, 231 309 m EAST), "F" (5 716 095 m NORTH, 236 841 m EAST), "G" (5 716 729 m NORTH, 235 702 m EAST), to point "H" (5 716 095 m NORTH, 236 841 m EAST);

Thence, in a general northeasterly direction, along the watershed to spot elevation 362.71 metres of water retaining of the west shore of réservoir Manicouagan, namely point "J" (5 717 084 m NORTH, 238 990 m EAST);

Thence, easterly, along spot elevation 362.71 metres of water retaining of the shore of réservoir Manicouagan, to the point of commencement "A".

2.3 Withdrawal

The following parcels are withdrawn from the Réserve de biodiversité de la Météorite:

2.3.1. The eleven (11) vacation leases approximately 4,000 square metres each.

LEASES	COORD. Y	COORD. X
1	5 695 186.160	236 634.378
2	5 706 502.282	235 424.246
3	5 711 366.713	229 192.397
4	5 701 958.709	241 008.686
5	5 706 954.757	240 355.259
6	5 712 235.245	238 115.361
7	5 709 222.155	238 377.065
8	5 704 840.854	243 133.336
9	5 707 781.021	243 168.983
10	5 717 123.373	239 113.249
11	5 712 445.538	241 592.477

Note: The coordinate for each lease is the centroid in reference to the Québec plane coordinate system (SCOPQ, Zone 6, central meridian 67° 30' 00" west, NAD83).

2.4 Area

The territory of the Réserve de biodiversité de la Météorite has a total area of 23,272 hectares (232.7 km²), excluding vacation leases, and is shown on the attached plan drawn to a scale of 1:50 000 from an extract of the topographical map produced by the Ministère des Ressources naturelles et de la Faune du Québec, sheets 22N 07-200-0102, 0202, 22N 08-200-0101, 0102, 0201, 0202, 22N 09-200-0101, 0102 and 22N 10-200-0102, prepared by Claude Vincent, Land Surveyor, bearing number six thousand one hundred thirty-three (6133) of his minutes.

PREPARED at Québec, this twentieth day of the month of March of the year two thousand and nine.

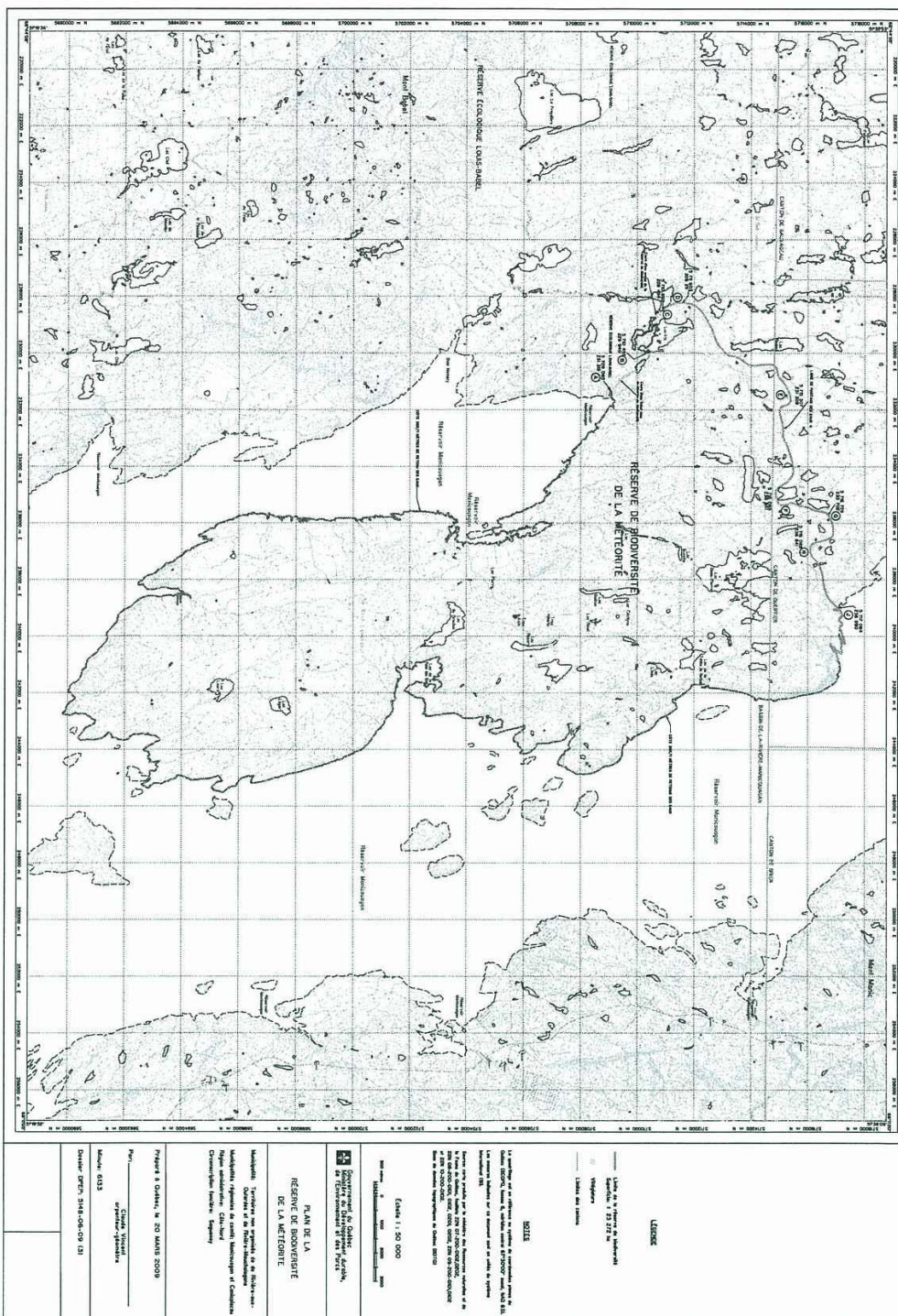
CLAUDE VINCENT,
Land surveyor

TRUE COPY OF THE ORIGINAL

issued on:.....

Land surveyor

MDDEP file: 5148-06-09 (3)
File: 09-100
Minute: 6133





Protected areas
in Québec:

A Lifelong Heritage

Réserve de biodiversité de la Météorite

CONSERVATION PLAN



Québec 

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Introduction

By creating the Réserve de biodiversité de la Météorite, the Québec government is protecting representative samples of the biodiversity of the central Laurentians natural province. Specifically, the biodiversity reserve protects the natural environments characteristic of the

natural region of the Réservoir Manicouagan basin. This biodiversity reserve is part of a vast network of representative and exceptional protected areas that must cover all of Québec's ecosystem types. This network will protect many samples of the ecological variety from anthropogenic disturbances resulting from the industrial use of resources.

The Réserve de biodiversité de la Météorite aims to protect a portion of Île René-Levasseur, whose origins are quite unusual given that it was created as a result of a meteorite colliding with Earth 214 (\pm 1) million years ago. Another particularity of the island is that it was created by the Barrage Daniel-Johnson in 1968. The biodiversity reserve also completes the protection of the vegetation toposéquence and ecological variability of this island, which is already ensured in part by the Réserve écologique Louis-Babel created in 1991. The biodiversity reserve protects low altitude forests that are representative of Québec's natural boreal forest.

The Ministère du Développement durable, de l'Environnement et des Parcs (MDDEP) wishes this natural setting and its associated cultural resources to be known and discovered.

Pursuant to the Natural Heritage Conservation Act (R.S.Q., Chapter C-61.01 sec. 39), the Minister of the Environment mandated the Bureau d'audiences publiques sur l'environnement (BAPE) to hold a public consultation. The consultation began on April 11, 2003. The BAPE submitted its report (181) to the Minister in September 2003, who then made it public. Various proposals for enlarging the reserve were made and some were selected. Certain management terms were also adjusted. The selected approach is to evaluate with the users the potential impact of the various activities that could affect the ecosystems and, as necessary, frame or prohibit them. Also, the terms governing the involvement of the management partners were reviewed. This conservation plan integrates the discussions and thoughts stemming from the public consultation. It will serve as a tool to guide the management process and make official the attribution of a permanent protection status to this part of Île René-Levasseur.

The objective of this conservation plan is to inform the public about the legislative framework that will apply to the biodiversity reserve. Section 4 of the document introduces the Activities framework, which is completed by the standards additional to those in the act found in Appendix 3. The conservation plan also aims to guide the Management Committee, which will be created by specifying the conservation and development objectives specific to the Réserve de biodiversité de la Météorite. These objectives, found in sections 2.1 and 2.2, are summarized as follows:

- Protecting the biodiversity;
- Protect the natural character of the landscapes;
- Encourage knowledge acquisition and follow-up;
- Develop the territory;
- Offer recreational tourism and educational activities;
- Harmonize uses.

1. The territory of the biodiversity reserve

1.1 Conservation project background

In April 1972, UNESCO proposed the creation of an ecological reserve for the entire Île René-Levasseur. In 1991, the Réserve écologique Louis-Babel was set up on 12% of the island further to an agreement between the Pessamit Band Council and the Ministère de l'Environnement du Québec.

In May 2001, the first proposal for application of the status of UNESCO World Biosphere Reserve was submitted for the territory, including Monts Groulx, the Manicouagan astrobleme and the Daniel-Johnson dam (Messier et al., 2001). On September 20, 2007, the efforts of the Comité de création de la Réserve de la biosphère Manicouagan - Uapishka were rewarded and the Manicouagan – Uapishka World Biosphere Reserve was officially designated.

During this time, the organization SOS Levasseur was created to lobby for the protection of the entire island. This organization acquired ecological knowledge about the island in order to promote its conservation.

The creation of the Réserve de biodiversité de la Météorite thus supports a desire to conserve this territory and completes the protection of part of Île René-Levasseur with the Réserve écologique Louis-Babel.

1.2 Official toponym

The official name is Réserve de biodiversité de la Météorite. The name refers to the meteoric origin of Île René-Levasseur.

1.3 Geographic location

The plan of the proposed Réserve de biodiversité de la Météorite is in Appendix 1 and the reserve's boundaries are shown in Appendix 2.

The biodiversity reserve covers part of Île René Levasseur, located on the North Shore, between 51°20' and 51°36' north latitude and 68°21' and 68°36' west longitude. It is situated approximately 235 km north of Baie-Comeau.

The Réserve de biodiversité de la Météorite lies within the unorganized territories of Rivière-aux-Outardes and Rivière-Mouchalagane, which are part of the regional county municipalities (RCM) of Manicouagan and Caniapiscau.

The reserve is east of the Réserve écologique Louis-Babel. The northern boundary is situated on a ridge and follows the peninsula's watershed sub-basin. It connects with the north-east boundary of the Louis-Babel ecological reserve at Lac Iris.

Dimensions and boundaries

It covers almost all the peninsula situated east of Memory Bay. It covers an area of 232.7 km². The west, south and east boundaries of the Réserve de biodiversité de la Météorite correspond to the maximum critical water level of the Réservoir Manicouagan, which is 362.71 metres.

The eleven land rights granted inside the perimeter of the biodiversity reserve prior to its creation are excluded from the final boundaries. The areas excluded are approximately 4,000 m² for each lease for private vacation purposes.

The legal boundaries of the Réserve de biodiversité de la Météorite are defined in the technical description prepared by surveyor Claude Vincent in the minutes as follows: Réserve de biodiversité de la Météorite, minute: 6133.

Access

There is no land access for Île René-Levasseur. Some outfitters along Route 389 offer access ramps for those who wish to cross the Réservoir Manicouagan reservoir by boat. Some lakes are big enough to land a plane.

The Kruger Inc. forestry company built a dock on the south-west side of the reservoir and another one on the island. These ramps are used by trucks to haul wood harvested on the island by barge, from one bank to the other. The company put up signs to tell users where to put their boats into the water.

1.4 Ecological overview

The biodiversity reserve is situated in the Central Laurentides Mountains natural province (Li and Ducruc, 1999). Specifically it protects the natural environments characteristic of the Réservoir Manicouagan basin.

Climate

The area is characterized by a cold, subpolar and subhumid continental climate, with an average growing season (Gerardin and McKenney, 2001). It belongs to the bioclimatic field of mossy spruce stands (Ministère des Ressources naturelles, 2003).

Geology and geomorphology

Île René-Levasseur is in the Grenville geologic province, which is formed of Precambrian rocks deformed over one billion years ago during the Labradorian and Grenvillian orogenies. The bedrock is largely composed of impactite, that is, rocks that recrystallized following a meteoroid impact. The bedrock along the Manicouagan reservoir is also made up of metamorphic rocks, in this case gneiss and paragneiss. From a geomorphologic perspective, the biodiversity reserve is a series of lowlands covered by a thin layer of well-drained till. The altitude is between 360 metres and 630 metres.

Hydrography

Île René-Levasseur is part of the Rivière Manicouagan watershed. The hydrographic network mainly consists of headstreams. It also includes seven lakes, the biggest of which is Lac Beau-Pierre with an approximate size of 2.9 km². Île René-Levasseur was created when the Barrage Daniel-Johnson was built in 1968. Before then, the astrobaleme was occupied by two lakes in the shape of a half-moon, Lac Mouchalagane to the west and Lac Manicouagan to the east.

Vegetation

The forest cover is mostly softwood (black spruce, white spruce and balsam) and the forests are mature and relatively old: 80% are over 120 years. Exclusive black spruce stands cover over nearly 57% of the Réserve de biodiversité de la Météorite and mixed softwood (black spruce, balsam or white spruce) and white birch stands (*Betula papyrifera*) cover 20% of the territory. To a lesser extent, (8%) deciduous white birch and trembling aspen (*Populus tremuloides*) stands are scattered across the peninsula. A few predominantly Jack pine (*Pinus banksiana*) stands are located near the banks of Baie Memory.

The understorey of the black spruce and balsam stands are mostly shrubs like blueberry (*Vaccinium angustifolium*), Labrador tea (*Rhododendron groenlandicum*), creeping snowberry (*Chiogenes hispida*), as well as large-leaf herbaceous varieties such as bunchberry (*Cornus canadensis*). The two most common mosses are *Pleurozium*

schreberi and *Ptilium crista-castrensis*. Where the soil cover is thin, there are black spruce and lichens (*Cladina stellaris*, *C. rangiferina* and *C. mitis*) dominating the understorey and a sublayer of sphagnum moss (*Sphagnum* spp.) in the wetter depressions.

On the peninsula, the vegetation along the water differs from that found further inland. This particular environment was created by the rapid drop in water level of the Manicouagan reservoir. This ecotone, which is a transition zone between the water and forest illustrates the primary succession of the pioneering species from bare ground exposed by the rapid lowering of the water level in the 1980s.

Wildlife

The forest ecotype for the woodland caribou (*Rangifer tarandus caribou*), designated as vulnerable in March 2005, is present on Île René-Levasseur. However, density is very low at approximately 0.3 caribou per 100 km² (Rochette and Gingras, 2001). Density of moose (*Alces alces*) is exceptionally high at 1.5 moose per 10 km² (Rochette and Gingras, 2001) compared to the average density of zone 19 south which includes Île René-Levasseur (0.4 moose per 10 km²; Gingras et al, 1989). The high density is likely due to the drop in water level of Réservoir Manicouagan which allowed for the regrowth of deciduous trees in the intertidal zone.

An inventory conducted on the island in 1975 (Legault, 2001) shows the presence of beaver (*Castor canadensis*), mink (*Mustela vison*), otter (*Lutra canadensis*), willow grouse (*Lagopus lagopus*), hare (*Lepus americanus*), black bear (*Ursus americanus*), wolf (*Canis lupus*), lynx (*Lynx canadensis*) and fox (*Vulpes vulpes*). Also observed were geese, ducks, common loon (*Gavia immer*) and red-tailed hawk (*Buteo jamaicensis*).

Outstanding elements

The Île René-Levasseur sector was formed approximately 214 (± 1) million years ago from the impact of a meteorite of about 5 km in diameter. Its creation in and of itself makes the island a site of exceptional geological interest which must be protected, all the more reason because the Manicouagan astrobaleme is one of the largest meteoric craters on earth.

In other respects, certain forest stands in the biodiversity reserve have been spared from natural disturbance (fire, windfall, insect epidemics) and represents a low-altitude, old-growth forest.

1.5 Land occupation and use

The main land occupations and uses of the Réserve de biodiversité de la Météorite are shown in Appendix 2.

The territory lies totally within Bersimis beaver reserve, in which the Native communities have special rights with regard to the hunting and trapping of fur-bearing animals. The status of biodiversity reserve does not affect their right and traditional practices. No archaeological site has been identified in the biodiversity reserve.

Eleven land rights have been granted in the proposed biodiversity reserve for recreational purposes.

With the exception of hunting, fishing, vacationing and snowmobiling (especially in the western portion of the island), there is no outdoor recreational activity carried on at the moment in the biodiversity reserve. In particular, no hiking trails have been inventoried.

2. Conservation and development

This section describes the conservation and development orientations as well as the specific objectives for the Réserve de biodiversité de la Météorite.

2.1 Biodiversity protection

The first objective of the network of biodiversity and aquatic reserves is to maintain the biodiversity of ecosystems in optimal conditions of integrity and operation. Ecosystem means “all the ecological conditions of habitats, all species and their genetic variability, all populations and all interactions between these components.” Any orientation, management decision or intervention must comply, above all, with this objective.

The main conservation challenge for the Réserve de biodiversité de la Météorite consists in protecting the biodiversity associated with mature, old-growth forests while allowing the practice of recreational activities.

These forests are abundant on the island in contrast to the rest of Québec where their size has decreased as a result of tree-cutting. The Réserve écologique Louis-Babel already protects mountain ecosystems, whereas the Réserve de biodiversité de la Météorite includes a sizable portion of the forests on the lower slopes, thus protecting the island's flora toposequence.

Management of activities in the Réserve de biodiversité de la Météorite must therefore be conducted in keeping with this general conservation objective, which is the protection of mature, old-growth forests.

Protection of the biodiversity must also be associated with the protection of landscapes, as well as existing occupations and uses and compatible with the protection objectives of the biodiversity reserve. Management of existing occupations and uses must be done in a manner that minimizes negative impact on the biodiversity. In the case where archaeological sites are discovered, the archaeological heritage must also be protected and developed.

Specific objectives:

— Protecting the natural aspect of the landscapes

Île René-Levasseur is known for its remarkable natural landscapes. The Ministère du Développement durable, de l'Environnement et des Parcs wishes to maintain the quality of its landscapes. Part of the landscape is protected by another protected area status: the Réserve écologique Louis-Babel. This objective is all the more important given that these landscapes are visible from the summits of Monts Groulx and is therefore an important aspect of the hiking experience of visitors to the Réserve de biodiversité Uapishka. Protection of the western most part of the island therefore protects this magnificent panorama.

Recent and future forestry operations on the rest of the island also risk making it more difficult to maintain the natural character of these landscapes and the ecological integrity around the biodiversity reserve.

The MDDEP aims to work with its partners who occupy the territory and use the resources along its periphery in order to maintain a quality landscape throughout Île René-Levasseur.

— Knowledge acquisition and follow-up

In addition to contributing considerably to reaching specific objectives that are based on the principle of protection of the natural heritage, knowledge acquisition could enable efficient follow-up of the biodiversity and naturalness of the protected area. The acquired knowledge could also contribute to the development of discovery, education and awareness activities and facilitate a mutual understanding of the conservation issues among the management partners and the MDDEP.

In order to encourage knowledge acquisition, the MDDEP wishes to gain the interest of the university community for research. In this respect, the protected areas of Île René-Levasseur are of tremendous interest for scientific research and education, since they offer a broad diversity of environments, ecological conditions, species and landscapes. Moreover, the island is one of

the last places where there are primitive, old-growth softwood forests. The current state of the knowledge offers good possibilities to researchers from a very diverse range of fields including biology, forest ecology, geology and tourism. The insular specificity of the Réserve de biodiversité de la Météorite combined with the presence of an ecological reserve could be of interest to more than one researcher. This different research could enrich future educational programs.

Until recently, the ecosystems on Île René-Levasseur have been practically untouched by human activities and represent a model of ecological integrity as is evidenced by the old-growth forests. In this context, it is important to know the support capacity of the ecosystems in the biodiversity reserve in order to eventually determine tolerance thresholds for the activities practiced there.

The knowledge that is acquired would enable more rigorous analyses of development projects, taking into consideration the support capacity of the biodiversity reserve's ecosystems.

The Native presence on these lands must also be used to promote sharing and transmission of traditional knowledge to subsequent generations.

For the moment, Île René-Levasseur is mostly used by fishers, hunters and trappers. An eventual increase in land use could have serious consequences on these landscapes: various garbage, compaction, increased number of campfires, woodcutting, disorderly motor vehicle traffic, etc. The peat bogs, beaches, floodplains and permafrost are all areas that could be affected by excessive and poorly controlled human presence in the biodiversity reserve. Implementation of a system to follow up on land use could serve to make adjustments according to visible signs of degradation (erosion of the trails, etc.). For the moment, a follow-up system is not necessary but could be put in place as soon as visible signs of degradation appear.

2.2 Sustainable development of the land

According to the information available, the level of use and occupation of the biodiversity reserve is relatively low but the ecosystems are fragile. Sustainable development is possible only if it is limited and well structured. Due to the fragile nature of the ecosystems of the Réserve de biodiversité de la Météorite, the MDDEP plans to frame certain activities and does not intend to develop new activities. However, development proposals will be analysed before being authorized. Development projects of an educational nature with little impact on the environment will be given priority.

Specific objectives:

- Promoting recreational, tourism and educational activities

To reach the conservation objectives, it is necessary to know the land but also to adequately inform, communicate and raise the awareness of users and the population. This communication initiative can take different forms but must be intended to properly explain the ecology of the territory, the reasons for protecting it and the conservation and development objectives.

Several researchers have demonstrated that teaching visitors about practices having less impact on the environment was a more efficient way of protecting the environment than regulations (Widner and Marion, 1993/4). The objective of the Ministère du Développement durable, de l'Environnement et des Parcs is therefore to promote the visitor education regarding good environmental practices, such as practicing outdoor activities in a manner that is respectful of the wildlife and vegetation.

Other than legislation governing prohibited activities or those allowed with or without authorization, one of the means proposed to reach this objective is to make users aware of the eventual impacts of their practices on the territory and inform them about the various ways to reduce or resolve them.

Awareness raising can also be done through the practice of recreational activities that are compatible with the conservation objectives within the territory in order to foster appreciation of protected natural environments.

A code of good practices could be created and afterwards shown to users of the biodiversity reserve so that all the necessary precautions are taken to reduce or minimize their impact on the environment.

In this context, the new activities or new facilities that will contribute to developing the territory must be compatible with the existing ones and must not exceed the natural environment's support capacity. As such, the principle of precaution must be applied to the planning of development activities. Moreover, development of the biodiversity must be in such a manner that an eventual increase in use will not change the environment excessively, to prevent the integrity of the ecosystems and associated cultural resources from being affected in order to maintain the quality of the visitor's "nature" experience. For these reasons, the management committee could specify in the action plan a framework for the practice of recreational and tourism activities in the biodiversity reserve.

— Harmonizing uses

In a few years, it is possible that the forest roads give access to forestry operations adjacent to the Réserve de biodiversité de la Météorite and the Réserve écologique Louis-Babel. If development leads to an increase in use of the biodiversity reserve, harmonization of the different uses should be considered. By defining a conservation vocation to this wild territory, while enabling recreational activities, steps must be taken to evaluate the compatibility of activities with the conservation objectives of the biodiversity reserve and ensure the practice of any one activity does not hinder another. Collaboration between the Ministère and the management partners will be very important for finding compromises and alternatives, if applicable.

3 Zoning

The Réserve de biodiversité de la Météorite consists of only one zone. More specific zoning may be defined in keeping with new ecological knowledge. This knowledge of the environment will serve to better characterize the different ecosystems of the biodiversity reserve and their respective fragility.

Zoning allows for maintaining the existing occupation and pursuit of existing recreational activities. However, the activities may be framed according to their level of impact and specific conservation objectives pursued.

4 Activities framework

4.1 Legal framework under the Natural Heritage Conservation Act

Activities practiced inside the biodiversity reserve are mainly governed by the provisions of the Natural Heritage Conservation Act.

The biodiversity reserve aims to protect the biodiversity associated with the natural settings. For this purpose, it is forbidden to practice activities that can have significant impacts on ecosystems and biodiversity, particularly those of an industrial nature. This type of protected area, however, allows the practice of less damaging activities and occupations, such as those of a recreational, wildlife and educational nature. It is therefore a type of protected area that considers humans as being part of the ecosystem and that allows continued access and limited development.

The biodiversity reserve must therefore be considered as an area devoted to protection of the natural environment, nature discovery and recreation.

It should be remembered that, under the Natural Heritage Conservation Act, the main activities prohibited in a territory with biodiversity reserve status are the following:

- mining, and gas or petroleum development;
- mining, gas and petroleum exploration, including 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);
- the development of hydraulic resources and any production of energy on a commercial or industrial basis.

However fundamental to the long-term protection of the territory and ecosystems, these prohibitions do not, however, cover all the standards deemed desirable to ensure sound management of the reserve and conservation of the environment. The Act allows the government to specify in the conservation plan the legal framework applicable in the reserve.

A more specific framework was therefore developed. Appendix 3 of this plan contains additional standards planned by the government to frame the activities that could take place in the reserve in such a manner as to better protect the natural environment following the conservation principles and other management objectives of the biodiversity reserve. Thus, certain activities are notably subject to prior authorization from the Minister, in keeping with the conditions she has set forth for their realization.

Several provisions of Appendix 3 therefore provide for an authorization schedule by the Minister that will enable the introduction of appropriate implementation guidelines that take the circumstances into consideration.

Examples of this are certain constructions (reception building or shelters) or trails that in many cases may be part of the management and conservation objectives, whereas other types of soilwork or constructions, which are much more damaging for the environment and preservation of the biodiversity, will not be deemed appropriate nor authorized.

Several standards set forth in Appendix 3 are therefore formulated to enable the Minister to introduce an appropriate framework that takes the given context into account and enables her to be flexible when circumstances and characteristics of the environments in question allow for providing adequately guidelines for the realization of different activities.

In other respects it should be noted that the measures contained in this appendix are specifically intended for new interventions on the territory and generally do not question the installations already present or certain activities already underway on the territory, thus preserving several existing compatible uses.

Since the terms of the legal framework in Appendix 3 give little indication of whether or not the requests for authorization will be approved, the MDDEP will publish the criteria it will use in its management to analyse the requests that will be addressed to it. Guides, instructions or directives will be developed and made public. For example, the MDDEP will establish a list of the activities in Appendix 3 that will not be authorized except in exceptional or rare cases given that, above all, their impact is deemed damaging.

On the other hand, despite the introduction of a control plan, a good number of activities may be perceived as being completely compatible with the objectives of the protection status. The authorization plan in this case will aim instead to ensure that the undertaking of these activities is known, allowing the MDDEP to make adjustments as needed with the person concerned.

Finally, in order to avoid controls deemed relatively useless due to the low level of anticipated damage or useless due to overlapping with other control measures provided for by other laws. Appendix 3 also contains certain exemptions from the requirement to obtain authorization before carrying on certain activities (e.g., routine maintenance on existing installations).

4.2 Activities governed by other laws

Certain activities likely to be practiced inside the biodiversity reserve are also governed by other applicable legislative and regulatory provisions, including those requiring a permit or authorization or payment of certain fees. The practice of certain activities may also be prohibited or limited under other laws or regulations applicable on the territory of the biodiversity reserve.

In the biodiversity reserve, a particular legal framework may provide guidelines for the allowed activities, particularly in the following fields:

— Environmental protection: measures provided for particularly under the Environment Quality Act (R.S.Q., c. Q-2) and its regulations.

— Harvesting flora species deemed threatened or likely to be designated as such: measures prohibiting the harvesting of these species under the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01).

— The use and conservation of wildlife species: measures provided for by the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), including the provisions pertaining to threatened or vulnerable wildlife species, to outfitting operations and beaver reserves and the measures contained in applicable federal legislations, in particular the fishery regulation.

— Archaeological research: measures provided for in particular by the Cultural Property Act (L.R.Q., c. B-4).

— Access and land rights related to land in the domain of the state: measures provided for under the Act respecting the lands in the domain of the state (R.S.Q., c. T-8.1) and the Watercourses Act (R.S.Q., c. R-13).

— Issue and control of permits for forestry operations provided for under the Forest Act (R.S.Q., c. F-4.1).

— Circulation: measures provided for in particular by the Act respecting the lands in the domain of the state (R.S.Q., c. T-8.1) as well as regulations governing the circulation of motorized vehicles in certain fragile environments identified under the Environment Quality Act.

— Construction and building standards: regulatory measures adopted by the municipal, regional and local authorities under the applicable laws.

5. Management

The reserve will be managed in a manner to limit perturbations and anthropogenic pressures in an effort to favour the natural dynamic and maintain the natural landscape qualities. It is the ideal area for a quality nature experience where the ecosystems evolved with little influence from humans.

5.1 Responsibilities of the Minister of Sustainable Development, Environment and Parks

Management of the Réserve de biodiversité de la Météorite is the responsibility of the Minister of Sustainable Development, Environment and Parks. Among other things, it oversees the monitoring and control of activities that may be carried on and the application of the law. These management responsibilities are assigned to the MDDEP's North Shore environmental control centre (CCEQ-09). The Minister is assisted in her management duties through the collaboration and participation of other government officials who have specific responsibilities on or near this territory.

5.2 Participation of other actors and integrated management

The MDDEP will benefit from the collaboration and participation of the players concerned in the management of the biodiversity reserve. The management partners of the Ministère du Développement durable, de l'Environnement et des Parcs are many. The management committee under the responsibility of the MDDEP's North Shore regional office will have the mandate to develop an action plan aimed at the conservation and development of the biodiversity reserve. The partners identified to be part of the management committee are SOS Levasseur association, the Pessamit native community and the Comité de création de la Réserve de la biosphère Manicouagan - Uapishka. These organizations represent the different interests of the region because the representatives of the Société des amis des monts Groulx, RCMs, regional tourist associations, forestry companies, environmental and native groups sit on the committees. Also, local and regional organizations and vacation resort and user associations can be called upon to act as a partner based on the priorities established by the management committee.

Notably, the action plan will determine the actions to take, the preferred methods, the actors identified to perform the actions, the timetable and the evaluation mechanism for the results of these actions.

The Ministère du Développement durable, de l'Environnement et des Parcs would like the management of the Réserve de biodiversité de la Météorite to be an opportunity for local and regional partners to work together to protect and develop Île René-Levasseur. Thus, they will develop a shared vision of how to make the population more aware of the importance of protecting the biological diversity and enable responsible development.

5.3 Follow-up

As mentioned under "Conservation and Development," a follow-up of the state of the natural environment will be set up, in cooperation with the regional and local parties concerned.

Ideally, a mechanism should be set up to keep track of the conservation objectives and, as needed, rectify the strategies in place to reach them. It is also hoped that management of the biodiversity reserve respects the following conservation principles:

- Maintain the natural dynamic of the ecosystems;
- Restore, as needed and in the long term, disturbed ecosystems;

- Enable the practice of activities and development of the territory in keeping with the support capacity of the ecosystems (or according to the principle of precaution in the absence of sufficient knowledge);

- Authorize non-commercial sampling activities, but without supporting them;

- Encourage the acquisition and dissemination of knowledge about natural and cultural heritage;

- Harmonize land management in the peripheral areas with the conservation objectives of the biodiversity reserve.

Conclusion

Given the exceptional event that caused its creation, Île René-Levasseur belongs to the category of so-called irreplaceable areas, which makes it a necessity to preserve a large part of it. The Réserve de biodiversité de la Météorite also allows for protecting an important segment of primitive low-attitude coniferous, old-growth forests. Moreover, it completes the protection of the ecological toposequence which was already protected in part by the Réserve écologique Louis-Babel.

From the Réserve de biodiversité Uapishka, it is possible to admire the entire peninsula and most of the west side of the Île René-Levasseur. The Réserve de biodiversité de la Météorite therefore protects part of this panorama. The quality of these wild landscapes is essential in maintaining one of the attractions of the Réserve de biodiversité Uapishka. It was necessary as a result to protect the future of this geological jewel, while allowing development of its riches for the benefit of all.

It is appropriate to point out here the energy deployed by the local players in seeking to preserve the environment of Île René-Levasseur. Protection of this unique natural site crowns their efforts. In fact, the Réserve de biodiversité de la Météorite will benefit local and regional communities first, as an area to relax and fully enjoy its attractions. In this perspective in fact that the MDDEP proposed to implement management that calls on the partnership of organizations based in the community. In this perspective, a management committee will become the preferred partner of the Ministère for all issues related to the drawing up of an action plan and management planning in the Réserve de biodiversité de la Météorite.

Conservation of this territory, devoted to recreation, natural heritage discovery activities, education and scientific research to contribute to consolidating the local tourism offer. The territory with its natural character, old-growth forests and geological uniqueness offers a guaranteed recreational and tourism interest.

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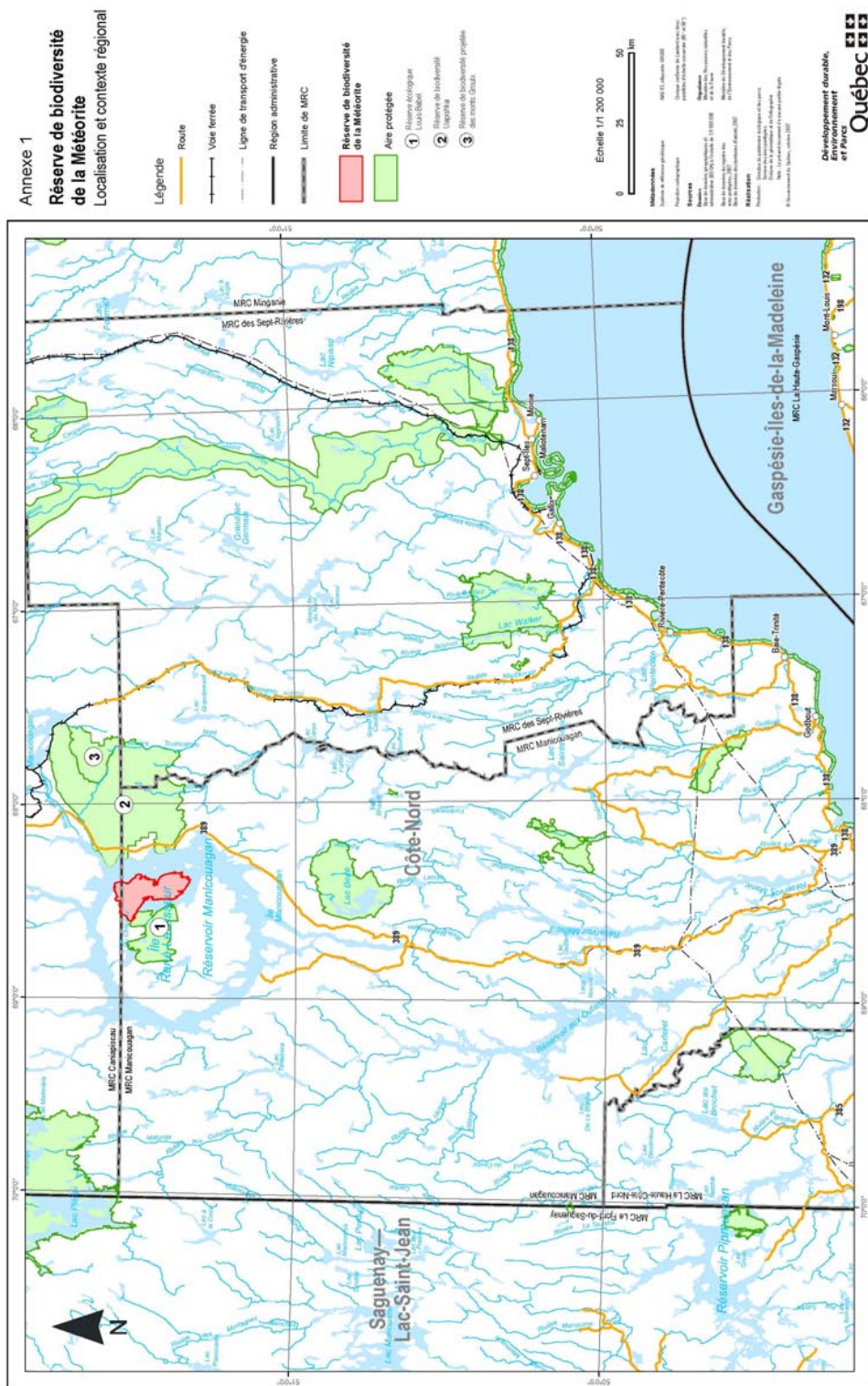
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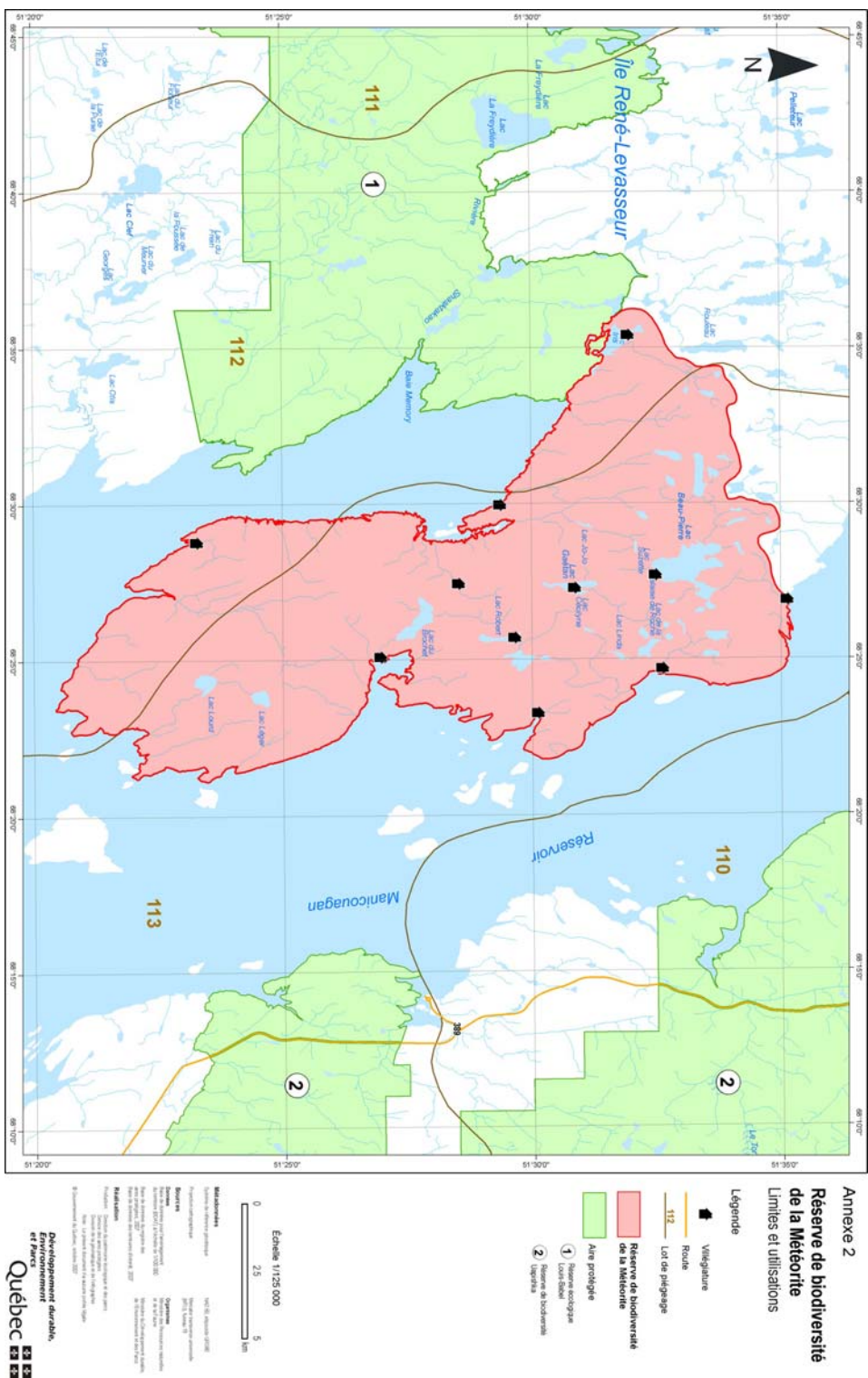
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APPENDIX 1 RÉSERVE DE BIODIVERSITÉ DE LA MÉTÉORITE: LOCATION OF THE TERRITORY AND REGIONAL CONTEXT



APPENDIX 2

RÉSERVE DE BIODIVERSITÉ DE LA MÉTÉORITE: BOUNDARIES AND USE OF THE TERRITORY



APPENDIX 3

ACTIVITIES FRAMEWORK IN THE RÉSERVE DE BIODIVERSITÉ DE LA MÉTÉORITE

— STANDARDS ADDITIONAL TO THOSE IN THE ACT

PROHIBITIONS, PRIOR AUTHORIZATIONS AND OTHER CONDITIONS GOVERNING ACTIVITIES IN THE BIODIVERSITY RESERVE

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

DIVISION I

PROTECTION OF RESOURCES AND THE NATURAL ENVIRONMENT

1. Subject to the prohibition in the second paragraph, no person may establish in the biodiversity reserve any specimens or individuals of a native or non-native species of fauna, including by stocking, 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.

No person may establish in the biodiversity reserve a non-native species of flora, unless the person has been authorized by the Minister and complies with the conditions the Minister determines.

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 of rehabilitating degraded environments or habitats within the biodiversity reserve, and the interest in reintroducing certain species that have disappeared.

2. No person may use fertilizer or fertilizing material in the biodiversity reserve. Compost for domestic purposes is permitted if used at least 20 metres from a watercourse or body of water measured from the high-water mark.

The high-water mark means the high-water mark defined in the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains, adopted by Order in Council 468-2005 dated 18 May 2005.

3. 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, including a marsh, swamp or bog;

(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) install or erect any structure, infrastructure or new works in or on the bed, banks, shores or floodplain of a watercourse or body of water, although no authorization is required for minor works such as a wharf, platform or boathouse erected for private purposes and free of charge under section 2 of the Regulation respecting the water property in the domain of the State made by Order in Council 81-2003 dated 29 January 2003;

(5) carry on any activity other than those referred to in the preceding subparagraphs that is likely to degrade the bed, banks or shores of a body of water or watercourse or directly and substantially affect the quality of the biochemical characteristics of aquatic or riparian environments or wetland areas in the biodiversity reserve, including by discharging or dumping waste or pollutants into those areas;

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

(7) install or erect any structure, infrastructure or new works;

(8) reconstruct or demolish an existing structure, infrastructure or works,

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

(11) 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

(12) hold a sports event, tournament, rally or similar event if more than 15 persons are likely to participate in the activity and have access to the biodiversity 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 biodiversity reserve is highly unfeasible.

The conditions determined by the Minister for the 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 on-site materials, 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 11 of the first paragraph refers.

4. Despite subparagraphs 6, 7, 8 and 9 of the first paragraph of section 3, no authorization is required to carry out work referred to in subparagraph 1 of this section when the requirements of subparagraph 2 are met.

(1) The work involves

(a) work to maintain, repair or upgrade an existing structure, infrastructure or works such as a camp, cottage, road or trail, including ancillary facilities such as lookouts or stairs;

(b) the construction or erection of

i. an appurtenance or ancillary facility of a trapping camp, rough shelter, shelter or cottage such as a shed, well, water intake or sanitary facilities; or

ii. a trapping camp, rough shelter, shelter or cottage if such a building was permitted under the right to use or occupy the land but had not been constructed or installed on the effective date of the status as a biodiversity reserve; or

(c) the demolition or reconstruction of a trapping camp, rough shelter, shelter or cottage, including an appurtenance or ancillary facility such as a shed, well, water intake or sanitary facilities.

(2) The work is carried out in compliance with the following requirements:

(a) the work involves a structure, infrastructure or works permitted within the biodiversity reserve;

(b) the work is carried out within the area of land or right-of-way subject to the right to use or occupy the land in the biodiversity reserve, whether the right results from a lease, servitude or other form of title, permit or authorization;

(c) the nature of the work or elements erected by the work will not operate to increase the area of land that may remain deforested beyond the limits permitted under the provisions applicable to the sale, lease and granting of immovable rights under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and, if applicable, the limits allowed under an authorization for the structure, works or infrastructure; and

(d) the work is carried out in compliance with the conditions of a permit or authorization issued for the work or in connection with the structure, infrastructure or works involved, and in accordance with the laws and regulations that apply.

For the purposes of this section, repair and upgrading work includes work to replace or erect works or facilities to comply with the requirements of an environmental regulation.

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

Despite the first paragraph, an outfitting operation does not require an authorization to use a disposal facility or site in compliance with the Environment Quality Act and its regulations if the outfitting operation was already using the facility or site on the effective date of the protection status as a biodiversity reserve.

DIVISION II

RULES OF CONDUCT FOR USERS

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

7. Every person who makes a campfire must

(1) first 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.

8. In the biodiversity reserve, no person may

(1) cause any excessive noise;

(2) behave in a manner that unduly disturbs other persons 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 or for the permitted use of property, a device or an instrument within the biodiversity reserve is considered excessive or undue.

9. No person may enter, carry on an activity or travel in a vehicle in a given sector of the biodiversity 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.

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

DIVISION III

ACTIVITIES REQUIRING AN AUTHORIZATION

11. No person may occupy or use the same site in the biodiversity reserve for a period of more than 90 days in the same year, unless the person has been authorized by the Minister and complies with the conditions the Minister determines.

(1) For the purposes of the first paragraph,

(a) the occupation or use of a site includes

i. staying or settling in the biodiversity reserve, including for vacation purposes;

ii. installing a camp or shelter in the reserve; and

iii. installing, burying or leaving property in the reserve, including equipment, any device or a vehicle;

(b) “same site” means any other site within a radius of 1 kilometre from the site.

(2) Despite the first paragraph, no authorization is required if a person,

(a) on the effective date of the protection status as a biodiversity reserve, 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;

(b) 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 *a*, and whose right to occupy the land is renewed or extended on the same conditions, subject to possible changes in fees; or

(c) elects to acquire land the person legally occupies on the effective date of the protection status as a biodiversity reserve, pursuant to the Act respecting the lands in the domain of the State.

12. (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 determined by the Minister for the 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 is not required if a person staying or residing in the biodiversity reserve collects wood to make a campfire.

An authorization is also not required if a person collects firewood to meet domestic needs in the following cases and on the following conditions:

(a) the wood is collected to supply a trapping camp or a rough shelter permitted within the biodiversity reserve if

i. 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;

ii. the quantity of wood collected does not exceed 7 apparent cubic metres per year;

(b) in all other cases if

i. the wood is collected within a sector designated by the Minister of Natural Resources and Wildlife as a sector for which a permit for the harvest of firewood for domestic purposes under the Forest Act may be issued, and for which, on the effective date of the protection status as a biodiversity reserve, a designation as such had already been made by the Minister;

ii. the wood is collected by a person who, on the effective date of the protection status as a biodiversity reserve or in any of the three preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the biodiversity reserve;

iii. 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.

(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 biodiversity reserve in accordance with this conservation plan carries on the forest management activity for the purpose of

(a) clearing the permitted areas, maintaining them or creating visual openings, or 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, including work for access roads, stairs and other trails permitted under those provisions; or

(b) clearing the necessary area for the installation, connection, maintenance, repair, reconstruction or upgrading of facilities, lines or mains for water, sewer, electric power or telecommunications services.

If the work referred to in paragraph *b* 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 in sections 13 and 15.

DIVISION IV **AUTHORIZATION EXEMPTIONS**

13. Despite the preceding provisions, an authorization is not required for an activity or other form of intervention within the biodiversity 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 disaster. The person concerned must, however, immediately inform the Minister of the activity or intervention that has taken place.

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

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

(1) any activity or intervention required within the biodiversity reserve to complete a project for which express authorization had previously been given by the Government and the Minister, or only by the Minister, 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 the activity or intervention is carried out in conformity 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 ascertain the impact of electric 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.

DIVISION V

GENERAL PROVISIONS

16. 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.

17. The Minister's authorization, which is general or for a group, may be communicated for the benefit of the persons concerned by any appropriate means including a posted notice or appropriate signage at the reception centre or any other location within the biodiversity reserve that is readily accessible to the public. The Minister may also provide a copy to any person concerned.

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Gouvernement du Québec

O.C. 303-2009, 25 March 2009

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

Amendment to the plan of the proposed Monts Groulx biodiversity reserve and to its conservation plan

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

WHEREAS, under section 31 of the Act, the Minister may, on the same conditions, amend, replace or revoke the plan of land set aside under section 27 of the Act or the conservation plan established for that land, and no amendment to or replacement of a plan may affect the period of time for which the land has been set aside;

WHEREAS, under section 90 of the Act, the territory of the proposed Monts Groulx protected area is deemed to have been set aside as a proposed biodiversity reserve,

for a period of four years beginning on 19 June 2003, the plan of that area and its conservation plan having been approved by Order in Council 1269-2003 dated 3 December 2003;

WHEREAS, in accordance with section 28 of the Act, the extension of the setting aside of the area, for an additional period of four years beginning on 19 June 2007, was authorized by Order in Council 132-2007 dated 14 February 2007;

WHEREAS, in accordance with section 39 of the Act, following the setting aside of the area of the proposed Monts Groulx biodiversity reserve, a public consultation was held by the Bureau d'audiences publiques sur l'environnement and the report of the Bureau was made public on 25 September 2003;

WHEREAS the report recommended the assigning of permanent protection status to certain parts of the territory of the proposed Monts Groulx biodiversity reserve as biodiversity reserves and ecological reserves and that the boundaries of the proposed territory be extended to better protect the ecological integrity of the reserve;

WHEREAS, in accordance with section 43 of the Act and taking into consideration the recommendations of the Bureau d'audiences publiques sur l'environnement, the Government assigned permanent protection status to part of the proposed Monts Groulx biodiversity reserve as a biodiversity reserve in accordance with revised boundaries, under the name "Réserve de biodiversité Uapishka", as it appears in Order in Council 301-2009 dated 25 March 2009;

WHEREAS it is expedient to amend the plan of the proposed Monts Groulx biodiversity reserve and its conservation plan to maintain the temporary protection of the remaining part of its territory in accordance with revised boundaries;

WHEREAS it is advisable for the amended plans to be approved and to come into force on the date of their publication in the *Gazette officielle du Québec*;

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

THAT the plan of the proposed Monts Groulx biodiversity reserve and its conservation plan, attached to this Order in Council, be approved as amended;

THAT the amended plans take effect on the date of their publication in the *Gazette officielle du Québec*.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

QUÉBEC STRATEGY FOR PROTECTED AREAS



Réserve de biodiversité projetée des monts Groulx

(provisional name)

Conservation plan



Février 2009

1. Protection status and toponym

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

The permanent protection status planned is “ecological reserve,” which is a status governed by the Natural Heritage Protection Act.

The provisional toponym is “Réserve de biodiversité projetée des monts Groulx.” The official toponym will be determined at the time of the assignment of permanent protection status to the land.

2. Plan and description

2.1. Location, boundaries and dimensions

The boundaries and location of the Réserve de biodiversité projetée des monts Groulx are given in the appendix.

The Réserve de biodiversité projetée des monts Groulx is located on the North Shore, between 51°32' and 51°44' north latitude and 67°35' and 67°54' west longitude. It is located approximately 265 km north of Baie-Comeau and covers a part of the Monts Groulx massif. It is almost totally located within the unorganized territories of Rivière-Mouchalagane, in regional county municipality (RCM) of Caniapiscau. Somewhat less than 2% of the reserve is located in the unorganized territory of Lac-Walker in RCM of Sept-Rivières.

The Réserve de biodiversité projetée des monts Groulx covers an area of 209.8 km². It is surrounded to the north, to the west and to the south by the Réserve de biodiversité Uapishka. Only the east side of the reserve borders an unprotected territory.

2.2. Ecological overview

The Réserve de biodiversité projetée des monts Groulx is part of the Monts Groulx massif which extends from the Réservoir Manicouagan to the Rivière Sainte-Marguerite. The massif is formed of more or less regular, long slopes that culminate in a long plateau with a number of peaks that are over 1,000 metres high. The proposed biodiversity reserve is located within the Central Laurentides natural province. Specifically it protects the natural environments characteristic of the natural regions of the Sainte-Marguerite plateau.

2.2.1. Representative elements

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

Geologic and geomorphology: The Monts Groulx massif is in the Grenville geologic province, which is formed of Precambrian rocks deformed over one billion years ago during the Labradorian and Grenvillian orogenies. The bedrock in the proposed reserve is mainly metamorphic rocks (diorite, gabbro-norite and metagabbro-norite) and to a lesser extent of paragneiss and anorthosite. Over time, the zone of igneous rock protected a part of the metamorphic rocks from erosion, which contributed to the formation of the Monts Groulx massif. From a geomorphologic perspective, the peaks of the highland have rocky outcrops. The flanks are covered with a deposit of till that is up to several metres thick in the concave parts of the longer slopes. The valley bottoms are covered with recent alluvial deposits, fluvial deposits, and frequently peat-covered sandy, fluvio-glacial deposits. In the proposed biodiversity reserve the altitude varies from 547 metres to 1,098 metres.

Hydrography: Headstreams flow through the biodiversity reserve into the Rivière Toulmoustou and Rivière Hart-Jaune. Also lying within the reserve is Lac Raudot located to the north and another neighboring lake that has no name. The southern boundary is limited by Rivière Beaupin and a series of lakes to the east, located outside the reserve. To the extreme east of the proposed biodiversity reserve is part of the valley gorge of the Rivière Toulmoustou-Nord.

Vegetation: The proposed biodiversity reserve forest is mainly black spruce (*Picea mariana*), white spruce (*Picea glauca*) and balsam fir (*Abies balsamea*) on the slopes, and the peak plateau is covered in alpine heath and a few peat bogs.

Wildlife: The Monts Groulx massif is possibly home to the wolverine (*Gulo gulo*), a threatened species. Woodland caribou, a forest ecotype (*Rangifer tarandus caribou*), and a species that was designated as vulnerable in March 2005, was also observed on the massif. Four other animals with protection status are also present in the sector: royal eagle (*Aquila chrysaetos*), bald eagle (*Haliaeetus leucocephalus*), rock vole (*Microtus chrotorrhinus*) and least weasel (*Mustela nivalis*).

2.2.2. Outstanding elements

The Monts Groulx massif is one of the areas in southern Québec with the largest expanse of arctic alpine tundra with a rare and diverse flora at this altitude. To date, one species likely to be designated as threatened or vulnerable, the mountain dandelion (*Agoseris aurantiaca*), was identified in the proposed biodiversity reserve.

2.3. Occupation and land use

The territory lies completely within the Bersimis and Saguenay beaver reserves in which the Pessamit and Uashat Innu communities have special hunting and trapping rights for fur-bearing animals.

There are no land rights on the territory of the proposed biodiversity reserve.

3. Activities framework

§1. Introduction

Activities carried on within the proposed 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 provides the framework for the various activities permitted so as to better protect the natural environment in keeping with the conservation principles and other management objectives established for the proposed reserves. Accordingly, certain activities require the prior authorization of the Minister and compliance with the conditions determined by the Minister. The permitted and prohibited activities considered for the period that follows the granting of a permanent status by the government are those mentioned under section 46 and 48 of the act.

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

- mining, and gas or petroleum development;
- forest management within the meaning of section 3 of the Forest Act (R.S.Q., c. F-4.1); 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 proposed reserve

§2.1. Protection of resources and the natural environment

3.1. Subject to the prohibition in the second paragraph, no person may establish in the proposed reserve any specimens or individuals of a native or non-native species of fauna, including by stocking, 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.

No person may establish in the proposed reserve a non-native species of flora, unless the person has been authorized by the Minister and complies with the conditions the Minister determines.

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 of rehabilitating degraded environments or habitats within the proposed reserve, and the interest in reintroducing certain species that have disappeared.

3.2. No person may use fertilizer or fertilizing material in the proposed reserve. Compost for domestic purposes is permitted if used at least 20 metres from a watercourse or body of water measured from the high-water mark.

The high-water mark means the high-water mark defined in the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains, adopted by Order in Council 468-2005 dated 18 May 2005.

3.3. 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, including a marsh, swamp or bog;

(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) install or erect any structure, infrastructure or new works in or on the bed, banks, shores or floodplain of a watercourse or body of water, although no authorization is required for minor works such as a wharf, platform or boathouse erected for private purposes and free of charge under section 2 of the Regulation respecting the water property in the domain of the State made by Order in Council 81-2003 dated 29 January 2003;

(5) carry on any activity other than those referred to in the preceding subparagraphs that is likely to degrade the bed, banks or shores of a body of water or watercourse or directly and substantially affect the quality of the biochemical characteristics of aquatic or riparian environments or wetland areas in the proposed reserve, including by discharging or dumping waste or pollutants into those areas;

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

(7) install or erect any structure, infrastructure or new works;

(8) reconstruct or demolish an existing structure, infrastructure or works,

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

(11) 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

(12) hold a sports event, tournament, rally or similar event if more than 15 persons are likely to participate in the activity and have access to the proposed 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 proposed reserve is highly unfeasible.

The conditions determined by the Minister for the 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 on-site materials, 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 11 of the first paragraph refers.

3.4. Despite subparagraphs 6, 7, 8 and 9 of the first paragraph of section 3.3, no authorization is required to carry out work referred to in subparagraph 1 of this section when the requirements of subparagraph 2 are met.

(1) The work involves

(a) work to maintain, repair or upgrade an existing structure, infrastructure or works such as a camp, cottage, road or trail, including ancillary facilities such as lookouts or stairs;

(b) the construction or erection of

i. an appurtenance or ancillary facility of a trapping camp, rough shelter, shelter or cottage such as a shed, well, water intake or sanitary facilities; or

ii. a trapping camp, rough shelter, shelter or cottage if such a building was permitted under the right to use or occupy the land but had not been constructed or installed on the effective date of the status as a proposed reserve; or

(c) the demolition or reconstruction of a trapping camp, rough shelter, shelter or cottage, including an appurtenance or ancillary facility such as a shed, well, water intake or sanitary facilities.

(2) The work is carried out in compliance with the following requirements:

(a) the work involves a structure, infrastructure or works permitted within the proposed reserve;

(b) the work is carried out within the area of land or right-of-way subject to the right to use or occupy the land in the proposed reserve, whether the right results from a lease, servitude or other form of title, permit or authorization;

(c) the nature of the work or elements erected by the work will not operate to increase the area of land that may remain deforested beyond the limits permitted under the provisions applicable to the sale, lease and granting of immovable rights under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and, if applicable, the limits allowed under an authorization for the structure, works or infrastructure; and

(d) the work is carried out in compliance with the conditions of a permit or authorization issued for the work or in connection with the structure, infrastructure or works involved, and in accordance with the laws and regulations that apply.

For the purposes of this section, repair and upgrading work includes work to replace or erect works or facilities to comply with the requirements of an environmental regulation.

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

Despite the first paragraph, an outfitting operation does not require an authorization to use a disposal facility or site in compliance with the Environment Quality Act and its regulations if the outfitting operation was already using the facility or site on the effective date of the protection status as a proposed reserve.

§2.2. Rules of conduct for users

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

3.7. Every person who makes a campfire must

(1) first 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.

3.8. In the proposed reserve, no person may

(1) cause any excessive noise;

(2) behave in a manner that unduly disturbs other persons or interferes with their enjoyment of the proposed 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 or for the permitted use of property, a device or an instrument within the proposed reserve is considered excessive or undue.

3.9. No person may enter, carry on an activity or travel in a vehicle in a given sector of the proposed 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.

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

§2.3. Activities requiring an authorization

3.11. No person may occupy or use the same site in the proposed reserve for a period of more than 90 days in the same year, unless the person has been authorized by the Minister and complies with the conditions the Minister determines.

(1) For the purposes of the first paragraph,

(a) the occupation or use of a site includes

i. staying or settling in the proposed reserve, including for vacation purposes;

ii. installing a camp or shelter in the proposed reserve; and

iii. installing, burying or leaving property in the proposed reserve, including equipment, any device or a vehicle;

(b) “same site” means any other site within a radius of 1 kilometre from the site.

(2) Despite the first paragraph, no authorization is required if a person,

(a) on the effective date of the protection status as a proposed reserve, 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;

(b) 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 *a*, and whose right to occupy the land is renewed or extended on the same conditions, subject to possible changes in fees; or

(c) elects to acquire land the person legally occupies on the effective date of the protection status as a proposed reserve, pursuant to the Act respecting the lands in the domain of the State.

3.12. (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 determined by the Minister for the 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 is not required if a person staying or residing in the proposed reserve collects wood to make a campfire.

An authorization is also not required if a person collects firewood to meet domestic needs in the following cases and on the following conditions:

(a) the wood is collected to supply a trapping camp or a rough shelter permitted within the proposed reserve if

i. 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;

ii. the quantity of wood collected does not exceed 7 apparent cubic metres per year;

(b) in all other cases if

i. the wood is collected within a sector designated by the Minister of Natural Resources and Wildlife as a sector for which a permit for the harvest of firewood for domestic purposes under the Forest Act may be issued, and for which, on the effective date of the protection status as a proposed reserve, a designation as such had already been made by the Minister;

ii. the wood is collected by a person who, on the effective date of the protection status as a proposed reserve or in any of the three preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the proposed reserve;

iii. 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.

(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 proposed reserve in accordance with this conservation plan carries on the forest management activity for the purpose of

(a) clearing the permitted areas, maintaining them or creating visual openings, or 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, including work for access roads, stairs and other trails permitted under those provisions; or

(b) clearing the necessary area for the installation, connection, maintenance, repair, reconstruction or upgrading of facilities, lines or mains for water, sewer, electric power or telecommunications services.

If the work referred to in paragraph *b* 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 in sections 3.13 and 3.15.

§ 2.4. Authorization exemptions

3.13. Despite the preceding provisions, an authorization is not required for an activity or other form of intervention within the proposed 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 disaster. The person concerned must, however, immediately inform the Minister of the activity or intervention that has taken place.

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

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

(1) any activity or intervention required within the proposed reserve to complete a project for which express authorization had previously been given by the Government and the Minister, or only by the Minister, 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 the activity or intervention is carried out in conformity 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 ascertain the impact of electric 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

3.16. 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.

3.17. The Minister's authorization, which is general or for a group, may be communicated for the benefit of the persons concerned by any appropriate means including a posted notice or appropriate signage at the reception centre or any other location within the proposed reserve that is readily accessible to the public. The Minister may also provide a copy to any person concerned.

§3. Activities governed by other statutes

Certain activities likely to be carried on within the proposed 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 proposed reserve.

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

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

— Removal of species of flora designated as threatened or vulnerable: measures set out in the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01) prohibiting the removal of such species;

— Development and conservation 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 threatened or vulnerable wildlife species, to outfitting operations and beaver reserves and the measures contained in applicable federal legislations, in particular the fishery regulation;

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

— Access and land rights related to the domain of the State: 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 Watercourses Act (R.S.Q., c. R-13);

— Issue and supervision of forest management permits: measures set out in the Forest Act (R.S.Q., c. F-4.1).

— 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 respecting motor vehicle traffic in certain fragile environments made under the Environment Quality Act;

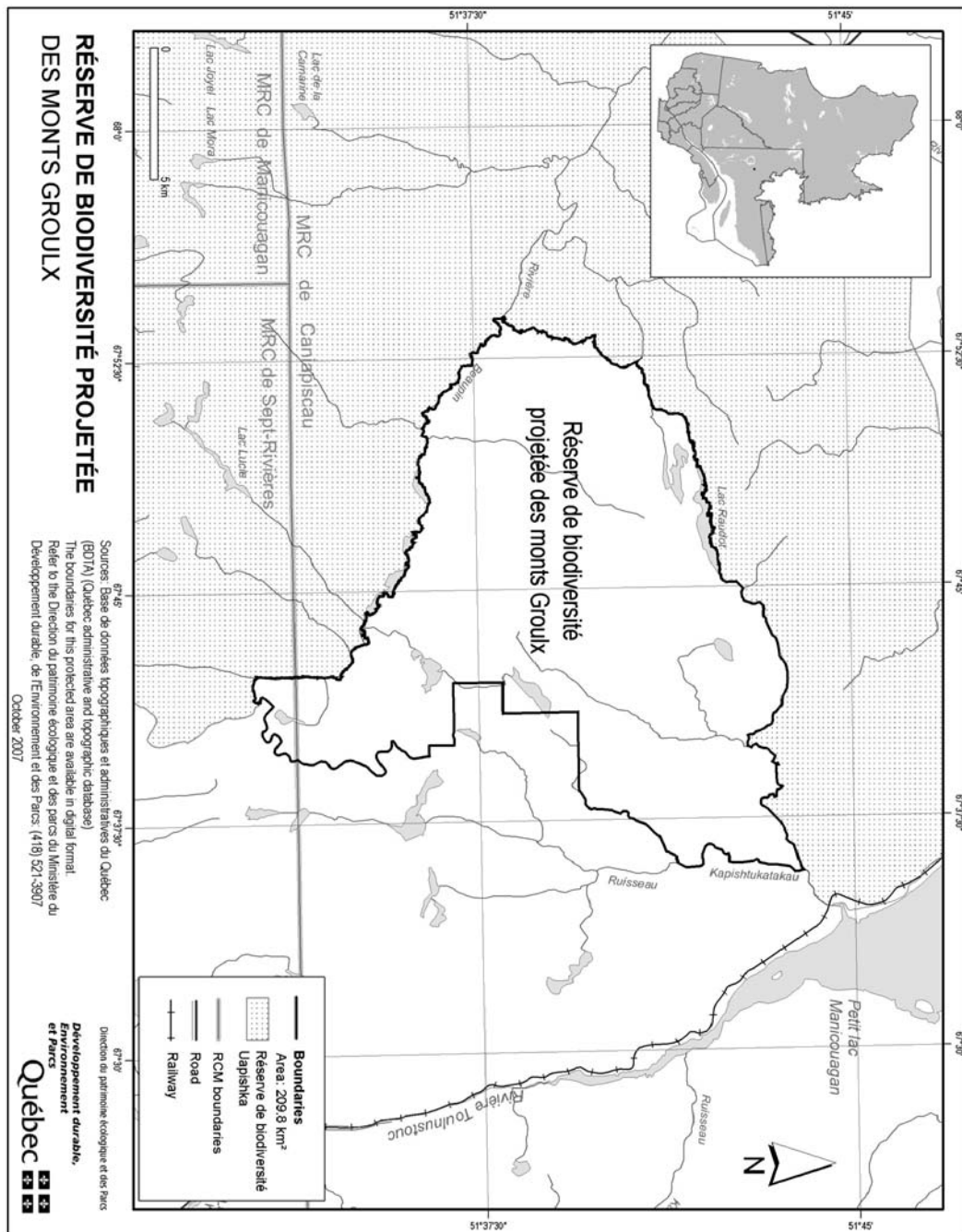
— Construction and development standards: regulatory measures adopted by regional and local municipal authorities under the Acts applicable to them.

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

The Minister of Sustainable Development, Environment and Parks is responsible for the conservation and management of the Réserve de biodiversité projetée des monts Groulx. It is therefore responsible for the supervision and monitoring of the activities that may be carried on within the reserve. The Minister undertakes the management of the reserve in collaboration with other government representatives that have specific responsibilities within the boundaries of the reserve or on adjoining land, such as the Minister of Natural Resources and Wildlife. In the exercise of their functions, the ministers will take into consideration the protection sought for these natural environments and the protection status that has been granted. With regard to zoning, given that the conservation objectives for the provisional protection period are the same for the entire territory, the proposed reserve consists of one conservation zone only.

APPENDIX

MAP OF THE RÉSERVE DE BIODIVERSITÉ PROJÉTÉE DES MONTS GROULX



Gouvernement du Québec

O.C. 304-2009, 25 March 2009

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

Authorization to assign the status of proposed biodiversity reserve to 12 territories and approval of the plan of each area and their conservation plan

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

WHEREAS the ecological value of the territories listed below requires that they be protected to ensure the preservation of their biodiversity in order to establish new protected areas;

WHEREAS it is advisable to authorize the Minister of Sustainable Development, Environment and Parks to assign the status of proposed biodiversity reserve to the proposed territories of Fjord-Tursukattaq, Kangiqsujuaq, Rivière-Vachon, Quaqtaq-Kangirsuk, Estuaire-des-Rivières-Koktac-et-Nauberakvik, Drumlins-du-Lac-Viennaux, Rivière-Delay, Lac-Sérigny, Hirondelle, Domaine-La-Vérendrye, Station-de-Biologie-des-Laurentides and Grandes-Piles;

WHEREAS it is expedient to approve the conservation plan of each of the proposed biodiversity reserves and the plan attached thereto;

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

THAT the Minister of Sustainable Development, Environment and Parks be authorized to assign the status of proposed biodiversity reserve to the proposed territories of Fjord-Tursukattaq, Kangiqsujuaq, Rivière-Vachon, Quaqtaq-Kangirsuk, Estuaire-des-Rivières-Koktac-et-Nauberakvik, Drumlins-du-Lac-Viennaux, Rivière-Delay, Lac-Sérigny, Hirondelle, Domaine-La-Vérendrye, Station-de-Biologie-des-Laurentides and Grandes-Piles;

THAT the conservation plan of each of the proposed biodiversity reserves and the plan attached thereto, which are attached as a schedule to this Order in Council, be approved.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

QUÉBEC STRATEGY FOR PROTECTED AREAS



Réserve de biodiversité projetée du Fjord- Tursukattaq

Conservation plan



February 2009

1. Protection status and toponym

The protection status of the territory described below is a proposed biodiversity reserve governed by the provisions of the Natural Heritage Conservation Act (R.S.Q., c. C-61.01).

The envisaged permanent protected status is a “biodiversity reserve” governed by the provisions of the Natural Heritage Conservation Act.

The provisional toponym is “Réserve de biodiversité projetée du Fjord-Tursukattaq”. The official toponym will be determined at the time when permanent protection status is accorded to the territory.

2. Plan and description

2.1. Geographic location, boundaries and dimensions

The boundaries and location of the Réserve de biodiversité projetée du Fjord-Tursukattaq appear on the map that constitutes Appendix 1.

The Réserve de biodiversité projetée du Fjord-Tursukattaq is located between 61°40'43'' and 62°13'40'' latitude north and 72°22'28'' and 73°25'35'' longitude west, 31 km northwest of the Inuit community of Kangiqsujuaq. It covers an area of 1959.8 km², mainly in the unincorporated territory of Rivière-Koksoak, part of the territory of the Kativik Regional Government in the Nord-du-Québec administrative region.

2.2. Ecological overview

The Réserve de biodiversité projetée du Fjord-Tursukattaq is located in the Ungava Peninsula natural province, in the Plateau de Salluit natural region, more precisely in the physiographic unit of the Haut plateau de la Baie-George. The protected area is intended to protect a representative part of the physiographic unit, characterized by its irregular and strongly incised relief.

The proposed reserve, located in the Churchill geological province, is mainly composed of intrusive, granitic (granite, granodiorite and granitic gneiss) or tonalitic (tonalite and tonalitic gneiss) rocks.

In geomorphologic terms, the dominant feature of the proposed biodiversity reserve is its rock base. Inland, the plateau is mainly covered by a thin, discontinuous layer of till, with rocky outcrops and thicker till in the depressions, while in the low-lying zones along the shore, the rock is covered by marine sedimentary deposits from the extension of the post-glacial seas. The bedrock is exposed over 54% of the area. Deep fiords and glacial valleys give the region a specific aspect. The altitude of the protected area varies from 0 to 615 m, with an average of around 300 m.

The proposed biodiversity reserve protects almost 900 waterbodies, covering 10% of the area, or 188 km². The main waterbodies in the protected area are Douglas harbour, Tursukattaq fiord, Qanartalik fiord, Tarraliaq lake, Tasialujjuq lake, Jorian river, Jacquère river and Lacoudray river. The drainage system in the protected area is mainly governed by the relief, with water flowing from the plateaus into the fiords, and from there into King George Bay or Foul Bay. The proposed biodiversity reserve lies mainly within the Jorian and Jacquère watersheds.

The reserve is situated in the bioclimatic field of herbaceous arctic tundra. It is characterized by a polar climate (-9.4 to -6.0 °C), semi-arid precipitation (250 to 469 mm) and an extremely short growing season (90 to 119 days).

The vegetation in the proposed biodiversity reserve consists mainly of moss on a rocky base (20% of the protected area, or 377 km²) and shrubs and grasses on a mossy base (5% or 84 km²). One plant has been designated as threatened in Québec, narrow alkaligrass (*Puccinellia angustata*), and four plants liable to be designated as threatened in Québec, cutleaf daisy (*Erigeron compositus*), Hartz's bluegrass (*Poa hartzii*), thistleleaf whitlow grass (*Draba crassifolia*) and tufted hairgrass (*Deschampsia paramushirensis*), have been found within the proposed biodiversity reserve.

Little information is available about the wildlife present. However, the proposed biodiversity reserve is within the distribution zone for the migrating caribou herd of Aux Feuilles river. Two sightings of American peregrine falcon (*Falco peregrinus anatum*) have been reported within the proposed biodiversity reserve.

2.3. Land occupation and use

No leases have been granted within the protected area of the proposed biodiversity reserve. A road leads to the Purtuniqu mine, approximately 65 km west of the proposed biodiversity reserve.

The proposed biodiversity reserve is situated on Category III lands within the meaning of the James Bay and Northern Québec Agreement and the Act respecting the land regime in the James Bay and New Québec territories (R.S.Q., c. R-13.1). Sixty-five archaeological sites are registered within the projected biodiversity reserve limits which demonstrate that there is an autochthonous occupation of the territory since several millennia.

The proposed biodiversity reserve lies within fur-bearing animal management unit 96, and is part of hunting zone 23 north.

3. Activities framework

§1. — Introduction

Activities carried on within the proposed 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 provides the framework for the various activities permitted so as to better protect the natural environment in keeping with the conservation principles and other management objectives established for the proposed reserves. Accordingly, certain activities require the prior authorization of the Minister and compliance with the conditions determined by the Minister. The permitted and prohibited activities considered for the period that follows the granting of a permanent status by the government are the same with the necessary adjustments to take into account the enforcement of article 46 of the act.

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

- mining, and gas or petroleum development;
- forest management within the meaning of section 3 of the Forest Act (R.S.Q., c. F-4.1); and
- the development of hydraulic resources and any production of energy on a commercial or industrial basis.

The measures in the Natural Heritage Conservation Act and in this conservation plan apply subject to the provisions of the agreements under the Act approving the Agreement concerning James Bay and Northern Québec (R.S.Q., c. C 67) and the Act approving the Northeastern Québec Agreement (R.S.Q., c. C 67.1).

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

§2.1. Protection of resources and the natural environment

3.1. Subject to the prohibition in the second paragraph, no person may establish in the proposed reserve any specimens or individuals of a native or non-native species of fauna, including by stocking, 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.

No person may establish in the proposed reserve a non-native species of flora, unless the person has been authorized by the Minister and complies with the conditions the Minister determines.

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 of rehabilitating degraded environments or habitats within the proposed reserve, and the interest in reintroducing certain species that have disappeared.

3.2. No person may use fertilizer or fertilizing material in the proposed reserve. Compost for domestic purposes is permitted if used at least 20 metres from a watercourse or body of water measured from the high-water mark.

The high-water mark means the high-water mark defined in the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains, adopted by Order in Council 468-2005 dated 18 May 2005.

3.3. 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, including a marsh, swamp or bog;
- (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) install or erect any structure, infrastructure or new works in or on the bed, banks, shores or floodplain of a watercourse or body of water, although no authorization is required for minor works such as a wharf, platform or boathouse erected for private purposes and free of charge under section 2 of the Regulation respecting the water property in the domain of the State made by Order in Council 81-2003 dated 29 January 2003;
- (5) carry on any activity other than those referred to in the preceding subparagraphs that is likely to degrade the bed, banks or shores of a body of water or watercourse or directly and substantially affect the quality of the biochemical characteristics of aquatic or riparian environments or wetland areas in the proposed reserve, including by discharging or dumping waste or pollutants into those areas;
- (6) carry out soil development work, including any burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose including recreational and tourism purposes such as trail development;
- (7) install or erect any structure, infrastructure or new works;
- (8) reconstruct or demolish an existing structure, infrastructure or works,
- (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, although no authorization is required for the removal of soapstone by beneficiaries within the meaning of section 1 of the Act respecting the land regime in the James Bay and New Québec territories (R.S.Q., c. R 13.1);
- (10) use a pesticide, although no authorization is required for the use of personal insect repellent;
- (11) 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
- (12) hold a sports event, tournament, rally or similar event if more than 15 persons are likely to participate in the activity and have access to the proposed 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 proposed reserve is highly unfeasible.

The conditions determined by the Minister for the 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 on-site materials, 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 11 of the first paragraph refers.

3.4. Despite subparagraphs 6, 7, 8 and 9 of the first paragraph of section 3.3, no authorization is required to carry out work referred to in subparagraph 1 of this section when the requirements of subparagraph 2 are met.

(1) The work involves

(a) work to maintain, repair or upgrade an existing structure, infrastructure or works such as a camp, cottage, road or trail, including ancillary facilities such as lookouts or stairs;

(b) the construction or erection of

i. an appurtenance or ancillary facility of a trapping camp, rough shelter, shelter or cottage such as a shed, well, water intake or sanitary facilities; or

ii. a trapping camp, rough shelter, shelter or cottage if such a building was permitted under the right to use or occupy the land but had not been constructed or installed on the effective date of the status as a proposed reserve; or

(c) the demolition or reconstruction of a trapping camp, rough shelter, shelter or cottage, including an appurtenance or ancillary facility such as a shed, well, water intake or sanitary facilities.

(2) The work is carried out in compliance with the following requirements:

(a) the work involves a structure, infrastructure or works permitted within the proposed reserve;

(b) the work is carried out within the area of land or right-of-way subject to the right to use or occupy the land in the proposed reserve, whether the right results from a lease, servitude or other form of title, permit or authorization;

(c) the nature of the work or elements erected by the work will not operate to increase the area of land that may remain deforested beyond the limits permitted under the provisions applicable to the sale, lease and granting of immovable rights under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and, if applicable, the limits allowed under an authorization for the structure, works or infrastructure; and

(d) the work is carried out in compliance with the conditions of a permit or authorization issued for the work or in connection with the structure, infrastructure or works involved, and in accordance with the laws and regulations that apply.

For the purposes of this section, repair and upgrading work includes work to replace or erect works or facilities to comply with the requirements of an environmental regulation.

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

Despite the first paragraph, an outfitting operation does not require an authorization to use a disposal facility or site in compliance with the Environment Quality Act and its regulations if the outfitting operation was already using the facility or site on the effective date of the protection status as a proposed reserve.

§2.2. Rules of conduct for users

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

3.7. Every person who makes a campfire must

- (1) first 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.

3.8. In the proposed reserve, no person may

- (1) cause any excessive noise;
- (2) behave in a manner that unduly disturbs other persons or interferes with their enjoyment of the proposed 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 or for the permitted use of property, a device or an instrument within the proposed reserve is considered excessive or undue.

3.9. No person may enter, carry on an activity or travel in a vehicle in a given sector of the proposed 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.

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

§2.3. *Activities requiring an authorization*

3.11. No person may occupy or use the same site in the proposed reserve for a period of more than 90 days in the same year, unless the person has been authorized by the Minister and complies with the conditions the Minister determines.

(1) For the purposes of the first paragraph,

(a) the occupation or use of a site includes

- i. staying or settling in the proposed reserve, including for vacation purposes;
- ii. installing a camp or shelter in the proposed reserve; and
- iii. installing, burying or leaving property in the proposed reserve, including equipment, any device or a vehicle;

(b) "same site" means any other site within a radius of 1 kilometre from the site.

(2) Despite the first paragraph, no authorization is required if a person,

(a) on the effective date of the protection status as a proposed reserve, 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;

(b) 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 *a*, and whose right to occupy the land is renewed or extended on the same conditions, subject to possible changes in fees; or

(c) elects to acquire land the person legally occupies on the effective date of the protection status as a proposed reserve, pursuant to the Act respecting the lands in the domain of the State.

3.12. (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 determined by the Minister for the 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 is not required if a person staying or residing in the proposed reserve collects wood to make a campfire.

An authorization is also not required if a person collects firewood to meet domestic needs in the following cases and on the following conditions:

(a) the wood is collected to supply a trapping camp or a rough shelter permitted within the proposed reserve if

i. 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;

ii. the quantity of wood collected does not exceed 7 apparent cubic metres per year;

(b) in all other cases if

i. the wood is collected within a sector designated by the Minister of Natural Resources and Wildlife as a sector for which a permit for the harvest of firewood for domestic purposes under the Forest Act may be issued, and for which, on the effective date of the protection status as a proposed reserve, a designation as such had already been made by the Minister;

ii. the wood is collected by a person who, on the effective date of the protection status as a proposed reserve or in any of the three preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the proposed reserve;

iii. 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.

(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 proposed reserve in accordance with this conservation plan carries on the forest management activity for the purpose of

(a) clearing the permitted areas, maintaining them or creating visual openings, or 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, including work for access roads, stairs and other trails permitted under those provisions; or

(b) clearing the necessary area for the installation, connection, maintenance, repair, reconstruction or upgrading of facilities, lines or mains for water, sewer, electric power or telecommunications services.

If the work referred to in paragraph *b* 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 in sections 3.13 and 3.15.

(4) Despite subsection 1, an authorization to carry on a forest management activity to maintain a sugar bush and harvest maple products for domestic needs is not required if

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

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

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

§ 2.4. *Authorization exemptions*

3.13. Despite the preceding provisions, an authorization is not required for an activity or other form of intervention within the proposed 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 disaster. The person concerned must, however, immediately inform the Minister of the activity or intervention that has taken place.

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

For greater certainty, the provisions of this conservation plan also apply subject to the authorization exemptions and other provisions in the Act respecting hunting and fishing rights in the James Bay and New Québec territories (R.S.Q., c. D-13.1).

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

(1) any activity or intervention required within the proposed reserve to complete a project for which express authorization had previously been given by the Government and the Minister, or only by the Minister, 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 the activity or intervention is carried out in conformity 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 ascertain the impact of electric 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*

3.16. 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.

3.17. The Minister's authorization, which is general or for a group, may be communicated for the benefit of the persons concerned by any appropriate means including a posted notice or appropriate signage at the reception centre or any other location within the proposed reserve that is readily accessible to the public. The Minister may also provide a copy to any person concerned.

§3. *Activities governed by other statutes*

Certain activities likely to be carried on within the proposed 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 proposed reserve.

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

- Environmental protection: measures set out in particular in the Environment Quality Act (R.S.Q., c. Q-2) and its regulations;
- Removal of species of flora designated as threatened or vulnerable: measures set out in the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01) prohibiting the removal of such species;
- Development and conservation 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; in Northern regions: special

measures set out in the Act respecting hunting and fishing rights in the James Bay and New Québec territories (R.S.Q., c. D-13.1);

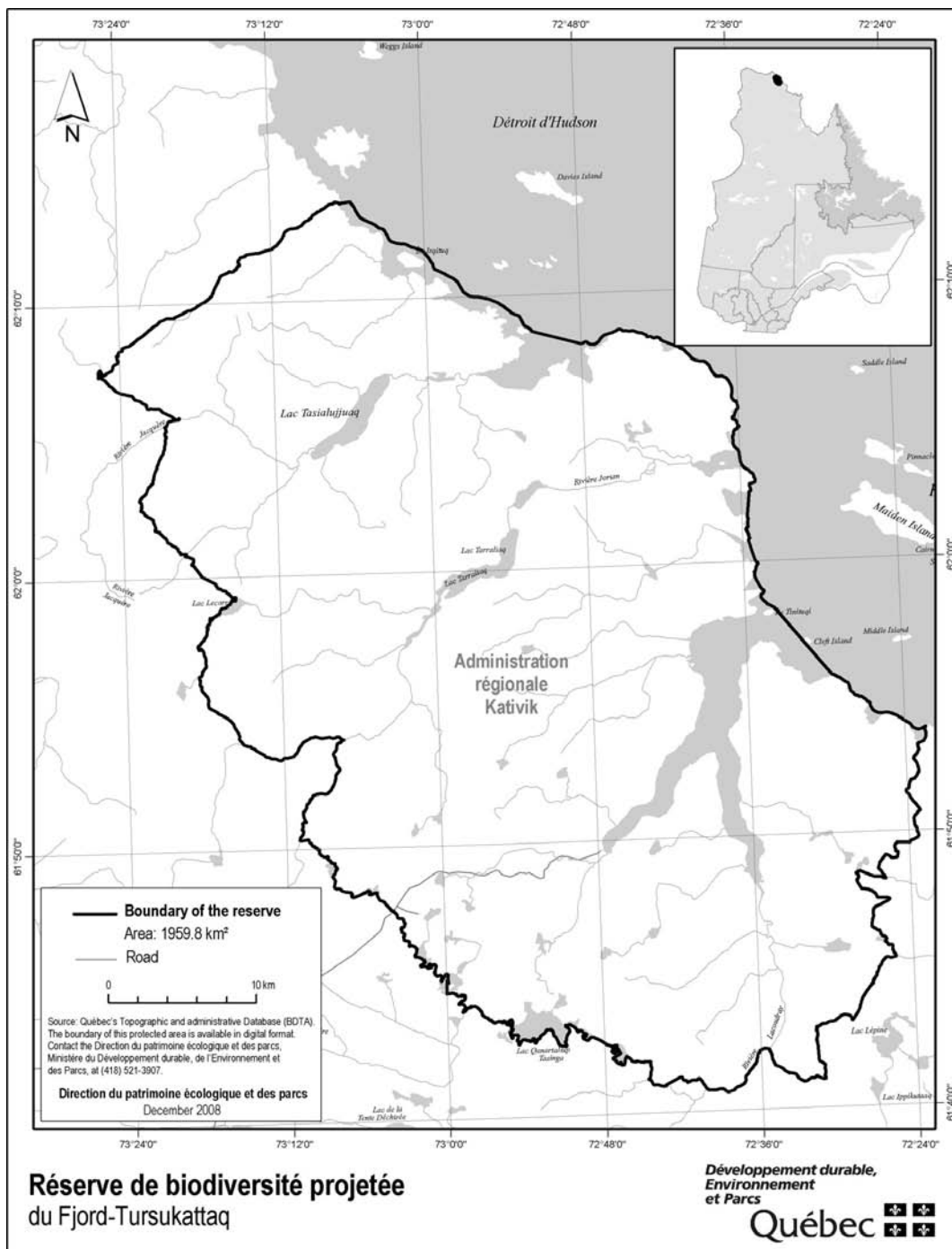
- Archaeological research: measures set out in particular in the Cultural Property Act (R.S.Q., c. B-4);
- Access and land rights related to the domain of the State: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and in the Watercourses Act (R.S.Q., c. R-13) and, in Northern regions, in the Act respecting the land regime in the James Bay and New Québec territories (R.S.Q., c. R-13.1);
- 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 respecting motor vehicle traffic in certain fragile environments made under the Environment Quality Act;
- Construction and development standards: regulatory measures adopted by regional and local municipal authorities under the Acts applicable to them.

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

The Minister of Sustainable Development, Environment and Parks is responsible for the conservation and management of the Réserve de biodiversité projetée du Fjord-Tursukattaq and is therefore responsible for supervising and monitoring the activities that may be carried on within the reserve. In managing the reserve, the Minister will work collaboratively with other government representatives having specific responsibilities within the boundaries of the reserve or on adjoining land, such as the Minister of Natural Resources and Wildlife. In the exercise of their powers and functions, the Ministers will take into consideration the protection sought for these natural environments and the protection status that has been granted. No additional conservation measure is, at this point, considered. Regarding zoning, the conservation objectives for the period of temporary protection are the same for the entire area, the proposed reserve being only one conservation area.

Appendix 1

Map of the Réserve de biodiversité projetée du Fjord-Tursukattaq



QUÉBEC STRATEGY FOR PROTECTED AREAS



Réserve de biodiversité projetée de Kangiqsujaq

Conservation plan



February 2009

1. Protection status and toponym

The protection status of the territory described below is the proposed biodiversity reserve governed by the provisions of the Natural Heritage Conservation Act (R.S.Q. c. C-61.01).

The envisaged permanent protected status is a “biodiversity reserve” governed by the provisions of the Natural Heritage Conservation Act.

The provisional toponym is “Réserve de biodiversité projetée de Kangiqsujuaq”. The official toponym will be determined at the time when permanent protection status is granted to the territory.

2. Plan and description

2.1. Geographic location, boundaries and dimensions

The boundaries and location of the Réserve de biodiversité projetée de Kangiqsujuaq appear on the map that constitutes Appendix 1.

The Réserve de biodiversité projetée de Kangiqsujuaq lies within the administrative region of Nord-du-Québec, between 61°0' and 61°21' latitude north and 71°20' and 72°11' longitude west. It is located 35 km from the village of Kangiqsujuaq and 135 km from the village of Quaqtaq. It covers an area of 889.4 km² within the unorganized territory of Rivière-Koksoak, which comes under the authority of the Kativik Regional Government.

2.2. Ecological overview

The Réserve de biodiversité projetée de Kangiqsujuaq is located in the Ungava Peninsula natural province, more specifically in the natural region of the Vachon River High Plateau.

The topography is uneven in some areas. The slope of the plateau, which ends at the sea, forms a rocky coastline that is intersected by small valleys, mainly in the Lataille River region.

The hilly landscape features a topography where elevations vary between 0 m and 255 m, with an average elevation of 175 m. The proposed biodiversity reserve is within the arctic tundra sedge domain. Most of the territory features rocky outcroppings where bryophytes and lichens have taken root. In some locations, wet grassy areas are found along watercourses. There are few lakes. The hydrographic network consists mainly of a semi-parallel network of average-sized rivers and firths embedded along the coastline.

The proposed biodiversity reserve is part of the Lataille River watershed area.

2.3. Land occupation and use

The proposed biodiversity reserve lies within the territory of the Nouveau-Québec beaver reserve and is included in Hunting Zone 23. No roads intersect and no land right rights have been issued within the territory.

The territory is part of category II land under the James Bay and Northern Québec Agreement, signed in 1975, and the *Act respecting the land regime in the James Bay and New Québec territories* (R.S.Q., c. R-13.1). The territory contains important archeological and historical Inuit sites.

The territory of the proposed biodiversity reserve is one of predilection for the archaeologists who study the prehistory of Quebec arctic. Pits of soapstone were found on place as well as long houses dating from the dorset and structures of blocks. One of the sites has a superior value and is one of two petroglyphs sites known in the Arctic and the only one being in Quebec territory. All in all, forty-seven (47) archaeological sites listed in the reserve shows that there is an autochthonous occupation of the territory since several millenniums.

3. Activities framework

§1. — Introduction

Activities carried on within the proposed 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 provides the framework for the various activities permitted so as to better protect the natural environment in keeping with the conservation principles and other management objectives established for the proposed reserves. Accordingly, certain activities require the prior authorization of the Minister and compliance with the conditions determined by the Minister. The permitted and prohibited activities considered for the period that follows the granting of a permanent status by the government are the same with the necessary adjustments to take into account the enforcement of article 46 of the act.

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

- mining, and gas or petroleum development;
- forest management within the meaning of section 3 of the Forest Act (R.S.Q., c. F-4.1); and

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

The measures in the Natural Heritage Conservation Act and in this conservation plan apply subject to the provisions of the agreements under the Act approving the Agreement concerning James Bay and Northern Québec (R.S.Q., c. C 67) and the Act approving the Northeastern Québec Agreement (R.S.Q., c. C 67.1).

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

§2.1. Protection of resources and the natural environment

3.1. Subject to the prohibition in the second paragraph, no person may establish in the proposed reserve any specimens or individuals of a native or non-native species of fauna, including by stocking, 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.

No person may establish in the proposed reserve a non-native species of flora, unless the person has been authorized by the Minister and complies with the conditions the Minister determines.

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 of rehabilitating degraded environments or habitats within the proposed reserve, and the interest in reintroducing certain species that have disappeared.

3.2. No person may use fertilizer or fertilizing material in the proposed reserve. Compost for domestic purposes is permitted if used at least 20 metres from a watercourse or body of water measured from the high-water mark.

The high-water mark means the high-water mark defined in the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains, adopted by Order in Council 468-2005 dated 18 May 2005.

3.3. 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, including a marsh, swamp or bog;
- (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) install or erect any structure, infrastructure or new works in or on the bed, banks, shores or floodplain of a watercourse or body of water, although no authorization is required for minor works such as a wharf, platform or boathouse erected for private purposes and free of charge under section 2 of the Regulation respecting the water property in the domain of the State made by Order in Council 81-2003 dated 29 January 2003;
- (5) carry on any activity other than those referred to in the preceding subparagraphs that is likely to degrade the bed, banks or shores of a body of water or watercourse or directly and substantially affect the quality of the biochemical characteristics of aquatic or riparian environments or wetland areas in the proposed reserve, including by discharging or dumping waste or pollutants into those areas;
- (6) carry out soil development work, including any burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose including recreational and tourism purposes such as trail development;
- (7) install or erect any structure, infrastructure or new works;
- (8) reconstruct or demolish an existing structure, infrastructure or works,
- (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, although no authorization is required for the removal of soapstone by beneficiaries within the meaning of section 1 of the Act respecting the land regime in the James Bay and New Québec territories (R.S.Q., c. R 13.1);
- (10) use a pesticide, although no authorization is required for the use of personal insect repellent;
- (11) 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
- (12) hold a sports event, tournament, rally or similar event if more than 15 persons are likely to participate in the activity and have access to the proposed 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 proposed reserve is highly unfeasible.

The conditions determined by the Minister for the 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 on-site materials, 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 11 of the first paragraph refers.

3.4. Despite subparagraphs 6, 7, 8 and 9 of the first paragraph of section 3.3, no authorization is required to carry out work referred to in subparagraph 1 of this section when the requirements of subparagraph 2 are met.

- (1) The work involves
- (a) work to maintain, repair or upgrade an existing structure, infrastructure or works such as a camp, cottage, road or trail, including ancillary facilities such as lookouts or stairs;
 - (b) the construction or erection of
 - i. an appurtenance or ancillary facility of a trapping camp, rough shelter, shelter or cottage such as a shed, well, water intake or sanitary facilities; or
 - ii. a trapping camp, rough shelter, shelter or cottage if such a building was permitted under the right to use or occupy the land but had not been constructed or installed on the effective date of the status as a proposed reserve; or
 - (c) the demolition or reconstruction of a trapping camp, rough shelter, shelter or cottage, including an appurtenance or ancillary facility such as a shed, well, water intake or sanitary facilities.
- (2) The work is carried out in compliance with the following requirements:
- (a) the work involves a structure, infrastructure or works permitted within the proposed reserve;
 - (b) the work is carried out within the area of land or right-of-way subject to the right to use or occupy the land in the proposed reserve, whether the right results from a lease, servitude or other form of title, permit or authorization;
 - (c) the nature of the work or elements erected by the work will not operate to increase the area of land that may remain deforested beyond the limits permitted under the provisions applicable to the sale, lease and granting of immovable rights under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and, if applicable, the limits allowed under an authorization for the structure, works or infrastructure; and
 - (d) the work is carried out in compliance with the conditions of a permit or authorization issued for the work or in connection with the structure, infrastructure or works involved, and in accordance with the laws and regulations that apply.

For the purposes of this section, repair and upgrading work includes work to replace or erect works or facilities to comply with the requirements of an environmental regulation.

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

Despite the first paragraph, an outfitting operation does not require an authorization to use a disposal facility or site in compliance with the Environment Quality Act and its regulations if the outfitting operation was already using the facility or site on the effective date of the protection status as a proposed reserve.

§2.2. *Rules of conduct for users*

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

3.7. Every person who makes a campfire must

(1) first 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.

3.8. In the proposed reserve, no person may

(1) cause any excessive noise;

(2) behave in a manner that unduly disturbs other persons or interferes with their enjoyment of the proposed 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 or for the permitted use of property, a device or an instrument within the proposed reserve is considered excessive or undue.

3.9. No person may enter, carry on an activity or travel in a vehicle in a given sector of the proposed 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.

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

§2.3. *Activities requiring an authorization*

3.11. No person may occupy or use the same site in the proposed reserve for a period of more than 90 days in the same year, unless the person has been authorized by the Minister and complies with the conditions the Minister determines.

(1) For the purposes of the first paragraph,

(a) the occupation or use of a site includes

i. staying or settling in the proposed reserve, including for vacation purposes;

- ii. installing a camp or shelter in the proposed reserve; and
- iii. installing, burying or leaving property in the proposed reserve, including equipment, any device or a vehicle;

(b) "same site" means any other site within a radius of 1 kilometre from the site.

(2) Despite the first paragraph, no authorization is required if a person,

(a) on the effective date of the protection status as a proposed reserve, 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;

(b) 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 *a*, and whose right to occupy the land is renewed or extended on the same conditions, subject to possible changes in fees; or

(c) elects to acquire land the person legally occupies on the effective date of the protection status as a proposed reserve, pursuant to the Act respecting the lands in the domain of the State.

3.12. (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 determined by the Minister for the 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 is not required if a person staying or residing in the proposed reserve collects wood to make a campfire.

An authorization is also not required if a person collects firewood to meet domestic needs in the following cases and on the following conditions:

(a) the wood is collected to supply a trapping camp or a rough shelter permitted within the proposed reserve if

i. 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;

ii. the quantity of wood collected does not exceed 7 apparent cubic metres per year;

(b) in all other cases if

i. the wood is collected within a sector designated by the Minister of Natural Resources and Wildlife as a sector for which a permit for the harvest of firewood for domestic purposes under the Forest Act may be issued, and for which, on the effective date of the protection status as a proposed reserve, a designation as such had already been made by the Minister;

ii. the wood is collected by a person who, on the effective date of the protection status as a proposed reserve or in any of the three preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the proposed reserve;

iii. 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.

(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 proposed reserve in accordance with this conservation plan carries on the forest management activity for the purpose of

(a) clearing the permitted areas, maintaining them or creating visual openings, or 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, including work for access roads, stairs and other trails permitted under those provisions; or

(b) clearing the necessary area for the installation, connection, maintenance, repair, reconstruction or upgrading of facilities, lines or mains for water, sewer, electric power or telecommunications services.

If the work referred to in paragraph *b* 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 in sections 3.13 and 3.15.

(4) Despite subsection 1, an authorization to carry on a forest management activity to maintain a sugar bush and harvest maple products for domestic needs is not required if

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

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

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

§ 2.4. *Authorization exemptions*

3.13. Despite the preceding provisions, an authorization is not required for an activity or other form of intervention within the proposed 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 disaster. The person concerned must, however, immediately inform the Minister of the activity or intervention that has taken place.

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

For greater certainty, the provisions of this conservation plan also apply subject to the authorization exemptions and other provisions in the Act respecting hunting and fishing rights in the James Bay and New Québec territories (R.S.Q., c. D-13.1).

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

- (1) any activity or intervention required within the proposed reserve to complete a project for which express authorization had previously been given by the Government and the Minister, or only by the Minister, 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 the activity or intervention is carried out in conformity 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 ascertain the impact of electric 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

3.16. 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.

3.17. The Minister's authorization, which is general or for a group, may be communicated for the benefit of the persons concerned by any appropriate means including a posted notice or appropriate signage at the reception centre or any other location within the proposed reserve that is readily accessible to the public. The Minister may also provide a copy to any person concerned.

§3. Activities governed by other statutes

Certain activities likely to be carried on within the proposed 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 proposed reserve.

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

- Environmental protection: measures set out in particular in the Environment Quality Act (R.S.Q., c. Q-2) and its regulations;
- Removal of species of flora designated as threatened or vulnerable: measures set out in the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01) prohibiting the removal of such species;
- Development and conservation 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; in Northern regions: special measures set out in the Act respecting hunting and fishing rights in the James Bay and New Québec territories (R.S.Q., c. D-13.1);
- Archaeological research: measures set out in particular in the Cultural Property Act (R.S.Q., c. B-4);

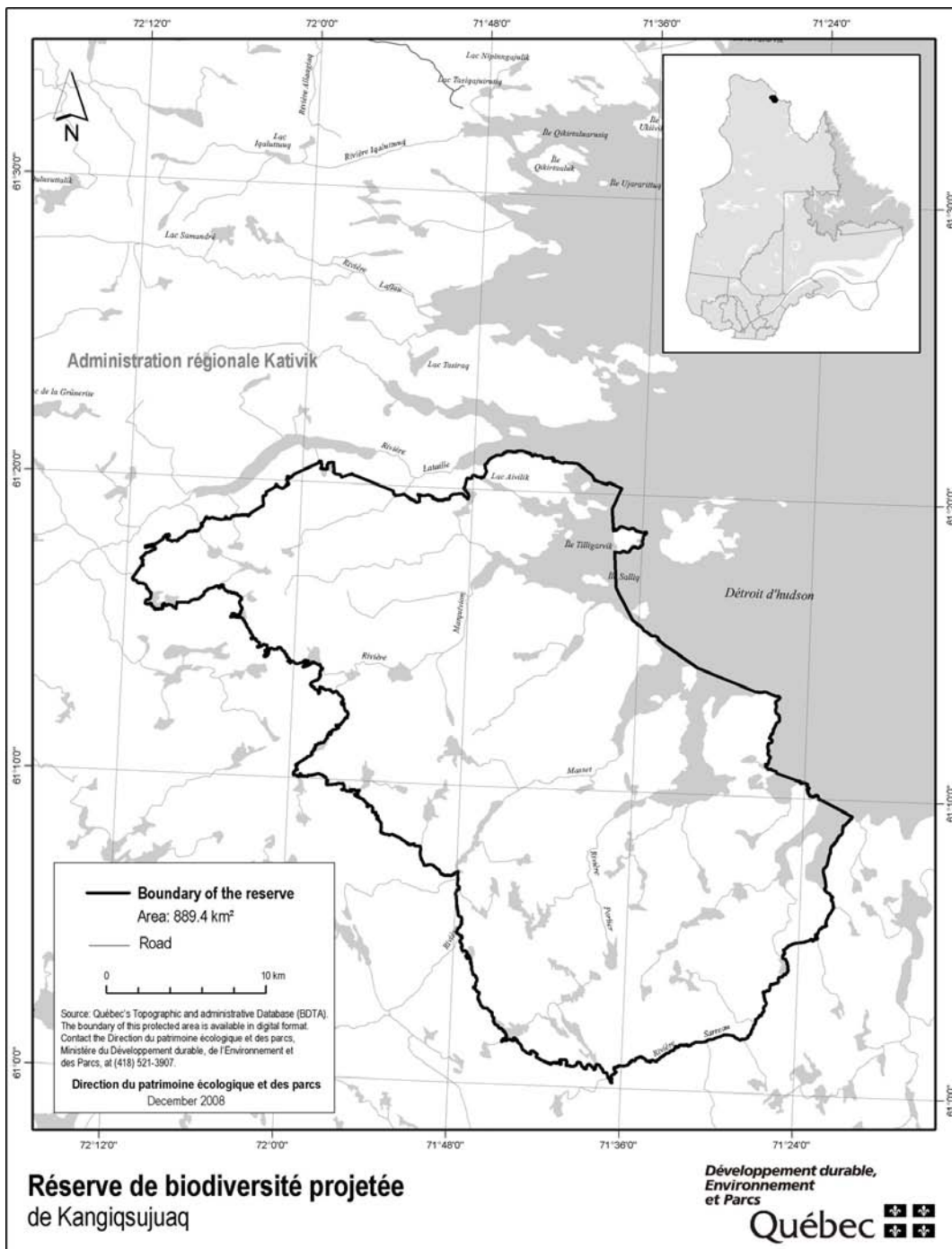
- Access and land rights related to the domain of the State: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and in the Watercourses Act (R.S.Q., c. R-13) and, in Northern regions, in the Act respecting the land regime in the James Bay and New Québec territories (R.S.Q., c. R-13.1);
- 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 respecting motor vehicle traffic in certain fragile environments made under the Environment Quality Act;
- Construction and development standards: regulatory measures adopted by regional and local municipal authorities under the Acts applicable to them.

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

The Minister of Sustainable Development, Environment and Parks is responsible for the conservation and management of the Réserve de biodiversité projetée de Kangisujuaq and is therefore responsible for supervising and monitoring the activities that may be carried on within the reserve. In managing the reserve, the Minister will work collaboratively with other government representatives having specific responsibilities within the boundaries of the reserve or on adjoining land, such as the Minister of Natural Resources and Wildlife. In the exercise of their powers and functions, the Ministers will take into consideration the protection sought for these natural environments and the protection status that has been granted. No additional conservation measure is, at this point, considered. Regarding zoning, the conservation objectives for the period of temporary protection are the same for the entire area, the proposed reserve being only one conservation area.

Appendix 1

Map of the Réserve de biodiversité projetée de Kangiqsujuaq



QUÉBEC STRATEGY FOR PROTECTED AREAS



Réserve de biodiversité projetée de la Rivière- Vachon

Conservation plan



February 2009

1. Protection status and toponym

The protection status of the territory described below is a proposed biodiversity reserve governed by the provisions of the Natural Heritage Conservation Act (R.S.Q., c. C-61.01).

The envisaged permanent protected status is a “biodiversity reserve” governed by the provisions of the Natural Heritage Conservation Act.

The provisional toponym is “Réserve de biodiversité projetée de la Rivière-Vachon”. The official toponym will be determined at the time when permanent protection status is accorded to the territory.

2. Plan and description

2.1. Geographic location, boundaries and dimensions

The boundaries and location of the Réserve de biodiversité projetée de la Rivière-Vachon appear on the map that constitutes Appendix 1.

The Réserve de biodiversité projetée de la Rivière-Vachon is located in the Nord-du-Québec administrative region, between 60°19' and 60°58' latitude north and 71°45' and 72°44' longitude west, approximately 75 km south of the village of Kangisujuaq and 112 km west of the village of Kangirsuk. It covers an area of 2532.7 km² in the unincorporated territory of Rivière-Koksoak, under the responsibility of the Kativik Regional Government.

2.2. Ecological overview

The Réserve de biodiversité projetée de la Rivière-Vachon is located in the Ungava Peninsula natural province, more precisely in the Haut plateau de la rivière Vachon natural region. It is intended to protect specific elements of the Vachon river upland plateau: a glacio-lacustrine depression and entrenched valleys cut into the flat terrain of the plateau. The reserve consists of a basement of intrusive rock, which is comprised mainly of granites.

The landscape of low hills has little variation in altitude; the altitude varies from 110 m to 510 m with an average of 380 m. The proposed biodiversity reserve is situated in the bioclimatic field of forested arctic tundra. Rocky outcrops occur over most of the area, and are home to bryophytes and lichens, mainly in the northern sector. Small shrubs are found along Vachon river, in the centre of the proposed reserve. There are few lakes. The drainage system mainly comprises a dendritic network of small rivers.

The proposed biodiversity reserve lies within the Arnaud watershed.

2.3. Land occupation and use

The proposed biodiversity reserve lies within the Nouveau-Québec beaver reserve and hunting zone 23 north. It contains no roads, and no leases have been granted on the land.

Most of the proposed reserve is situated on Category III lands within the meaning of the James Bay and Northern Québec Agreement and the Act respecting the land regime in the James Bay and New Québec territories (R.S.Q., c. R-13.1), although a small part of the northern section of the reserve is situated on Category II lands.

3. Activities framework

§1. — *Introduction*

Activities carried on within the proposed 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 provides the framework for the various activities permitted so as to better protect the natural environment in keeping with the conservation principles and other management objectives established for the proposed reserves. Accordingly, certain activities require the prior authorization of the Minister and compliance with the conditions determined by the Minister. The permitted and prohibited activities considered for the period that follows the granting of a permanent status by the government are the same with the necessary adjustments to take into account the enforcement of article 46 of the act.

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

- mining, and gas or petroleum development;
- forest management within the meaning of section 3 of the Forest Act (R.S.Q., c. F-4.1); and
- the development of hydraulic resources and any production of energy on a commercial or industrial basis.

The measures in the Natural Heritage Conservation Act and in this conservation plan apply subject to the provisions of the agreements under the Act approving the Agreement concerning James Bay and Northern Québec (R.S.Q., c. C 67) and the Act approving the Northeastern Québec Agreement (R.S.Q., c. C 67.1).

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

§2.1. *Protection of resources and the natural environment*

3.1. Subject to the prohibition in the second paragraph, no person may establish in the proposed reserve any specimens or individuals of a native or non-native species of fauna, including by stocking, 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.

No person may establish in the proposed reserve a non-native species of flora, unless the person has been authorized by the Minister and complies with the conditions the Minister determines.

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 of rehabilitating degraded environments or habitats within the proposed reserve, and the interest in reintroducing certain species that have disappeared.

3.2. No person may use fertilizer or fertilizing material in the proposed reserve. Compost for domestic purposes is permitted if used at least 20 metres from a watercourse or body of water measured from the high-water mark.

The high-water mark means the high-water mark defined in the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains, adopted by Order in Council 468-2005 dated 18 May 2005.

3.3. 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, including a marsh, swamp or bog;
- (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) install or erect any structure, infrastructure or new works in or on the bed, banks, shores or floodplain of a watercourse or body of water, although no authorization is required for minor works such as a wharf, platform or boathouse erected for private purposes and free of charge under section 2 of the Regulation respecting the water property in the domain of the State made by Order in Council 81-2003 dated 29 January 2003;
- (5) carry on any activity other than those referred to in the preceding subparagraphs that is likely to degrade the bed, banks or shores of a body of water or watercourse or directly and substantially affect the quality of the biochemical characteristics of aquatic or riparian environments or wetland areas in the proposed reserve, including by discharging or dumping waste or pollutants into those areas;
- (6) carry out soil development work, including any burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose including recreational and tourism purposes such as trail development;
- (7) install or erect any structure, infrastructure or new works;
- (8) reconstruct or demolish an existing structure, infrastructure or works,
- (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, although no authorization is required

for the removal of soapstone by beneficiaries within the meaning of section 1 of the Act respecting the land regime in the James Bay and New Québec territories (R.S.Q., c. R 13.1);

- (10) use a pesticide, although no authorization is required for the use of personal insect repellent;
- (11) 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
- (12) hold a sports event, tournament, rally or similar event if more than 15 persons are likely to participate in the activity and have access to the proposed 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 proposed reserve is highly unfeasible.

The conditions determined by the Minister for the 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 on-site materials, 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 11 of the first paragraph refers.

3.4. Despite subparagraphs 6, 7, 8 and 9 of the first paragraph of section 3.3, no authorization is required to carry out work referred to in subparagraph 1 of this section when the requirements of subparagraph 2 are met.

- (1) The work involves
 - (a) work to maintain, repair or upgrade an existing structure, infrastructure or works such as a camp, cottage, road or trail, including ancillary facilities such as lookouts or stairs;
 - (b) the construction or erection of
 - i. an appurtenance or ancillary facility of a trapping camp, rough shelter, shelter or cottage such as a shed, well, water intake or sanitary facilities; or
 - ii. a trapping camp, rough shelter, shelter or cottage if such a building was permitted under the right to use or occupy the land but had not been constructed or installed on the effective date of the status as a proposed reserve; or
 - (c) the demolition or reconstruction of a trapping camp, rough shelter, shelter or cottage, including an appurtenance or ancillary facility such as a shed, well, water intake or sanitary facilities.
- (2) The work is carried out in compliance with the following requirements:
 - (a) the work involves a structure, infrastructure or works permitted within the proposed reserve;
 - (b) the work is carried out within the area of land or right-of-way subject to the right to use or occupy the land in the proposed reserve, whether the right results from a lease, servitude or other form of title, permit or authorization;

(c) the nature of the work or elements erected by the work will not operate to increase the area of land that may remain deforested beyond the limits permitted under the provisions applicable to the sale, lease and granting of immovable rights under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and, if applicable, the limits allowed under an authorization for the structure, works or infrastructure; and

(d) the work is carried out in compliance with the conditions of a permit or authorization issued for the work or in connection with the structure, infrastructure or works involved, and in accordance with the laws and regulations that apply.

For the purposes of this section, repair and upgrading work includes work to replace or erect works or facilities to comply with the requirements of an environmental regulation.

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

Despite the first paragraph, an outfitting operation does not require an authorization to use a disposal facility or site in compliance with the Environment Quality Act and its regulations if the outfitting operation was already using the facility or site on the effective date of the protection status as a proposed reserve.

§2.2. Rules of conduct for users

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

3.7. Every person who makes a campfire must

- (1) first 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.

3.8. In the proposed reserve, no person may

- (1) cause any excessive noise;
- (2) behave in a manner that unduly disturbs other persons or interferes with their enjoyment of the proposed 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 or for the permitted use of property, a device or an instrument within the proposed reserve is considered excessive or undue.

3.9. No person may enter, carry on an activity or travel in a vehicle in a given sector of the proposed 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.

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

§2.3. Activities requiring an authorization

3.11. No person may occupy or use the same site in the proposed reserve for a period of more than 90 days in the same year, unless the person has been authorized by the Minister and complies with the conditions the Minister determines.

(1) For the purposes of the first paragraph,

(a) the occupation or use of a site includes

i. staying or settling in the proposed reserve, including for vacation purposes;

ii. installing a camp or shelter in the proposed reserve; and

iii. installing, burying or leaving property in the proposed reserve, including equipment, any device or a vehicle;

(b) "same site" means any other site within a radius of 1 kilometre from the site.

(2) Despite the first paragraph, no authorization is required if a person,

(a) on the effective date of the protection status as a proposed reserve, 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;

(b) 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 *a*, and whose right to occupy the land is renewed or extended on the same conditions, subject to possible changes in fees; or

(c) elects to acquire land the person legally occupies on the effective date of the protection status as a proposed reserve, pursuant to the Act respecting the lands in the domain of the State.

3.12. (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 determined by the Minister for the 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 is not required if a person staying or residing in the proposed reserve collects wood to make a campfire.

An authorization is also not required if a person collects firewood to meet domestic needs in the following cases and on the following conditions:

(a) the wood is collected to supply a trapping camp or a rough shelter permitted within the proposed reserve if

i. 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;

ii. the quantity of wood collected does not exceed 7 apparent cubic metres per year;

(b) in all other cases if

i. the wood is collected within a sector designated by the Minister of Natural Resources and Wildlife as a sector for which a permit for the harvest of firewood for domestic purposes under the Forest Act may be issued, and for which, on the effective date of the protection status as a proposed reserve, a designation as such had already been made by the Minister;

ii. the wood is collected by a person who, on the effective date of the protection status as a proposed reserve or in any of the three preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the proposed reserve;

iii. 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.

(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 proposed reserve in accordance with this conservation plan carries on the forest management activity for the purpose of

(a) clearing the permitted areas, maintaining them or creating visual openings, or 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, including work for access roads, stairs and other trails permitted under those provisions; or

(b) clearing the necessary area for the installation, connection, maintenance, repair, reconstruction or upgrading of facilities, lines or mains for water, sewer, electric power or telecommunications services.

If the work referred to in paragraph *b* 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 in sections 3.13 and 3.15.

(4) Despite subsection 1, an authorization to carry on a forest management activity to maintain a sugar bush and harvest maple products for domestic needs is not required if

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

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

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

§ 2.4. *Authorization exemptions*

3.13. Despite the preceding provisions, an authorization is not required for an activity or other form of intervention within the proposed 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 disaster. The person concerned must, however, immediately inform the Minister of the activity or intervention that has taken place.

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

For greater certainty, the provisions of this conservation plan also apply subject to the authorization exemptions and other provisions in the Act respecting hunting and fishing rights in the James Bay and New Québec territories (R.S.Q., c. D-13.1).

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

(1) any activity or intervention required within the proposed reserve to complete a project for which express authorization had previously been given by the Government and the Minister, or only by the Minister, 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 the activity or intervention is carried out in conformity 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 ascertain the impact of electric 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*

3.16. 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.

3.17. The Minister's authorization, which is general or for a group, may be communicated for the benefit of the persons concerned by any appropriate means including a posted notice or appropriate signage at the reception centre or any other location within the proposed reserve that is readily accessible to the public. The Minister may also provide a copy to any person concerned.

§3. *Activities governed by other statutes*

Certain activities likely to be carried on within the proposed 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 proposed reserve.

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

- Environmental protection: measures set out in particular in the Environment Quality Act (R.S.Q., c. Q-2) and its regulations;
- Removal of species of flora designated as threatened or vulnerable: measures set out in the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01) prohibiting the removal of such species;

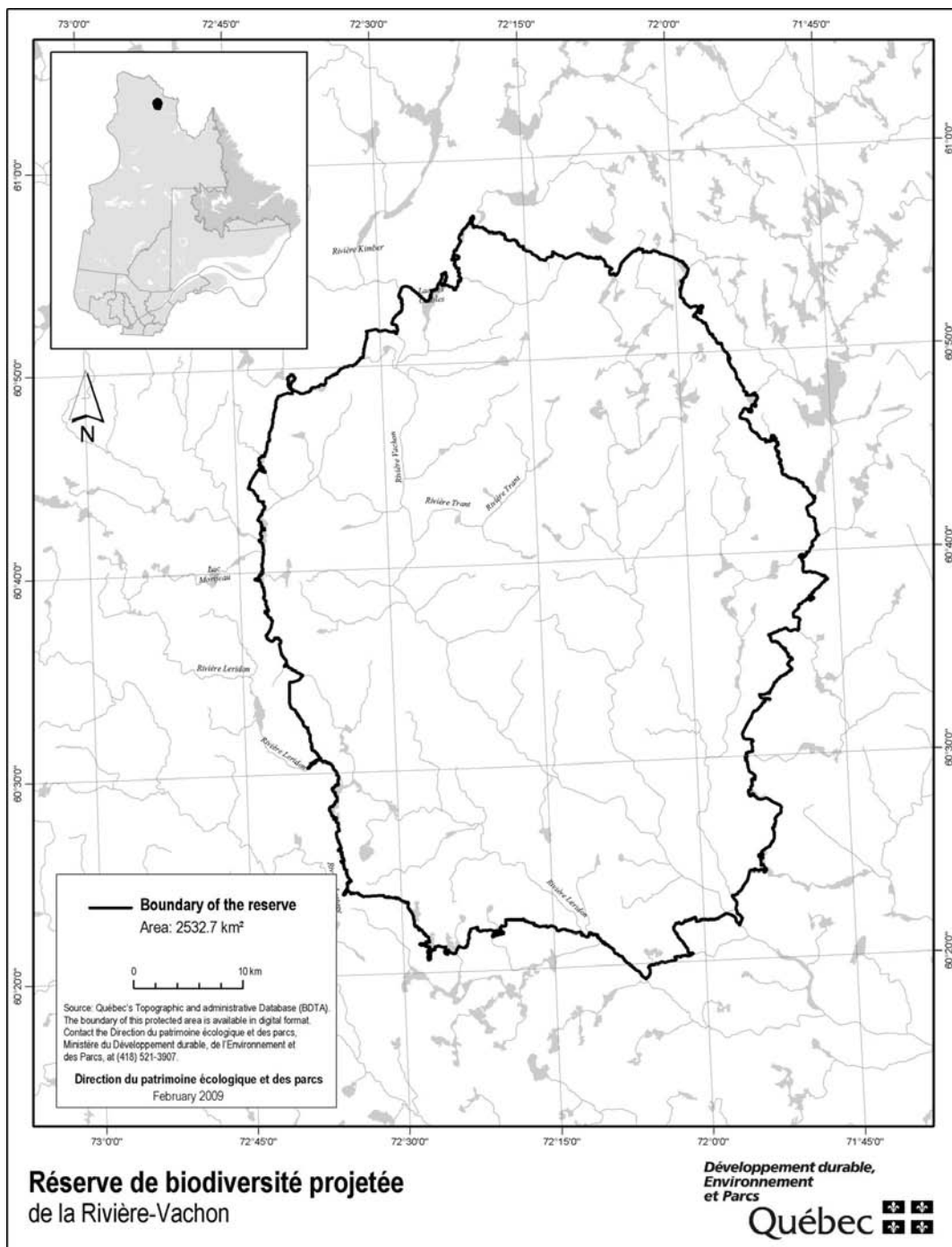
- Development and conservation of wildlife resources: measures set out in particular in the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), including the provisions pertaining to outfitting operations and beaver reserves and the measures contained in applicable federal legislation, in particular the fishery regulations; in Northern regions: special measures set out in the Act respecting hunting and fishing rights in the James Bay and New Québec territories (R.S.Q., c. D-13.1);
- Archaeological research: measures set out in particular in the Cultural Property Act (R.S.Q., c. B-4);
- Access and land rights related to the domain of the State: 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 Watercourses Act (R.S.Q., c. R-13) and, in Northern regions, in the Act respecting the land regime in the James Bay and New Québec territories (R.S.Q., c. R-13.1);
- 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 respecting motor vehicle traffic in certain fragile environments made under the Environment Quality Act;
- Construction and development standards: regulatory measures adopted by regional and local municipal authorities under the Acts applicable to them.

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

The Minister of Sustainable Development, Environment and Parks is responsible for the conservation and management of the Réserve de biodiversité projetée de la Rivière-Vachon and is therefore responsible for supervising and monitoring the activities that may be carried on within the reserve. In managing the reserve, the Minister will work collaboratively with other government representatives having specific responsibilities within the boundaries of the reserve or on adjoining land, such as the Minister of Natural Resources and Wildlife. In the exercise of their powers and functions, the Ministers will take into consideration the protection sought for these natural environments and the protection status that has been granted. No additional conservation measure is, at this point, considered. Regarding zoning, the conservation objectives for the period of temporary protection are the same for the entire area, the proposed reserve being only one conservation area.

Appendix 1

Map of the Réserve de biodiversité projetée de la Rivière-Vachon



QUÉBEC STRATEGY FOR PROTECTED AREAS



Réserve de biodiversité projetée de Quaqtaq- Kangirsuk

Conservation plan



February 2009

1. Protection status and toponym

The protection status of the territory described below is a proposed biodiversity reserve governed by the provisions of the Natural Heritage Conservation Act (R.S.Q., c. C-61.01).

The envisaged permanent protected status is a “biodiversity reserve” governed by the provisions of the Natural Heritage Conservation Act.

The provisional toponym is “Réserve de biodiversité projetée de Quaataq-Kangirsuk”. The official toponym will be determined at the time when permanent protection status is accorded to the territory.

2. Plan and description

2.1. Geographic location, boundaries and dimensions

The boundaries and location of the Réserve de biodiversité projetée de Quaataq-Kangirsuk appear on the map that constitutes Appendix 1.

The Réserve de biodiversité projetée de Quaataq-Kangirsuk is located in the Nord-du-Québec administrative region, between 60°08' and 60°49' latitude north and 69°32' and 70°09' longitude west. It is situated between the villages of Quaataq and Kangirsuk, around 40 km from both villages, and covers an area of 1380.8 km² in the unincorporated territory of Rivière-Koksoak, under the responsibility of the Kativik Regional Government.

2.2. Ecological overview

The Réserve de biodiversité projetée de Quaataq-Kangirsuk is located in the Ungava Peninsula natural province, more precisely in the Haut plateau de la rivière Vachon natural region.

The relief is low; rocky outcrops dominate the landscape, along with some depressions filled with marine and shoreline deposits. The central portion features till drumlins.

The landscape of low hills has little variation in relief; the altitude varies from 40 m to 245 m, with an average of 150 m. The proposed biodiversity reserve is situated in the bioclimatic field of herbaceous arctic tundra. Most of the area presents rocky outcrops, home to bryophytes and lichens. The humid herbaceous zones are generally found along watercourses. There are few lakes. The drainage system mainly comprises small, parallel rivers. The region's population of muskox specifically uses the land in the proposed reserve.

The proposed biodiversity reserve lies within the Gadois and Garnier watersheds.

2.3. Land occupation and use

The proposed biodiversity reserve lies within the Nouveau-Québec beaver reserve and hunting zone 23. It contains no roads, and no leases have been granted on the land.

Part of the area is situated on Category II lands and part is on Category III lands within the meaning of the James Bay and Northern Québec Agreement and the Act respecting the land regime in the James Bay and New Québec territories (R.S.Q., c. R-13.1). The proposed reserve includes archaeological and historical sites of importance for the Inuits.

Sixty-eight archaeological sites are registered within the projected biodiversity reserve limits and demonstrate that there is an autochthonous occupation of the territory since several millenniums. Two vestiges of long houses were found on place which makes the site almost unique. One of these is the longest one found in Nunavik. Several archaeological researches took place on the proposed biodiversity reserve and led to the discovery of archaeological sites of a big scientific and cultural interest.

3. Activities framework

§1. — *Introduction*

Activities carried on within the proposed 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 provides the framework for the various activities permitted so as to better protect the natural environment in keeping with the conservation principles and other management objectives established for the proposed reserves. Accordingly, certain activities require the prior authorization of the Minister and compliance with the conditions determined by the Minister. The permitted and prohibited activities considered for the period that follows the granting of a permanent status by the government are the same with the necessary adjustments to take into account the enforcement of article 46 of the act.

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

- mining, and gas or petroleum development;
- forest management within the meaning of section 3 of the Forest Act (R.S.Q., c. F-4.1); and
- the development of hydraulic resources and any production of energy on a commercial or industrial basis.

The measures in the Natural Heritage Conservation Act and in this conservation plan apply subject to the provisions of the agreements under the Act approving the Agreement concerning James Bay and Northern Québec (R.S.Q., c. C 67) and the Act approving the Northeastern Québec Agreement (R.S.Q., c. C 67.1).

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

§2.1. *Protection of resources and the natural environment*

3.1. Subject to the prohibition in the second paragraph, no person may establish in the proposed reserve any specimens or individuals of a native or non-native species of fauna, including by stocking, 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.

No person may establish in the proposed reserve a non-native species of flora, unless the person has been authorized by the Minister and complies with the conditions the Minister determines.

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 of rehabilitating degraded environments or habitats within the proposed reserve, and the interest in reintroducing certain species that have disappeared.

3.2. No person may use fertilizer or fertilizing material in the proposed reserve. Compost for domestic purposes is permitted if used at least 20 metres from a watercourse or body of water measured from the high-water mark.

The high-water mark means the high-water mark defined in the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains, adopted by Order in Council 468-2005 dated 18 May 2005.

3.3. 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, including a marsh, swamp or bog;
- (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) install or erect any structure, infrastructure or new works in or on the bed, banks, shores or floodplain of a watercourse or body of water, although no authorization is required for minor works such as a wharf, platform or boathouse erected for private purposes and free of charge under section 2 of the Regulation respecting the water property in the domain of the State made by Order in Council 81-2003 dated 29 January 2003;
- (5) carry on any activity other than those referred to in the preceding subparagraphs that is likely to degrade the bed, banks or shores of a body of water or watercourse or directly and substantially affect the quality of the biochemical characteristics of aquatic or riparian environments or wetland areas in the proposed reserve, including by discharging or dumping waste or pollutants into those areas;

- (6) carry out soil development work, including any burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose including recreational and tourism purposes such as trail development;
- (7) install or erect any structure, infrastructure or new works;
- (8) reconstruct or demolish an existing structure, infrastructure or works,
- (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, although no authorization is required for the removal of soapstone by beneficiaries within the meaning of section 1 of the Act respecting the land regime in the James Bay and New Québec territories (R.S.Q., c. R 13.1);
- (10) use a pesticide, although no authorization is required for the use of personal insect repellent;
- (11) 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
- (12) hold a sports event, tournament, rally or similar event if more than 15 persons are likely to participate in the activity and have access to the proposed 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 proposed reserve is highly unfeasible.

The conditions determined by the Minister for the 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 on-site materials, 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 11 of the first paragraph refers.

3.4. Despite subparagraphs 6, 7, 8 and 9 of the first paragraph of section 3.3, no authorization is required to carry out work referred to in subparagraph 1 of this section when the requirements of subparagraph 2 are met.

- (1) The work involves
 - (a) work to maintain, repair or upgrade an existing structure, infrastructure or works such as a camp, cottage, road or trail, including ancillary facilities such as lookouts or stairs;
 - (b) the construction or erection of
 - i. an appurtenance or ancillary facility of a trapping camp, rough shelter, shelter or cottage such as a shed, well, water intake or sanitary facilities; or
 - ii. a trapping camp, rough shelter, shelter or cottage if such a building was permitted under the right to use or occupy the land but had not been constructed or installed on the effective date of the status as a proposed reserve; or

(c) the demolition or reconstruction of a trapping camp, rough shelter, shelter or cottage, including an appurtenance or ancillary facility such as a shed, well, water intake or sanitary facilities.

(2) The work is carried out in compliance with the following requirements:

(a) the work involves a structure, infrastructure or works permitted within the proposed reserve;

(b) the work is carried out within the area of land or right-of-way subject to the right to use or occupy the land in the proposed reserve, whether the right results from a lease, servitude or other form of title, permit or authorization;

(c) the nature of the work or elements erected by the work will not operate to increase the area of land that may remain deforested beyond the limits permitted under the provisions applicable to the sale, lease and granting of immovable rights under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and, if applicable, the limits allowed under an authorization for the structure, works or infrastructure; and

(d) the work is carried out in compliance with the conditions of a permit or authorization issued for the work or in connection with the structure, infrastructure or works involved, and in accordance with the laws and regulations that apply.

For the purposes of this section, repair and upgrading work includes work to replace or erect works or facilities to comply with the requirements of an environmental regulation.

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

Despite the first paragraph, an outfitting operation does not require an authorization to use a disposal facility or site in compliance with the Environment Quality Act and its regulations if the outfitting operation was already using the facility or site on the effective date of the protection status as a proposed reserve.

§2.2. Rules of conduct for users

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

3.7. Every person who makes a campfire must

(1) first 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.

3.8. In the proposed reserve, no person may

(1) cause any excessive noise;

- (2) behave in a manner that unduly disturbs other persons or interferes with their enjoyment of the proposed 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 or for the permitted use of property, a device or an instrument within the proposed reserve is considered excessive or undue.

3.9. No person may enter, carry on an activity or travel in a vehicle in a given sector of the proposed 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.

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

§2.3. Activities requiring an authorization

3.11. No person may occupy or use the same site in the proposed reserve for a period of more than 90 days in the same year, unless the person has been authorized by the Minister and complies with the conditions the Minister determines.

- (1) For the purposes of the first paragraph,
 - (a) the occupation or use of a site includes
 - i. staying or settling in the proposed reserve, including for vacation purposes;
 - ii. installing a camp or shelter in the proposed reserve; and
 - iii. installing, burying or leaving property in the proposed reserve, including equipment, any device or a vehicle;
 - (b) "same site" means any other site within a radius of 1 kilometre from the site.
- (2) Despite the first paragraph, no authorization is required if a person,
 - (a) on the effective date of the protection status as a proposed reserve, 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;
 - (b) 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 *a*, and whose right to occupy the land is renewed or extended on the same conditions, subject to possible changes in fees; or

(c) elects to acquire land the person legally occupies on the effective date of the protection status as a proposed reserve, pursuant to the Act respecting the lands in the domain of the State.

3.12. (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 determined by the Minister for the 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 is not required if a person staying or residing in the proposed reserve collects wood to make a campfire.

An authorization is also not required if a person collects firewood to meet domestic needs in the following cases and on the following conditions:

(a) the wood is collected to supply a trapping camp or a rough shelter permitted within the proposed reserve if

i. 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;

ii. the quantity of wood collected does not exceed 7 apparent cubic metres per year;

(b) in all other cases if

i. the wood is collected within a sector designated by the Minister of Natural Resources and Wildlife as a sector for which a permit for the harvest of firewood for domestic purposes under the Forest Act may be issued, and for which, on the effective date of the protection status as a proposed reserve, a designation as such had already been made by the Minister;

ii. the wood is collected by a person who, on the effective date of the protection status as a proposed reserve or in any of the three preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the proposed reserve;

iii. 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.

(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 proposed reserve in accordance with this conservation plan carries on the forest management activity for the purpose of

(a) clearing the permitted areas, maintaining them or creating visual openings, or 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, including work for access roads, stairs and other trails permitted under those provisions; or

(b) clearing the necessary area for the installation, connection, maintenance, repair, reconstruction or upgrading of facilities, lines or mains for water, sewer, electric power or telecommunications services.

If the work referred to in paragraph *b* 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 in sections 3.13 and 3.15.

(4) Despite subsection 1, an authorization to carry on a forest management activity to maintain a sugar bush and harvest maple products for domestic needs is not required if

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

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

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

§ 2.4. *Authorization exemptions*

3.13. Despite the preceding provisions, an authorization is not required for an activity or other form of intervention within the proposed 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 disaster. The person concerned must, however, immediately inform the Minister of the activity or intervention that has taken place.

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

For greater certainty, the provisions of this conservation plan also apply subject to the authorization exemptions and other provisions in the Act respecting hunting and fishing rights in the James Bay and New Québec territories (R.S.Q., c. D-13.1).

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

- (1) any activity or intervention required within the proposed reserve to complete a project for which express authorization had previously been given by the Government and the Minister, or only by the Minister, 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 the activity or intervention is carried out in conformity 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 ascertain the impact of electric 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

3.16. 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.

3.17. The Minister's authorization, which is general or for a group, may be communicated for the benefit of the persons concerned by any appropriate means including a posted notice or appropriate signage at the reception centre or any other location within the proposed reserve that is readily accessible to the public. The Minister may also provide a copy to any person concerned.

§3. Activities governed by other statutes

Certain activities likely to be carried on within the proposed 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 proposed reserve.

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

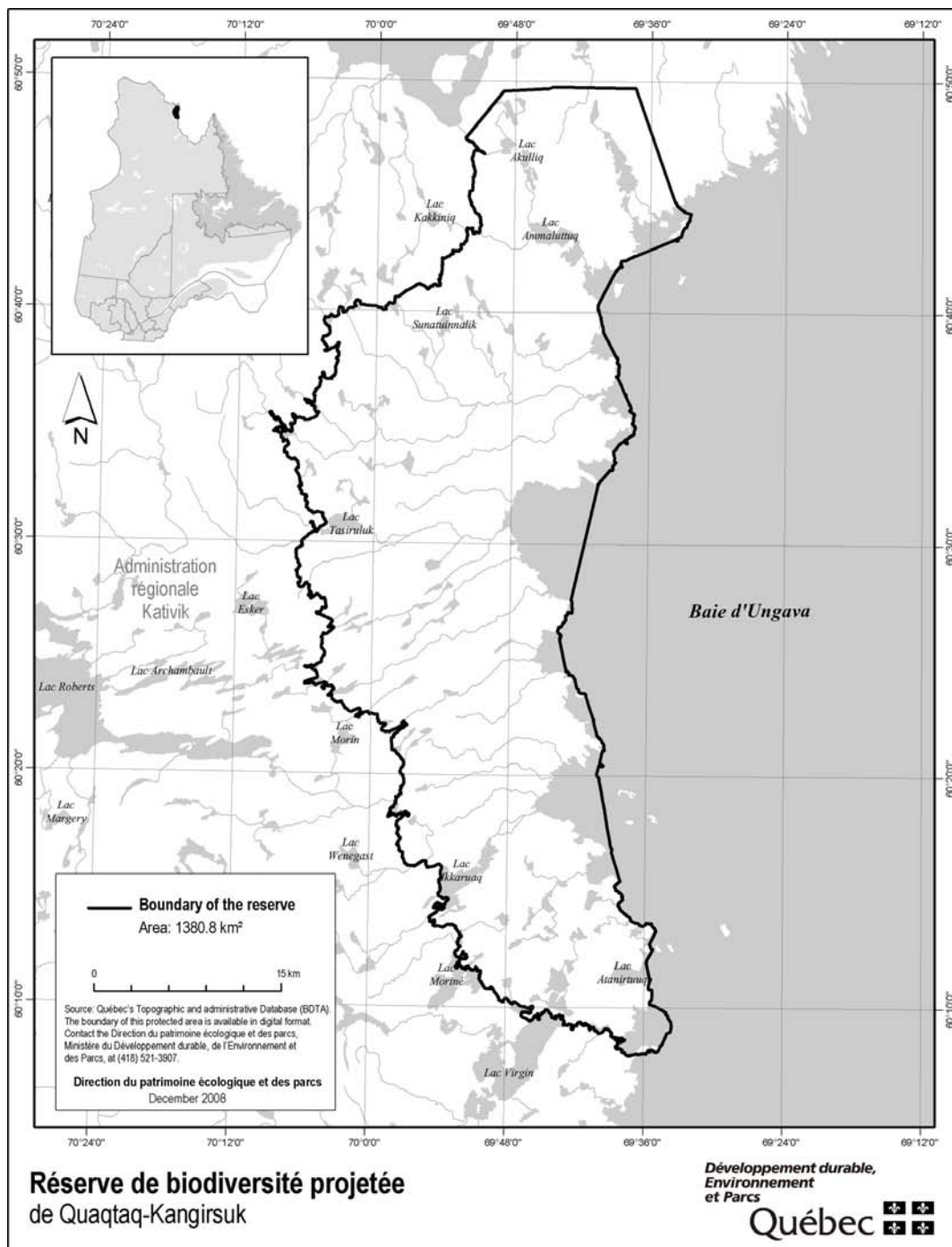
- Environmental protection: measures set out in particular in the Environment Quality Act (R.S.Q., c. Q-2) and its regulations;
- Removal of species of flora designated as threatened or vulnerable: measures set out in the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01) prohibiting the removal of such species;
- Development and conservation 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; in Northern regions: special measures set out in the Act respecting hunting and fishing rights in the James Bay and New Québec territories (R.S.Q., c. D-13.1);
- Archaeological research: measures set out in particular in the Cultural Property Act (R.S.Q., c. B-4);
- Access and land rights related to the domain of the State: 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 Watercourses Act (R.S.Q., c. R-13) and, in Northern regions, in the Act respecting the land regime in the James Bay and New Québec territories (R.S.Q., c. R-13.1);
- 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 respecting motor vehicle traffic in certain fragile environments made under the Environment Quality Act;
- Construction and development standards: regulatory measures adopted by regional and local municipal authorities under the Acts applicable to them.

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

The Minister of Sustainable Development, Environment and Parks is responsible for the conservation and management of the Réserve de biodiversité projetée de Quaqtak-Kangirsuk and is therefore responsible for supervising and monitoring the activities that may be carried on within the reserve. In managing the reserve, the Minister will work collaboratively with other government representatives having specific responsibilities within the boundaries of the reserve or on adjoining land, such as the Minister of Natural Resources and Wildlife. In the exercise of their powers and functions, the Ministers will take into consideration the protection sought for these natural environments and the protection status that has been granted. No additional conservation measure is, at this point, considered. Regarding zoning, the conservation objectives for the period of temporary protection are the same for the entire area, the proposed reserve being only one conservation area.

Appendix 1

Map of the Réserve de biodiversité projetée de Quaqtak-Kangirsuk



QUÉBEC STRATEGY FOR PROTECTED AREAS



Réserve de biodiversité projetée de l'Estuaire- des-Rivières- Koktac-et- Nauberakvik

Conservation plan



February 2009

1. Protection status and toponym

The protection status of the territory described below is the proposed biodiversity reserve governed by the provisions of the Natural Heritage Conservation Act (R.S.Q. c. C-61.01)

The envisaged permanent protected status is a “biodiversity reserve” governed by the provisions of the Natural Heritage Conservation Act.

The provisional toponym is “Réserve de biodiversité projetée de l’Estuaire-des-Rivières-Koktac-et-Nauberakvik”. The official toponym will be determined at the time when permanent protection status is granted to the territory.

2. Plan and description

2.1. Geographic location, boundaries and dimensions

The boundaries and location of the Réserve de biodiversité projetée de l’Estuaire-des-Rivières-Koktac-et-Nauberakvik appear on the map that constitutes Appendix 1.

The Réserve de biodiversité projetée de l’Estuaire-des-Rivières-Koktac-et-Nauberakvik is located in the administrative region of Nord-du-Québec, between 58°41’55’’ and 59°05’40’’ latitude north and 77°45’55’’ and 78°37’47’’ longitude west. It is located approximately 25 km north of the Inuit village of Inukjuak. The proposed biodiversity reserve covers an area of 1323.0 km².

2.2. Ecological overview

The Réserve de biodiversité projetée de l’Estuaire-des-Rivières-Koktac-et-Nauberakvik is located in the natural province of the Ungava Peninsula, more specifically in the natural region of the Lake Faribault Plateau. The purpose of the proposed biodiversity reserve is to protect ecosystems that are representative of this natural region.

The territory is located within the Superior geological province and consists of a basement of intrusive rock, which is comprised mainly of tonalites, granite and granitoid rock. The entire southern portion is dominated by relatively flat landscapes covered by a thick layer of glacial deposits and a small portion of the territory features distinctive drumlinoid deposits.

With regard to the aquatic environment, the proposed biodiversity reserve protects a number of lakes and the lower reaches of some major rivers, including the Koktac, Nauberakvik and Corneille. The proposed biodiversity reserve is part of the watershed area of the aforementioned rivers. The reserve also includes the estuarine portion of these three rivers. Water covers 24% of the territory of the reserve.

The reserve is located in the arctic tundra shrub bioclimatic domain and is under the influence of a climate that is characterized by polar temperatures, a semi-arid precipitation regime and a very short growing season.

The reserve is not wooded. Consisting mainly of water, the reserve contains a large proportion of rock and rocky outcroppings. Vegetation includes mainly small shrubs, lichen and moss.

Four listed archaeological sites are located inside the reserve.

2.3. Land occupation and use

No rights in land have been granted within the proposed biodiversity reserve and no trail or road has been mapped.

The proposed biodiversity reserve is located almost entirely on category II land under the James Bay and Northern Québec Agreement, signed in 1975, and the *Act respecting the land regime in the James Bay and New Québec territories* (R.S.Q., c. R-13.1).

The proposed biodiversity reserve is located in fur-bearing animal management unit 96 and is included in Hunting Zone 23 North. It is also part of the Nouveau-Québec beaver reserve over which the Inuit hold exclusive rights to fur-bearing animals.

3. Activities framework

§1. — Introduction

Activities carried on within the proposed 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 provides the framework for the various activities permitted so as to better protect the natural environment in keeping with the conservation principles and other management objectives established for the proposed reserves. Accordingly, certain activities require the prior authorization of the Minister and compliance with the conditions determined by the Minister. The permitted and prohibited activities considered for the period that follows the granting of a permanent status by the government are the same with the necessary adjustments to take into account the enforcement of article 46 of the act.

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

- mining, and gas or petroleum development;
- forest management within the meaning of section 3 of the Forest Act (R.S.Q., c. F-4.1); and
- the development of hydraulic resources and any production of energy on a commercial or industrial basis.

The measures in the Natural Heritage Conservation Act and in this conservation plan apply subject to the provisions of the agreements under the Act approving the Agreement concerning James Bay and Northern Québec (R.S.Q., c. C 67) and the Act approving the Northeastern Québec Agreement (R.S.Q., c. C 67.1).

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

§2.1. *Protection of resources and the natural environment*

3.1. Subject to the prohibition in the second paragraph, no person may establish in the proposed reserve any specimens or individuals of a native or non-native species of fauna, including by stocking, 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.

No person may establish in the proposed reserve a non-native species of flora, unless the person has been authorized by the Minister and complies with the conditions the Minister determines.

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 of rehabilitating degraded environments or habitats within the proposed reserve, and the interest in reintroducing certain species that have disappeared.

3.2. No person may use fertilizer or fertilizing material in the proposed reserve. Compost for domestic purposes is permitted if used at least 20 metres from a watercourse or body of water measured from the high-water mark.

The high-water mark means the high-water mark defined in the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains, adopted by Order in Council 468-2005 dated 18 May 2005.

3.3. 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, including a marsh, swamp or bog;
- (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) install or erect any structure, infrastructure or new works in or on the bed, banks, shores or floodplain of a watercourse or body of water, although no authorization is required for minor works such as a wharf, platform or boathouse erected for private purposes and free of charge under section 2 of the Regulation respecting the water property in the domain of the State made by Order in Council 81-2003 dated 29 January 2003;
- (5) carry on any activity other than those referred to in the preceding subparagraphs that is likely to degrade the bed, banks or shores of a body of water or watercourse or directly and substantially affect the quality of the biochemical characteristics of aquatic or riparian environments or wetland areas in the proposed reserve, including by discharging or dumping waste or pollutants into those areas;

- (6) carry out soil development work, including any burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose including recreational and tourism purposes such as trail development;
- (7) install or erect any structure, infrastructure or new works;
- (8) reconstruct or demolish an existing structure, infrastructure or works,
- (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, although no authorization is required for the removal of soapstone by beneficiaries within the meaning of section 1 of the Act respecting the land regime in the James Bay and New Québec territories (R.S.Q., c. R 13.1);
- (10) use a pesticide, although no authorization is required for the use of personal insect repellent;
- (11) 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
- (12) hold a sports event, tournament, rally or similar event if more than 15 persons are likely to participate in the activity and have access to the proposed 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 proposed reserve is highly unfeasible.

The conditions determined by the Minister for the 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 on-site materials, 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 11 of the first paragraph refers.

3.4. Despite subparagraphs 6, 7, 8 and 9 of the first paragraph of section 3.3, no authorization is required to carry out work referred to in subparagraph 1 of this section when the requirements of subparagraph 2 are met.

- (1) The work involves
 - (a) work to maintain, repair or upgrade an existing structure, infrastructure or works such as a camp, cottage, road or trail, including ancillary facilities such as lookouts or stairs;
 - (b) the construction or erection of
 - i. an appurtenance or ancillary facility of a trapping camp, rough shelter, shelter or cottage such as a shed, well, water intake or sanitary facilities; or
 - ii. a trapping camp, rough shelter, shelter or cottage if such a building was permitted under the right to use or occupy the land but had not been constructed or installed on the effective date of the status as a proposed reserve; or

(c) the demolition or reconstruction of a trapping camp, rough shelter, shelter or cottage, including an appurtenance or ancillary facility such as a shed, well, water intake or sanitary facilities.

(2) The work is carried out in compliance with the following requirements:

(a) the work involves a structure, infrastructure or works permitted within the proposed reserve;

(b) the work is carried out within the area of land or right-of-way subject to the right to use or occupy the land in the proposed reserve, whether the right results from a lease, servitude or other form of title, permit or authorization;

(c) the nature of the work or elements erected by the work will not operate to increase the area of land that may remain deforested beyond the limits permitted under the provisions applicable to the sale, lease and granting of immovable rights under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and, if applicable, the limits allowed under an authorization for the structure, works or infrastructure; and

(d) the work is carried out in compliance with the conditions of a permit or authorization issued for the work or in connection with the structure, infrastructure or works involved, and in accordance with the laws and regulations that apply.

For the purposes of this section, repair and upgrading work includes work to replace or erect works or facilities to comply with the requirements of an environmental regulation.

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

Despite the first paragraph, an outfitting operation does not require an authorization to use a disposal facility or site in compliance with the Environment Quality Act and its regulations if the outfitting operation was already using the facility or site on the effective date of the protection status as a proposed reserve.

§2.2. Rules of conduct for users

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

3.7. Every person who makes a campfire must

(1) first 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.

3.8. In the proposed reserve, no person may

(1) cause any excessive noise;

- (2) behave in a manner that unduly disturbs other persons or interferes with their enjoyment of the proposed 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 or for the permitted use of property, a device or an instrument within the proposed reserve is considered excessive or undue.

3.9. No person may enter, carry on an activity or travel in a vehicle in a given sector of the proposed 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.

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

§2.3. Activities requiring an authorization

3.11. No person may occupy or use the same site in the proposed reserve for a period of more than 90 days in the same year, unless the person has been authorized by the Minister and complies with the conditions the Minister determines.

- (1) For the purposes of the first paragraph,
 - (a) the occupation or use of a site includes
 - i. staying or settling in the proposed reserve, including for vacation purposes;
 - ii. installing a camp or shelter in the proposed reserve; and
 - iii. installing, burying or leaving property in the proposed reserve, including equipment, any device or a vehicle;
 - (b) "same site" means any other site within a radius of 1 kilometre from the site.
- (2) Despite the first paragraph, no authorization is required if a person,
 - (a) on the effective date of the protection status as a proposed reserve, 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;
 - (b) 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 *a*, and whose right to occupy the land is renewed or extended on the same conditions, subject to possible changes in fees; or

(c) elects to acquire land the person legally occupies on the effective date of the protection status as a proposed reserve, pursuant to the Act respecting the lands in the domain of the State.

3.12. (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 determined by the Minister for the 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 is not required if a person staying or residing in the proposed reserve collects wood to make a campfire.

An authorization is also not required if a person collects firewood to meet domestic needs in the following cases and on the following conditions:

(a) the wood is collected to supply a trapping camp or a rough shelter permitted within the proposed reserve if

i. 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;

ii. the quantity of wood collected does not exceed 7 apparent cubic metres per year;

(b) in all other cases if

i. the wood is collected within a sector designated by the Minister of Natural Resources and Wildlife as a sector for which a permit for the harvest of firewood for domestic purposes under the Forest Act may be issued, and for which, on the effective date of the protection status as a proposed reserve, a designation as such had already been made by the Minister;

ii. the wood is collected by a person who, on the effective date of the protection status as a proposed reserve or in any of the three preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the proposed reserve;

iii. 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.

(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 proposed reserve in accordance with this conservation plan carries on the forest management activity for the purpose of

(a) clearing the permitted areas, maintaining them or creating visual openings, or 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, including work for access roads, stairs and other trails permitted under those provisions; or

(b) clearing the necessary area for the installation, connection, maintenance, repair, reconstruction or upgrading of facilities, lines or mains for water, sewer, electric power or telecommunications services.

If the work referred to in paragraph *b* 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 in sections 3.13 and 3.15.

(4) Despite subsection 1, an authorization to carry on a forest management activity to maintain a sugar bush and harvest maple products for domestic needs is not required if

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

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

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

§ 2.4. *Authorization exemptions*

3.13. Despite the preceding provisions, an authorization is not required for an activity or other form of intervention within the proposed 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 disaster. The person concerned must, however, immediately inform the Minister of the activity or intervention that has taken place.

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

For greater certainty, the provisions of this conservation plan also apply subject to the authorization exemptions and other provisions in the Act respecting hunting and fishing rights in the James Bay and New Québec territories (R.S.Q., c. D-13.1).

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

- (1) any activity or intervention required within the proposed reserve to complete a project for which express authorization had previously been given by the Government and the Minister, or only by the Minister, 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 the activity or intervention is carried out in conformity 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 ascertain the impact of electric 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

3.16. 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.

3.17. The Minister's authorization, which is general or for a group, may be communicated for the benefit of the persons concerned by any appropriate means including a posted notice or appropriate signage at the reception centre or any other location within the proposed reserve that is readily accessible to the public. The Minister may also provide a copy to any person concerned.

§3. Activities governed by other statutes

Certain activities likely to be carried on within the proposed 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 proposed reserve.

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

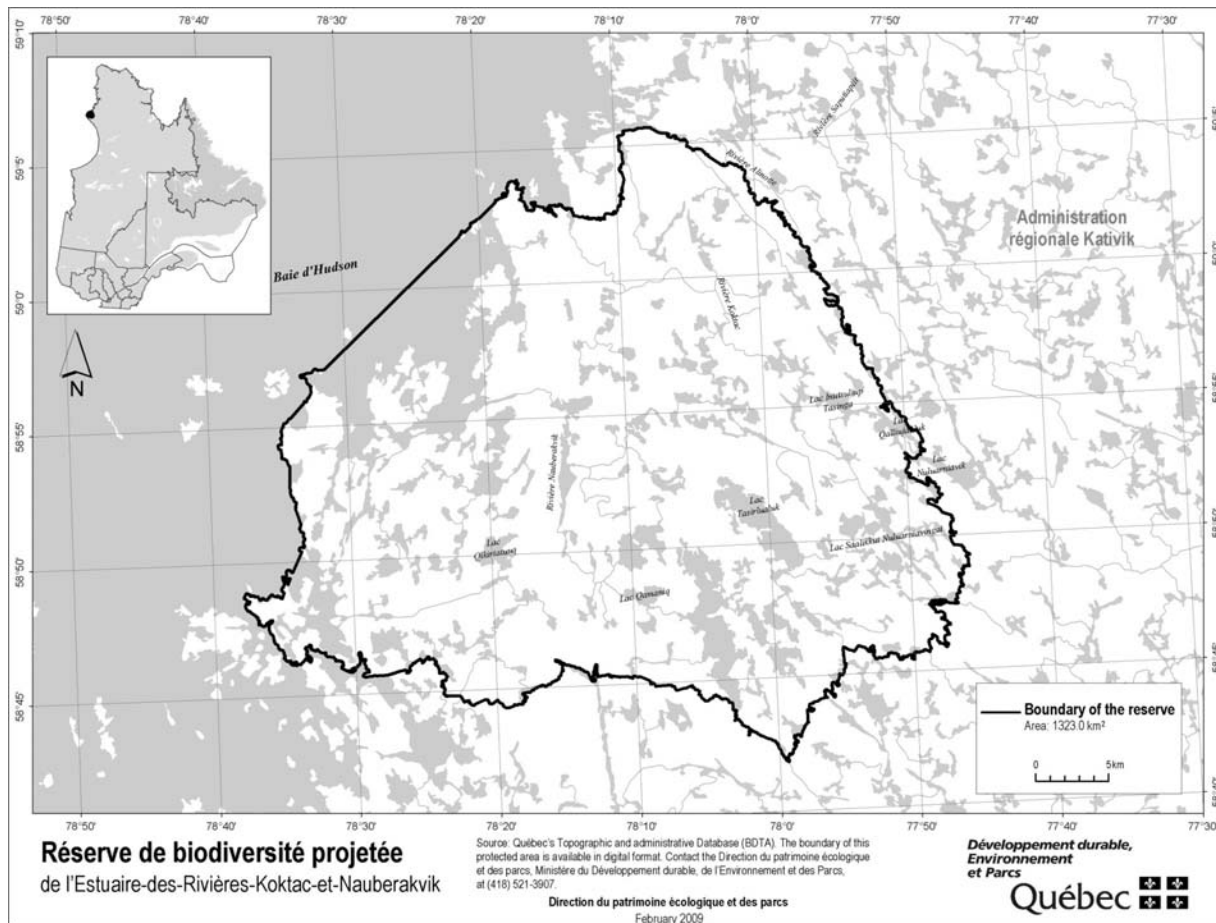
- Environmental protection: measures set out in particular in the Environment Quality Act (R.S.Q., c. Q-2) and its regulations;
- Removal of species of flora designated as threatened or vulnerable: measures set out in the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01) prohibiting the removal of such species;
- Development and conservation 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; in Northern regions: special measures set out in the Act respecting hunting and fishing rights in the James Bay and New Québec territories (R.S.Q., c. D-13.1);
- Archaeological research: measures set out in particular in the Cultural Property Act (R.S.Q., c. B-4);
- Access and land rights related to the domain of the State: 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 Watercourses Act (R.S.Q., c. R-13) and, in Northern regions, in the Act respecting the land regime in the James Bay and New Québec territories (R.S.Q., c. R-13.1);
- 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 respecting motor vehicle traffic in certain fragile environments made under the Environment Quality Act;
- Construction and development standards: regulatory measures adopted by regional and local municipal authorities under the Acts applicable to them.

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

The Minister of Sustainable Development, Environment and Parks is responsible for the conservation and management of the Réserve de biodiversité projetée de l'Estuaire-des-Rivières-Koktac-et-Nauberakvik and is therefore responsible for supervising and monitoring the activities that may be carried on within the reserve. In managing the reserve, the Minister will work collaboratively with other government representatives having specific responsibilities within the boundaries of the reserve or on adjoining land, such as the Minister of Natural Resources and Wildlife. In the exercise of their powers and functions, the Ministers will take into consideration the protection sought for these natural environments and the protection status that has been granted. No additional conservation measure is, at this point, considered. Regarding zoning, the conservation objectives for the period of temporary protection are the same for the entire area, the proposed reserve being only one conservation area.

Appendix 1

Map of the Réserve de biodiversité projetée de l'Estuaire-des-Rivières-Koktac-et-Nauberakvik



QUÉBEC STRATEGY FOR PROTECTED AREAS



Réserve de biodiversité projetée des Drumlins-du- Lac- Viennaux

Conservation plan



February 2009

1. Protection status and toponym

The protection status of the territory described below is the proposed biodiversity reserve governed by the provisions of the Natural Heritage Conservation Act (R.S.Q. c. C-61.01).

The envisaged permanent protected status is a “biodiversity reserve” governed by the provisions of the Natural Heritage Conservation Act.

The provisional toponym is “Réserve de biodiversité projetée des Drumlins-du-Lac-Viennaux”. The official toponym will be determined at the time when permanent protection status is granted to the territory.

2. Plan and description

2.1. Geographic location, boundaries and dimensions

The boundaries and location of the Réserve de biodiversité projetée des Drumlins-du-Lac-Viennaux appear on the map that constitutes Appendix 1.

The Réserve de biodiversité projetée des Drumlins-du-Lac-Viennaux is located in the administrative region of Nord-du-Québec, between 58°22' and 58°39' latitude north and 70°57' and 71°38' longitude west. It is located approximately 85 km southwest of the village of Tasiujaq. It covers an area of 701, 4 km² and lies within the unorganized territory of Rivière-Koksoak, which comes under the jurisdiction of the Kativik Regional Authority.

2.2. Ecological overview

The Réserve de biodiversité projetée des Drumlins-du-Lac-Viennaux is located in the Ungava Peninsula natural province. More specifically, it is part of the Lake Faribault Plateau natural region.

The territory contains a rare feature of the Lake Faribault Plateau natural region. The entire south portion is dominated by low elevation landforms that are covered with a relatively thick layer of glacial deposits and a small area in the northwest portion of the territory has a distinctive drumlinoid deposit.

This landscape of low hills has an elevation that varies little between 77 m and 235 m, with an average elevation of 165 m. The proposed biodiversity reserve lies within the arctic forest tundra domain. The open forest cover consists mainly of small and large shrubs. The northwest zone has a few islands of black spruce. Wetlands cover approximately one-third of the territory.

The proposed biodiversity reserve lies within the Rivière aux Feuilles watershed area.

2.3. Land occupation and use

The proposed biodiversity reserve lies within the territory of the Nouveau-Québec beaver reserve and is included in Hunting Zone 23. No road or land rights are included in or cross the territory.

The entire territory is located on category III land under the James Bay and Northern Québec Agreement, signed in 1975, and the *Act respecting the land regime in the James Bay and New Québec territories* (R.S.Q., c. R-13.1). The southern part of the reserve was identified as an area of esthetic interest by the Kativik Regional Authority.

3. Activities framework

§1. — Introduction

Activities carried on within the proposed 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 provides the framework for the various activities permitted so as to better protect the natural environment in keeping with the conservation principles and other management objectives established for the proposed reserves. Accordingly, certain activities require the prior authorization of the Minister and compliance with the conditions determined by the Minister. The permitted and prohibited activities considered for the period that follows the granting of a permanent status by the government are the same with the necessary adjustments to take into account the enforcement of article 46 of the act.

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

- mining, and gas or petroleum development;
- forest management within the meaning of section 3 of the Forest Act (R.S.Q., c. F-4.1); and
- the development of hydraulic resources and any production of energy on a commercial or industrial basis.

The measures in the Natural Heritage Conservation Act and in this conservation plan apply subject to the provisions of the agreements under the Act approving the Agreement concerning James Bay and Northern Québec (R.S.Q., c. C 67) and the Act approving the Northeastern Québec Agreement (R.S.Q., c. C 67.1).

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

§2.1. Protection of resources and the natural environment

3.1. Subject to the prohibition in the second paragraph, no person may establish in the proposed reserve any specimens or individuals of a native or non-native species of fauna, including by stocking, 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.

No person may establish in the proposed reserve a non-native species of flora, unless the person has been authorized by the Minister and complies with the conditions the Minister determines.

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 of rehabilitating degraded environments or habitats within the proposed reserve, and the interest in reintroducing certain species that have disappeared.

3.2. No person may use fertilizer or fertilizing material in the proposed reserve. Compost for domestic purposes is permitted if used at least 20 metres from a watercourse or body of water measured from the high-water mark.

The high-water mark means the high-water mark defined in the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains, adopted by Order in Council 468-2005 dated 18 May 2005.

3.3. 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, including a marsh, swamp or bog;
- (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) install or erect any structure, infrastructure or new works in or on the bed, banks, shores or floodplain of a watercourse or body of water, although no authorization is required for minor works such as a wharf, platform or boathouse erected for private purposes and free of charge under section 2 of the Regulation respecting the water property in the domain of the State made by Order in Council 81-2003 dated 29 January 2003;
- (5) carry on any activity other than those referred to in the preceding subparagraphs that is likely to degrade the bed, banks or shores of a body of water or watercourse or directly and substantially affect the quality of the biochemical characteristics of aquatic or riparian environments or wetland areas in the proposed reserve, including by discharging or dumping waste or pollutants into those areas;
- (6) carry out soil development work, including any burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose including recreational and tourism purposes such as trail development;
- (7) install or erect any structure, infrastructure or new works;
- (8) reconstruct or demolish an existing structure, infrastructure or works,
- (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, although no authorization is required

for the removal of soapstone by beneficiaries within the meaning of section 1 of the Act respecting the land regime in the James Bay and New Québec territories (R.S.Q., c. R 13.1);

- (10) use a pesticide, although no authorization is required for the use of personal insect repellent;
- (11) 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
- (12) hold a sports event, tournament, rally or similar event if more than 15 persons are likely to participate in the activity and have access to the proposed 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 proposed reserve is highly unfeasible.

The conditions determined by the Minister for the 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 on-site materials, 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 11 of the first paragraph refers.

3.4. Despite subparagraphs 6, 7, 8 and 9 of the first paragraph of section 3.3, no authorization is required to carry out work referred to in subparagraph 1 of this section when the requirements of subparagraph 2 are met.

- (1) The work involves
 - (a) work to maintain, repair or upgrade an existing structure, infrastructure or works such as a camp, cottage, road or trail, including ancillary facilities such as lookouts or stairs;
 - (b) the construction or erection of
 - i. an appurtenance or ancillary facility of a trapping camp, rough shelter, shelter or cottage such as a shed, well, water intake or sanitary facilities; or
 - ii. a trapping camp, rough shelter, shelter or cottage if such a building was permitted under the right to use or occupy the land but had not been constructed or installed on the effective date of the status as a proposed reserve; or
 - (c) the demolition or reconstruction of a trapping camp, rough shelter, shelter or cottage, including an appurtenance or ancillary facility such as a shed, well, water intake or sanitary facilities.
- (2) The work is carried out in compliance with the following requirements:
 - (a) the work involves a structure, infrastructure or works permitted within the proposed reserve;
 - (b) the work is carried out within the area of land or right-of-way subject to the right to use or occupy the land in the proposed reserve, whether the right results from a lease, servitude or other form of title, permit or authorization;

(c) the nature of the work or elements erected by the work will not operate to increase the area of land that may remain deforested beyond the limits permitted under the provisions applicable to the sale, lease and granting of immovable rights under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and, if applicable, the limits allowed under an authorization for the structure, works or infrastructure; and

(d) the work is carried out in compliance with the conditions of a permit or authorization issued for the work or in connection with the structure, infrastructure or works involved, and in accordance with the laws and regulations that apply.

For the purposes of this section, repair and upgrading work includes work to replace or erect works or facilities to comply with the requirements of an environmental regulation.

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

Despite the first paragraph, an outfitting operation does not require an authorization to use a disposal facility or site in compliance with the Environment Quality Act and its regulations if the outfitting operation was already using the facility or site on the effective date of the protection status as a proposed reserve.

§2.2. Rules of conduct for users

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

3.7. Every person who makes a campfire must

- (1) first 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.

3.8. In the proposed reserve, no person may

- (1) cause any excessive noise;
- (2) behave in a manner that unduly disturbs other persons or interferes with their enjoyment of the proposed 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 or for the permitted use of property, a device or an instrument within the proposed reserve is considered excessive or undue.

3.9. No person may enter, carry on an activity or travel in a vehicle in a given sector of the proposed 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.

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

§2.3. Activities requiring an authorization

3.11. No person may occupy or use the same site in the proposed reserve for a period of more than 90 days in the same year, unless the person has been authorized by the Minister and complies with the conditions the Minister determines.

(1) For the purposes of the first paragraph,

(a) the occupation or use of a site includes

i. staying or settling in the proposed reserve, including for vacation purposes;

ii. installing a camp or shelter in the proposed reserve; and

iii. installing, burying or leaving property in the proposed reserve, including equipment, any device or a vehicle;

(b) "same site" means any other site within a radius of 1 kilometre from the site.

(2) Despite the first paragraph, no authorization is required if a person,

(a) on the effective date of the protection status as a proposed reserve, 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;

(b) 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 *a*, and whose right to occupy the land is renewed or extended on the same conditions, subject to possible changes in fees; or

(c) elects to acquire land the person legally occupies on the effective date of the protection status as a proposed reserve, pursuant to the Act respecting the lands in the domain of the State.

3.12. (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 determined by the Minister for the 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 is not required if a person staying or residing in the proposed reserve collects wood to make a campfire.

An authorization is also not required if a person collects firewood to meet domestic needs in the following cases and on the following conditions:

(a) the wood is collected to supply a trapping camp or a rough shelter permitted within the proposed reserve if

i. 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;

ii. the quantity of wood collected does not exceed 7 apparent cubic metres per year;

(b) in all other cases if

i. the wood is collected within a sector designated by the Minister of Natural Resources and Wildlife as a sector for which a permit for the harvest of firewood for domestic purposes under the Forest Act may be issued, and for which, on the effective date of the protection status as a proposed reserve, a designation as such had already been made by the Minister;

ii. the wood is collected by a person who, on the effective date of the protection status as a proposed reserve or in any of the three preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the proposed reserve;

iii. 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.

(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 proposed reserve in accordance with this conservation plan carries on the forest management activity for the purpose of

(a) clearing the permitted areas, maintaining them or creating visual openings, or 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, including work for access roads, stairs and other trails permitted under those provisions; or

(b) clearing the necessary area for the installation, connection, maintenance, repair, reconstruction or upgrading of facilities, lines or mains for water, sewer, electric power or telecommunications services.

If the work referred to in paragraph *b* 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 in sections 3.13 and 3.15.

(4) Despite subsection 1, an authorization to carry on a forest management activity to maintain a sugar bush and harvest maple products for domestic needs is not required if

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

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

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

§ 2.4. *Authorization exemptions*

3.13. Despite the preceding provisions, an authorization is not required for an activity or other form of intervention within the proposed 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 disaster. The person concerned must, however, immediately inform the Minister of the activity or intervention that has taken place.

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

For greater certainty, the provisions of this conservation plan also apply subject to the authorization exemptions and other provisions in the Act respecting hunting and fishing rights in the James Bay and New Québec territories (R.S.Q., c. D-13.1).

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

(1) any activity or intervention required within the proposed reserve to complete a project for which express authorization had previously been given by the Government and the Minister, or only by the Minister, 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 the activity or intervention is carried out in conformity 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 ascertain the impact of electric 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*

3.16. 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.

3.17. The Minister's authorization, which is general or for a group, may be communicated for the benefit of the persons concerned by any appropriate means including a posted notice or appropriate signage at the reception centre or any other location within the proposed reserve that is readily accessible to the public. The Minister may also provide a copy to any person concerned.

§3. *Activities governed by other statutes*

Certain activities likely to be carried on within the proposed 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 proposed reserve.

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

- Environmental protection: measures set out in particular in the Environment Quality Act (R.S.Q., c. Q-2) and its regulations;
- Removal of species of flora designated as threatened or vulnerable: measures set out in the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01) prohibiting the removal of such species;

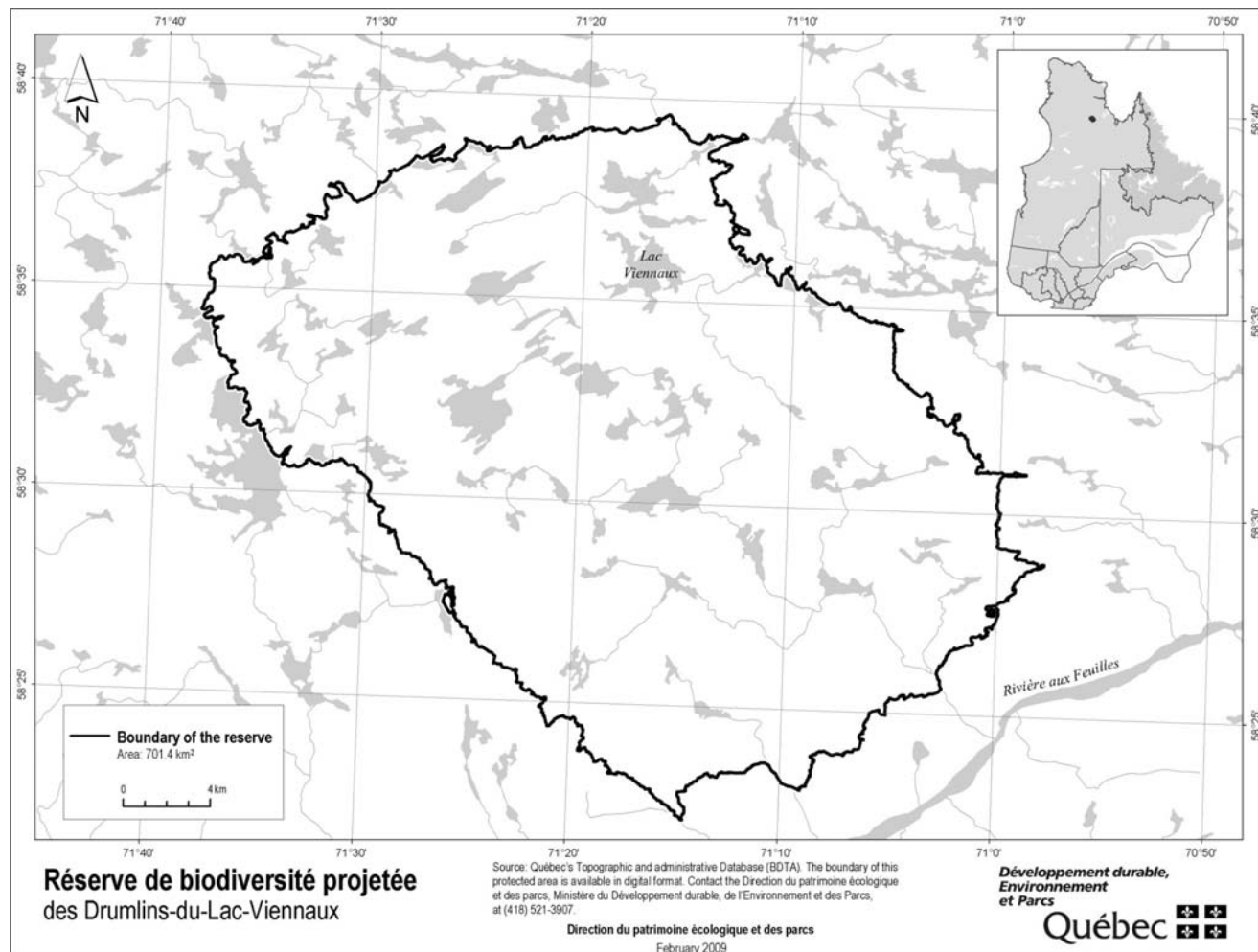
- Development and conservation of wildlife resources: measures set out in particular in the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), including the provisions pertaining to outfitting operations and beaver reserves and the measures contained in applicable federal legislation, in particular the fishery regulations; in Northern regions: special measures set out in the Act respecting hunting and fishing rights in the James Bay and New Québec territories (R.S.Q., c. D-13.1);
- Archaeological research: measures set out in particular in the Cultural Property Act (R.S.Q., c. B-4);
- Access and land rights related to the domain of the State: 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 Watercourses Act (R.S.Q., c. R-13) and, in Northern regions, in the Act respecting the land regime in the James Bay and New Québec territories (R.S.Q., c. R-13.1);
- 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 respecting motor vehicle traffic in certain fragile environments made under the Environment Quality Act;
- Construction and development standards: regulatory measures adopted by regional and local municipal authorities under the Acts applicable to them.

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

The Minister of Sustainable Development, Environment and Parks is responsible for the conservation and management of the Réserve de biodiversité projetée des Drumlins-du-Lac-Viennaux and is therefore responsible for supervising and monitoring the activities that may be carried on within the reserve. In managing the reserve, the Minister will work collaboratively with other government representatives having specific responsibilities within the boundaries of the reserve or on adjoining land, such as the Minister of Natural Resources and Wildlife. In the exercise of their powers and functions, the Ministers will take into consideration the protection sought for these natural environments and the protection status that has been granted. No additional conservation measure is, at this point, considered. Regarding zoning, the conservation objectives for the period of temporary protection are the same for the entire area, the proposed reserve being only one conservation area.

Appendix 1

Map of the Réserve de biodiversité projetée des Drumlins-du-Lac-Viennaux



QUÉBEC STRATEGY FOR PROTECTED AREAS



Réserve de biodiversité projetée de la Rivière-Delav

Conservation plan

February 2009

1. Protection status and toponym

The protection status of the territory described below is the proposed biodiversity reserve governed by the provisions of the Natural Heritage Conservation Act (R.S.Q. c. C-61.01).

The envisaged permanent protected status is a “biodiversity reserve” governed by the provisions of the Natural Heritage Conservation Act.

The provisional toponym is “Réserve de biodiversité projetée de la Rivière-Delay”. The official toponym will be determined at the time when permanent protection status is granted to the territory.

2. Plan and description

2.1. Geographic location, boundaries and dimensions

The boundaries and location of the Réserve de biodiversité projetée de la Rivière-Delay appear on the map that constitutes Appendix 1.

The Réserve de biodiversité projetée de la Rivière-Delay is located in the administrative region of Nord-du-Québec, between 55°50' and 56°56' latitude north and 70°38' and 71°26' longitude west. It is located approximately 230 km southwest of the village of Kuujjuaq. It covers an area of 2 889, 5 km² and lies within the unorganized territory of Rivière-Koksoak, which comes under the authority of the Kativik Regional Government.

2.2. Ecological overview

The Réserve de biodiversité projetée de la Rivière-Delay is located in the Nord-du-Québec Central Plateau natural province. More specifically, it is part of the Châtauguay Lake Plateau and Collines du lac d'Iberville natural regions.

The territory is in the shape of a corridor through which the Delay river flows and its expansion, Lake Chanikamisu. The south half meanders through a complex of hills (elevation of 50 m to 240 m) composed of relatively thick glacial deposits with rocky outcroppings in some locations. The north portion has the same hilly landscape, but is covered primarily by thick drumlinoid glacial deposits.

The proposed biodiversity reserve lies mainly within the forest tundra domain. The open forest cover consists mainly of mature black spruce-lichen stands, mainly along the river. Wooded shrubby coniferous heaths cover approximately 25% of the territory. The northeast part of the territory also contains a large number of rocky outcroppings.

The proposed biodiversity reserve is part of the Rivière aux Mélèzes watershed area.

2.3. Land occupation and use

The north sector of the proposed biodiversity reserve lies within the Nouveau-Québec beaver reserve and is located in Hunting Zone 23. No road is included in or crosses the territory. Four leases are in effect within the territory. Three are for commercial purposes to run an outfitting operation (without exclusives rights) and one for vacationing purposes (rough shelters).

The entire territory is located on category III land under the James Bay and Northern Québec Agreement, signed in 1975, and the *Act respecting the land regime in the James Bay and New Québec territories* (R.S.Q., c. R-13.1).

3. Activities framework

§1. — Introduction

Activities carried on within the proposed 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 provides the framework for the various activities permitted so as to better protect the natural environment in keeping with the conservation principles and other management objectives established for the proposed reserves. Accordingly, certain activities require the prior authorization of the Minister and compliance with the conditions determined by the Minister. The permitted and prohibited activities considered for the period that follows the granting of a permanent status by the government are the same with the necessary adjustments to take into account the enforcement of article 46 of the act.

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

- mining, and gas or petroleum development;
- forest management within the meaning of section 3 of the Forest Act (R.S.Q., c. F-4.1); and
- the development of hydraulic resources and any production of energy on a commercial or industrial basis.

The measures in the Natural Heritage Conservation Act and in this conservation plan apply subject to the provisions of the agreements under the Act approving the Agreement concerning James Bay and Northern Québec (R.S.Q., c. C 67) and the Act approving the Northeastern Québec Agreement (R.S.Q., c. C 67.1).

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

§2.1. Protection of resources and the natural environment

3.1. Subject to the prohibition in the second paragraph, no person may establish in the proposed reserve any specimens or individuals of a native or non-native species of fauna, including by stocking, 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.

No person may establish in the proposed reserve a non-native species of flora, unless the person has been authorized by the Minister and complies with the conditions the Minister determines.

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 of rehabilitating degraded environments or habitats within the proposed reserve, and the interest in reintroducing certain species that have disappeared.

3.2. No person may use fertilizer or fertilizing material in the proposed reserve. Compost for domestic purposes is permitted if used at least 20 metres from a watercourse or body of water measured from the high-water mark.

The high-water mark means the high-water mark defined in the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains, adopted by Order in Council 468-2005 dated 18 May 2005.

3.3. 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, including a marsh, swamp or bog;
- (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) install or erect any structure, infrastructure or new works in or on the bed, banks, shores or floodplain of a watercourse or body of water, although no authorization is required for minor works such as a wharf, platform or boathouse erected for private purposes and free of charge under section 2 of the Regulation respecting the water property in the domain of the State made by Order in Council 81-2003 dated 29 January 2003;
- (5) carry on any activity other than those referred to in the preceding subparagraphs that is likely to degrade the bed, banks or shores of a body of water or watercourse or directly and substantially affect the quality of the biochemical characteristics of aquatic or riparian environments or wetland areas in the proposed reserve, including by discharging or dumping waste or pollutants into those areas;
- (6) carry out soil development work, including any burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose including recreational and tourism purposes such as trail development;
- (7) install or erect any structure, infrastructure or new works;
- (8) reconstruct or demolish an existing structure, infrastructure or works,
- (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, although no authorization is required

for the removal of soapstone by beneficiaries within the meaning of section 1 of the Act respecting the land regime in the James Bay and New Québec territories (R.S.Q., c. R 13.1);

- (10) use a pesticide, although no authorization is required for the use of personal insect repellent;
- (11) 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
- (12) hold a sports event, tournament, rally or similar event if more than 15 persons are likely to participate in the activity and have access to the proposed 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 proposed reserve is highly unfeasible.

The conditions determined by the Minister for the 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 on-site materials, 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 11 of the first paragraph refers.

3.4. Despite subparagraphs 6, 7, 8 and 9 of the first paragraph of section 3.3, no authorization is required to carry out work referred to in subparagraph 1 of this section when the requirements of subparagraph 2 are met.

- (1) The work involves
 - (a) work to maintain, repair or upgrade an existing structure, infrastructure or works such as a camp, cottage, road or trail, including ancillary facilities such as lookouts or stairs;
 - (b) the construction or erection of
 - i. an appurtenance or ancillary facility of a trapping camp, rough shelter, shelter or cottage such as a shed, well, water intake or sanitary facilities; or
 - ii. a trapping camp, rough shelter, shelter or cottage if such a building was permitted under the right to use or occupy the land but had not been constructed or installed on the effective date of the status as a proposed reserve; or
 - (c) the demolition or reconstruction of a trapping camp, rough shelter, shelter or cottage, including an appurtenance or ancillary facility such as a shed, well, water intake or sanitary facilities.
- (2) The work is carried out in compliance with the following requirements:
 - (a) the work involves a structure, infrastructure or works permitted within the proposed reserve;
 - (b) the work is carried out within the area of land or right-of-way subject to the right to use or occupy the land in the proposed reserve, whether the right results from a lease, servitude or other form of title, permit or authorization;

(c) the nature of the work or elements erected by the work will not operate to increase the area of land that may remain deforested beyond the limits permitted under the provisions applicable to the sale, lease and granting of immovable rights under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and, if applicable, the limits allowed under an authorization for the structure, works or infrastructure; and

(d) the work is carried out in compliance with the conditions of a permit or authorization issued for the work or in connection with the structure, infrastructure or works involved, and in accordance with the laws and regulations that apply.

For the purposes of this section, repair and upgrading work includes work to replace or erect works or facilities to comply with the requirements of an environmental regulation.

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

Despite the first paragraph, an outfitting operation does not require an authorization to use a disposal facility or site in compliance with the Environment Quality Act and its regulations if the outfitting operation was already using the facility or site on the effective date of the protection status as a proposed reserve.

§2.2. Rules of conduct for users

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

3.7. Every person who makes a campfire must

- (1) first 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.

3.8. In the proposed reserve, no person may

- (1) cause any excessive noise;
- (2) behave in a manner that unduly disturbs other persons or interferes with their enjoyment of the proposed 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 or for the permitted use of property, a device or an instrument within the proposed reserve is considered excessive or undue.

3.9. No person may enter, carry on an activity or travel in a vehicle in a given sector of the proposed 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.

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

§2.3. Activities requiring an authorization

3.11. No person may occupy or use the same site in the proposed reserve for a period of more than 90 days in the same year, unless the person has been authorized by the Minister and complies with the conditions the Minister determines.

(1) For the purposes of the first paragraph,

(a) the occupation or use of a site includes

- i. staying or settling in the proposed reserve, including for vacation purposes;
- ii. installing a camp or shelter in the proposed reserve; and
- iii. installing, burying or leaving property in the proposed reserve, including equipment, any device or a vehicle;

(b) "same site" means any other site within a radius of 1 kilometre from the site.

(2) Despite the first paragraph, no authorization is required if a person,

(a) on the effective date of the protection status as a proposed reserve, 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;

(b) 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 *a*, and whose right to occupy the land is renewed or extended on the same conditions, subject to possible changes in fees; or

(c) elects to acquire land the person legally occupies on the effective date of the protection status as a proposed reserve, pursuant to the Act respecting the lands in the domain of the State.

3.12. (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 determined by the Minister for the 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 is not required if a person staying or residing in the proposed reserve collects wood to make a campfire.

An authorization is also not required if a person collects firewood to meet domestic needs in the following cases and on the following conditions:

(a) the wood is collected to supply a trapping camp or a rough shelter permitted within the proposed reserve if

i. 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;

ii. the quantity of wood collected does not exceed 7 apparent cubic metres per year;

(b) in all other cases if

i. the wood is collected within a sector designated by the Minister of Natural Resources and Wildlife as a sector for which a permit for the harvest of firewood for domestic purposes under the Forest Act may be issued, and for which, on the effective date of the protection status as a proposed reserve, a designation as such had already been made by the Minister;

ii. the wood is collected by a person who, on the effective date of the protection status as a proposed reserve or in any of the three preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the proposed reserve;

iii. 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.

(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 proposed reserve in accordance with this conservation plan carries on the forest management activity for the purpose of

(a) clearing the permitted areas, maintaining them or creating visual openings, or 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, including work for access roads, stairs and other trails permitted under those provisions; or

(b) clearing the necessary area for the installation, connection, maintenance, repair, reconstruction or upgrading of facilities, lines or mains for water, sewer, electric power or telecommunications services.

If the work referred to in paragraph *b* 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 in sections 3.13 and 3.15.

(4) Despite subsection 1, an authorization to carry on a forest management activity to maintain a sugar bush and harvest maple products for domestic needs is not required if

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

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

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

§ 2.4. *Authorization exemptions*

3.13. Despite the preceding provisions, an authorization is not required for an activity or other form of intervention within the proposed 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 disaster. The person concerned must, however, immediately inform the Minister of the activity or intervention that has taken place.

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

For greater certainty, the provisions of this conservation plan also apply subject to the authorization exemptions and other provisions in the Act respecting hunting and fishing rights in the James Bay and New Québec territories (R.S.Q., c. D-13.1).

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

(1) any activity or intervention required within the proposed reserve to complete a project for which express authorization had previously been given by the Government and the Minister, or only by the Minister, 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 the activity or intervention is carried out in conformity 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 ascertain the impact of electric 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*

3.16. 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.

3.17. The Minister's authorization, which is general or for a group, may be communicated for the benefit of the persons concerned by any appropriate means including a posted notice or appropriate signage at the reception centre or any other location within the proposed reserve that is readily accessible to the public. The Minister may also provide a copy to any person concerned.

§3. *Activities governed by other statutes*

Certain activities likely to be carried on within the proposed 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 proposed reserve.

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

- Environmental protection: measures set out in particular in the Environment Quality Act (R.S.Q., c. Q-2) and its regulations;
- Removal of species of flora designated as threatened or vulnerable: measures set out in the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01) prohibiting the removal of such species;

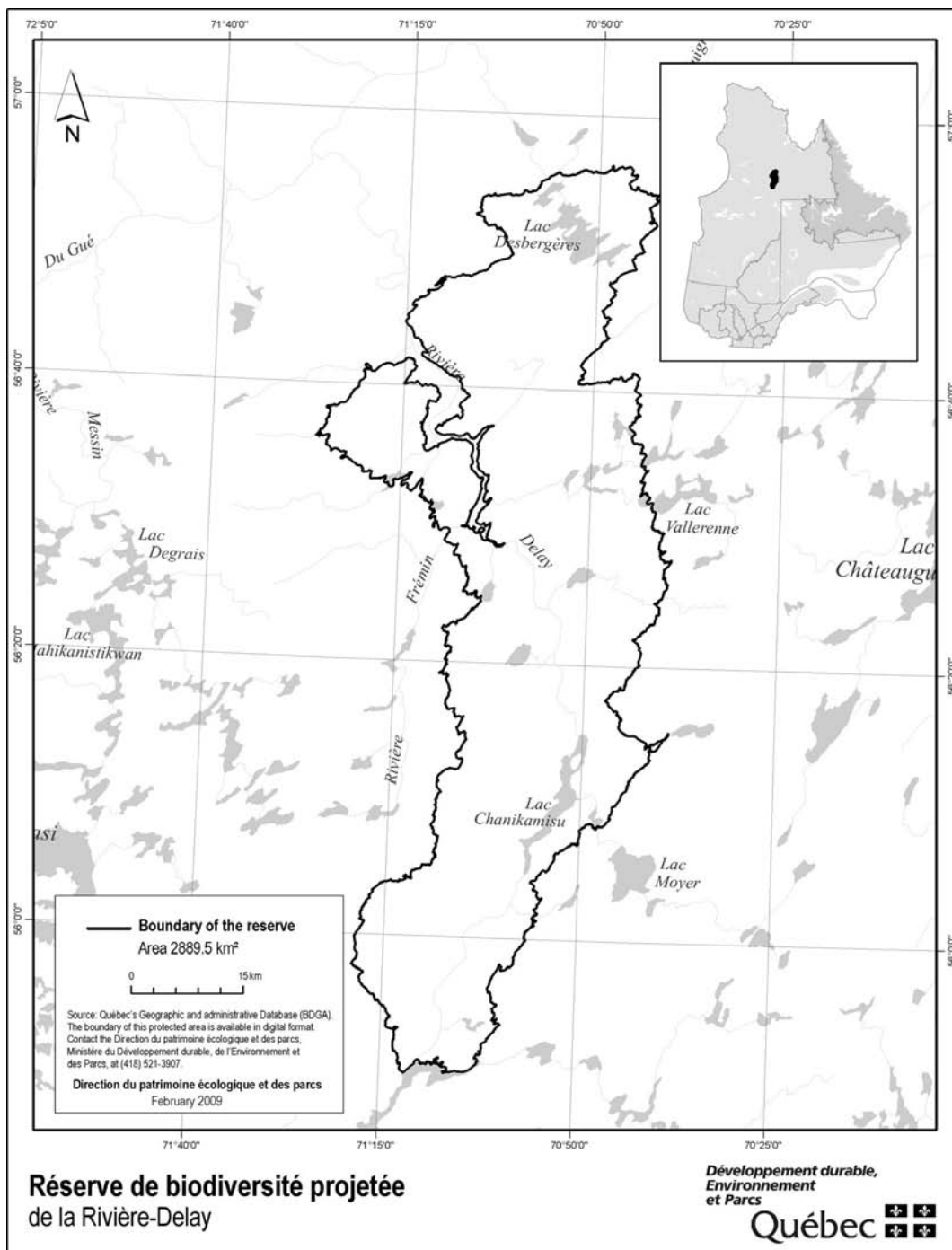
- Development and conservation of wildlife resources: measures set out in particular in the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), including the provisions pertaining to outfitting operations and beaver reserves and the measures contained in applicable federal legislation, in particular the fishery regulations; in Northern regions: special measures set out in the Act respecting hunting and fishing rights in the James Bay and New Québec territories (R.S.Q., c. D-13.1);
- Archaeological research: measures set out in particular in the Cultural Property Act (R.S.Q., c. B-4);
- Access and land rights related to the domain of the State: 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 Watercourses Act (R.S.Q., c. R-13) and, in Northern regions, in the Act respecting the land regime in the James Bay and New Québec territories (R.S.Q., c. R-13.1);
- 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 respecting motor vehicle traffic in certain fragile environments made under the Environment Quality Act;
- Construction and development standards: regulatory measures adopted by regional and local municipal authorities under the Acts applicable to them.

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

The Minister of Sustainable Development, Environment and Parks is responsible for the conservation and management of the Réserve de biodiversité projetée de la Rivière-Deloy and is therefore responsible for supervising and monitoring the activities that may be carried on within the reserve. In managing the reserve, the Minister will work collaboratively with other government representatives having specific responsibilities within the boundaries of the reserve or on adjoining land, such as the Minister of Natural Resources and Wildlife. In the exercise of their powers and functions, the Ministers will take into consideration the protection sought for these natural environments and the protection status that has been granted. No additional conservation measure is, at this point, considered. Regarding zoning, the conservation objectives for the period of temporary protection are the same for the entire area, the proposed reserve being only one conservation area.

Appendix 1

Map of the Réserve de biodiversité projetée de la Rivière-Deloy



QUÉBEC STRATEGY FOR PROTECTED AREAS



Réserve de biodiversité projetée du Lac-Sérigny

Conservation plan



February 2009

1. Protection status and toponym

The protection status of the territory described below is a proposed biodiversity reserve governed by the provisions of the Natural Heritage Conservation Act (R.S.Q., c. C-61.01).

The envisaged permanent protected status is a “biodiversity reserve” governed by the provisions of the Natural Heritage Conservation Act.

The provisional toponym is “Réserve de biodiversité projetée du Lac-Sérigny”. The official toponym will be determined at the time when permanent protection status is accorded to the territory.

2. Plan and description

2.1. Geographic location, boundaries and dimensions

The boundaries and location of the Réserve de biodiversité projetée du Lac-Sérigny appear on the map that constitutes Appendix 1.

The Réserve de biodiversité projetée du Lac-Sérigny is located in the Nord-du-Québec administrative region, between 55°04' and 55°41' latitude north and 69°12' and 70°15' longitude west, approximately 200 km northeast of the city of Shefferville and the village of Kawawachikamach. It covers an area of 3 259, 9 km² in the unincorporated territory of Rivière-Koksoak, under the responsibility of the Kativik Regional Government.

2.2. Ecological overview

The Réserve de biodiversité projetée du Lac-Sérigny is located in the Nord-du-Québec Central Plateau natural province, more precisely in the Plateau de la rivière Caniapiscau natural region.

The area comprises a series of hills covered by glacial deposits of varying depth. A series of lakes associated with the Sérigny river crosses the northeast of the area.

The hilly landscape has wide variation in relief, from 0 m to 253 m with an average of 180 m. The proposed biodiversity reserve is situated in the bioclimatic field of forest tundra. The forest cover is mostly mature black spruce with lichens in the higher, drier areas, with mossy spruce stands in the more humid and lower-lying environments. Wetlands and large shrubs cover around 20% of the area. The eastern section of the area has many rocky outcrops.

The proposed biodiversity reserve lies mainly within the Caniapiscau watershed, but a narrow strip in the western sector lies within the Grande Rivière de la Baleine watershed.

2.3. Land occupation and use

The northern sector of the proposed biodiversity reserve lies within the Nouveau-Québec beaver reserve and hunting zone 23, while the rest of the reserve lies within the Mistassini beaver reserve and hunting zone 22. The areas have no roads. For commercial leases for the establishment of outfitting (without exclusives rights) operations have been granted in the northern and eastern sectors.

The entire area is situated on Category III lands within the meaning of the James Bay and Northern Québec Agreement, signed in 1975, and the Act respecting the land regime in the James Bay and New Québec territories (R.S.Q., c. R-13.1), and more specifically is connected with the Cree community of Chisasibi.

3. Activities framework

§1. — Introduction

Activities carried on within the proposed 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 provides the framework for the various activities permitted so as to better protect the natural environment in keeping with the conservation principles and other management objectives established for the proposed reserves. Accordingly, certain activities require the prior authorization of the Minister and compliance with the conditions determined by the Minister. The permitted and prohibited activities considered for the period that follows the granting of a permanent status by the government are the same with the necessary adjustments to take into account the enforcement of article 46 of the act.

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

- mining, and gas or petroleum development;
- forest management within the meaning of section 3 of the Forest Act (R.S.Q., c. F-4.1); and
- the development of hydraulic resources and any production of energy on a commercial or industrial basis.

The measures in the Natural Heritage Conservation Act and in this conservation plan apply subject to the provisions of the agreements under the Act approving the Agreement concerning James Bay and Northern Québec (R.S.Q., c. C 67) and the Act approving the Northeastern Québec Agreement (R.S.Q., c. C 67.1).

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

§2.1. Protection of resources and the natural environment

3.1. Subject to the prohibition in the second paragraph, no person may establish in the proposed reserve any specimens or individuals of a native or non-native species of fauna, including by stocking, 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.

No person may establish in the proposed reserve a non-native species of flora, unless the person has been authorized by the Minister and complies with the conditions the Minister determines.

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 of rehabilitating degraded environments or habitats within the proposed reserve, and the interest in reintroducing certain species that have disappeared.

3.2. No person may use fertilizer or fertilizing material in the proposed reserve. Compost for domestic purposes is permitted if used at least 20 metres from a watercourse or body of water measured from the high-water mark.

The high-water mark means the high-water mark defined in the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains, adopted by Order in Council 468-2005 dated 18 May 2005.

3.3. 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, including a marsh, swamp or bog;
- (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) install or erect any structure, infrastructure or new works in or on the bed, banks, shores or floodplain of a watercourse or body of water, although no authorization is required for minor works such as a wharf, platform or boathouse erected for private purposes and free of charge under section 2 of the Regulation respecting the water property in the domain of the State made by Order in Council 81-2003 dated 29 January 2003;
- (5) carry on any activity other than those referred to in the preceding subparagraphs that is likely to degrade the bed, banks or shores of a body of water or watercourse or directly and substantially affect the quality of the biochemical characteristics of aquatic or riparian environments or wetland areas in the proposed reserve, including by discharging or dumping waste or pollutants into those areas;
- (6) carry out soil development work, including any burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose including recreational and tourism purposes such as trail development;
- (7) install or erect any structure, infrastructure or new works;
- (8) reconstruct or demolish an existing structure, infrastructure or works,
- (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, although no authorization is required

for the removal of soapstone by beneficiaries within the meaning of section 1 of the Act respecting the land regime in the James Bay and New Québec territories (R.S.Q., c. R 13.1);

- (10) use a pesticide, although no authorization is required for the use of personal insect repellent;
- (11) 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
- (12) hold a sports event, tournament, rally or similar event if more than 15 persons are likely to participate in the activity and have access to the proposed 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 proposed reserve is highly unfeasible.

The conditions determined by the Minister for the 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 on-site materials, 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 11 of the first paragraph refers.

3.4. Despite subparagraphs 6, 7, 8 and 9 of the first paragraph of section 3.3, no authorization is required to carry out work referred to in subparagraph 1 of this section when the requirements of subparagraph 2 are met.

- (1) The work involves
 - (a) work to maintain, repair or upgrade an existing structure, infrastructure or works such as a camp, cottage, road or trail, including ancillary facilities such as lookouts or stairs;
 - (b) the construction or erection of
 - i. an appurtenance or ancillary facility of a trapping camp, rough shelter, shelter or cottage such as a shed, well, water intake or sanitary facilities; or
 - ii. a trapping camp, rough shelter, shelter or cottage if such a building was permitted under the right to use or occupy the land but had not been constructed or installed on the effective date of the status as a proposed reserve; or
 - (c) the demolition or reconstruction of a trapping camp, rough shelter, shelter or cottage, including an appurtenance or ancillary facility such as a shed, well, water intake or sanitary facilities.
- (2) The work is carried out in compliance with the following requirements:
 - (a) the work involves a structure, infrastructure or works permitted within the proposed reserve;
 - (b) the work is carried out within the area of land or right-of-way subject to the right to use or occupy the land in the proposed reserve, whether the right results from a lease, servitude or other form of title, permit or authorization;

(c) the nature of the work or elements erected by the work will not operate to increase the area of land that may remain deforested beyond the limits permitted under the provisions applicable to the sale, lease and granting of immovable rights under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and, if applicable, the limits allowed under an authorization for the structure, works or infrastructure; and

(d) the work is carried out in compliance with the conditions of a permit or authorization issued for the work or in connection with the structure, infrastructure or works involved, and in accordance with the laws and regulations that apply.

For the purposes of this section, repair and upgrading work includes work to replace or erect works or facilities to comply with the requirements of an environmental regulation.

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

Despite the first paragraph, an outfitting operation does not require an authorization to use a disposal facility or site in compliance with the Environment Quality Act and its regulations if the outfitting operation was already using the facility or site on the effective date of the protection status as a proposed reserve.

§2.2. Rules of conduct for users

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

3.7. Every person who makes a campfire must

- (1) first 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.

3.8. In the proposed reserve, no person may

- (1) cause any excessive noise;
- (2) behave in a manner that unduly disturbs other persons or interferes with their enjoyment of the proposed 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 or for the permitted use of property, a device or an instrument within the proposed reserve is considered excessive or undue.

3.9. No person may enter, carry on an activity or travel in a vehicle in a given sector of the proposed 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.

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

§2.3. Activities requiring an authorization

3.11. No person may occupy or use the same site in the proposed reserve for a period of more than 90 days in the same year, unless the person has been authorized by the Minister and complies with the conditions the Minister determines.

(1) For the purposes of the first paragraph,

(a) the occupation or use of a site includes

- i. staying or settling in the proposed reserve, including for vacation purposes;
- ii. installing a camp or shelter in the proposed reserve; and
- iii. installing, burying or leaving property in the proposed reserve, including equipment, any device or a vehicle;

(b) "same site" means any other site within a radius of 1 kilometre from the site.

(2) Despite the first paragraph, no authorization is required if a person,

(a) on the effective date of the protection status as a proposed reserve, 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;

(b) 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 *a*, and whose right to occupy the land is renewed or extended on the same conditions, subject to possible changes in fees; or

(c) elects to acquire land the person legally occupies on the effective date of the protection status as a proposed reserve, pursuant to the Act respecting the lands in the domain of the State.

3.12. (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 determined by the Minister for the 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 is not required if a person staying or residing in the proposed reserve collects wood to make a campfire.

An authorization is also not required if a person collects firewood to meet domestic needs in the following cases and on the following conditions:

(a) the wood is collected to supply a trapping camp or a rough shelter permitted within the proposed reserve if

i. 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;

ii. the quantity of wood collected does not exceed 7 apparent cubic metres per year;

(b) in all other cases if

i. the wood is collected within a sector designated by the Minister of Natural Resources and Wildlife as a sector for which a permit for the harvest of firewood for domestic purposes under the Forest Act may be issued, and for which, on the effective date of the protection status as a proposed reserve, a designation as such had already been made by the Minister;

ii. the wood is collected by a person who, on the effective date of the protection status as a proposed reserve or in any of the three preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the proposed reserve;

iii. 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.

(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 proposed reserve in accordance with this conservation plan carries on the forest management activity for the purpose of

(a) clearing the permitted areas, maintaining them or creating visual openings, or 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, including work for access roads, stairs and other trails permitted under those provisions; or

(b) clearing the necessary area for the installation, connection, maintenance, repair, reconstruction or upgrading of facilities, lines or mains for water, sewer, electric power or telecommunications services.

If the work referred to in paragraph *b* 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 in sections 3.13 and 3.15.

(4) Despite subsection 1, an authorization to carry on a forest management activity to maintain a sugar bush and harvest maple products for domestic needs is not required if

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

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

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

§ 2.4. *Authorization exemptions*

3.13. Despite the preceding provisions, an authorization is not required for an activity or other form of intervention within the proposed 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 disaster. The person concerned must, however, immediately inform the Minister of the activity or intervention that has taken place.

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

For greater certainty, the provisions of this conservation plan also apply subject to the authorization exemptions and other provisions in the Act respecting hunting and fishing rights in the James Bay and New Québec territories (R.S.Q., c. D-13.1).

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

(1) any activity or intervention required within the proposed reserve to complete a project for which express authorization had previously been given by the Government and the Minister, or only by the Minister, 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 the activity or intervention is carried out in conformity 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 ascertain the impact of electric 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*

3.16. 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.

3.17. The Minister's authorization, which is general or for a group, may be communicated for the benefit of the persons concerned by any appropriate means including a posted notice or appropriate signage at the reception centre or any other location within the proposed reserve that is readily accessible to the public. The Minister may also provide a copy to any person concerned.

§3. *Activities governed by other statutes*

Certain activities likely to be carried on within the proposed 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 proposed reserve.

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

- Environmental protection: measures set out in particular in the Environment Quality Act (R.S.Q., c. Q-2) and its regulations;
- Removal of species of flora designated as threatened or vulnerable: measures set out in the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01) prohibiting the removal of such species;

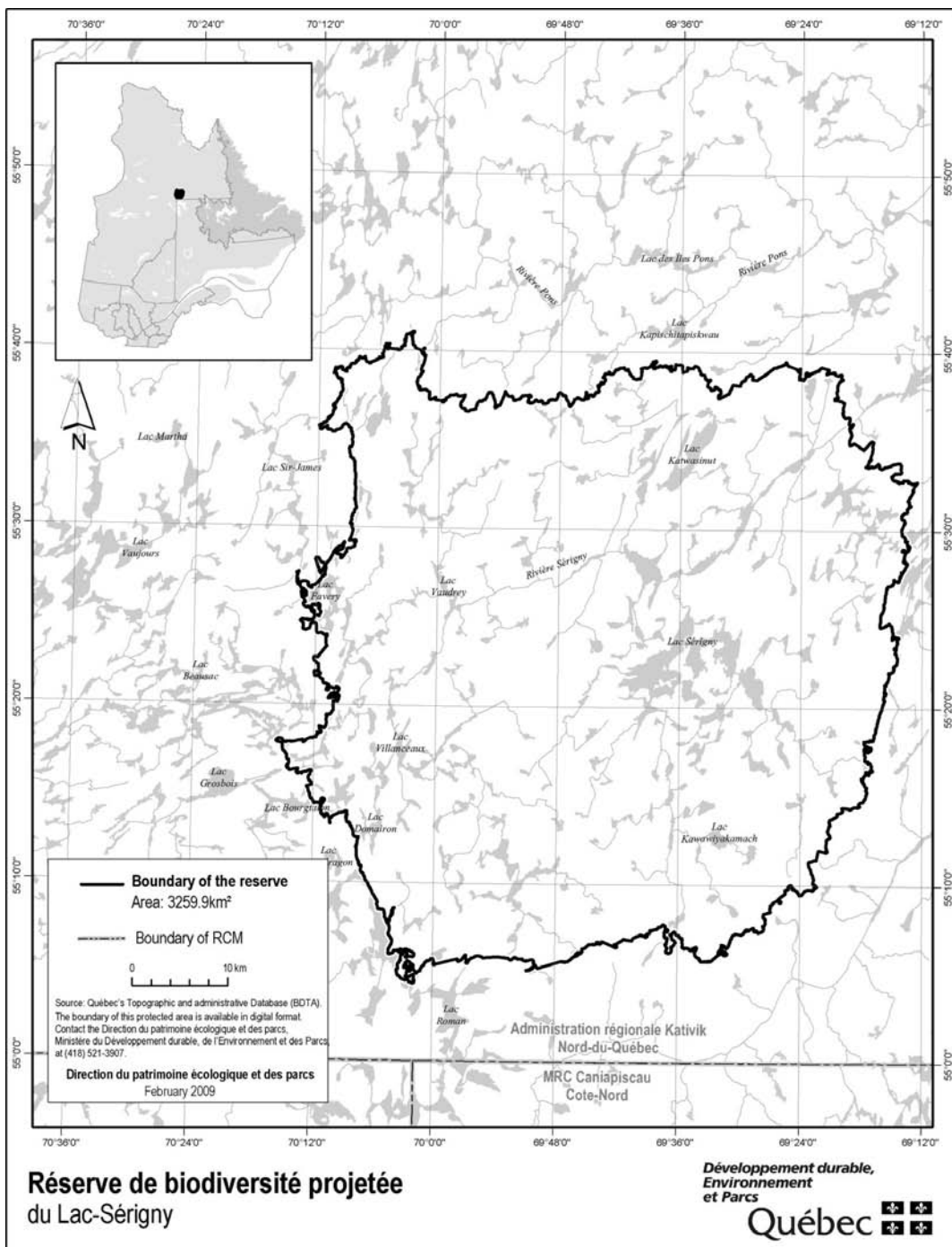
- Development and conservation of wildlife resources: measures set out in particular in the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), including the provisions pertaining to outfitting operations and beaver reserves and the measures contained in applicable federal legislation, in particular the fishery regulations; in Northern regions: special measures set out in the Act respecting hunting and fishing rights in the James Bay and New Québec territories (R.S.Q., c. D-13.1);
- Archaeological research: measures set out in particular in the Cultural Property Act (R.S.Q., c. B-4);
- Access and land rights related to the domain of the State: 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 Watercourses Act (R.S.Q., c. R-13) and, in Northern regions, in the Act respecting the land regime in the James Bay and New Québec territories (R.S.Q., c. R-13.1);
- 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 respecting motor vehicle traffic in certain fragile environments made under the Environment Quality Act;
- Construction and development standards: regulatory measures adopted by regional and local municipal authorities under the Acts applicable to them.

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

The Minister of Sustainable Development, Environment and Parks is responsible for the conservation and management of the Réserve de biodiversité projetée du Lac-Sérigny and is therefore responsible for supervising and monitoring the activities that may be carried on within the reserve. In managing the reserve, the Minister will work collaboratively with other government representatives having specific responsibilities within the boundaries of the reserve or on adjoining land, such as the Minister of Natural Resources and Wildlife. In the exercise of their powers and functions, the Ministers will take into consideration the protection sought for these natural environments and the protection status that has been granted. No additional conservation measure is, at this point, considered. Regarding zoning, the conservation objectives for the period of temporary protection are the same for the entire area, the proposed reserve being only one conservation area.

Appendix 1

Map of the Réserve de biodiversité projetée du Lac-Sérigny



QUÉBEC STRATEGY FOR PROTECTED AREAS



Réserve de biodiversité projetée Hirondelle

Conservation plan



February 2009

1. Protection status and toponym

The protection status of the territory described below is the proposed biodiversity reserve governed by the provisions of the Natural Heritage Conservation Act (R.S.Q. c. C-61.01)

The envisaged permanent protected status is a “biodiversity reserve” governed by the provisions of the Natural Heritage Conservation Act.

The provisional toponym is “Réserve de biodiversité projetée Hirondelle”. The official toponym will be determined at the time when permanent protection status is granted to the territory.

2. Plan and description

2.1. Geographic location, boundaries and dimensions

The boundaries and location of the Réserve de biodiversité projetée Hirondelle appear on the map that constitutes Appendix 1.

The Réserve de biodiversité projetée Hirondelle is located in the administrative region of Nord-du-Québec, between 52°50'36'' and 53°01'08'' latitude north and 71°29'15'' and 71°53'17'' longitude west. It is located approximately 300 km northeast of the Cree village of Mistissini. The proposed biodiversity reserve covers an area of 322.0 km².

2.2. Ecological overview

The boundaries of the natural provinces of the Nord-du-Québec Central Plateau natural province and Low Hills of the Grande Rivière cut through the Réserve de biodiversité projetée Hirondelle. More specifically, it is part of the natural region of the lakes Noacocane and Nichicun Knolls and the physiographic unit of the Hillocks of Orillat Lake. The purpose of the proposed biodiversity reserve is to protect ecosystems that are representative of this natural region.

Located in the Superior geological province, the territory consists of basement metasedimentary rock, which is mainly paragneiss. The territory is composed of dead-ice moraine on a plateau setting with rounded peaks, the facies of which are associated with glacial landscapes.

With regard to the aquatic environment, the proposed biodiversity reserve protects a number of lakes. The aquatic part covers 18% of the territory of the reserve. The proposed biodiversity reserve is part of the Grande Rivière watershed area.

The reserve is located in the spruce-lichen forest bioclimatic domain and is under the influence of a cold subpolar climate, a sub-humid precipitation regime and a short growing season.

The reserve is composed mainly of spruce-moss forests and wooded shrubby coniferous heath, occasionally accompanied by lichen.

2.3. Land occupation and use

A vacation lease has been issued in the proposed biodiversity reserve and no trail or road has been mapped.

The proposed biodiversity reserve is located almost entirely on category III land under the James Bay and Northern Québec Agreement, signed in 1975, and the *Act respecting the land regime in the James Bay and New Québec territories* (R.S.Q., c. R-13.1). Three Cree traplines are within the area of the reserve.

The proposed biodiversity reserve is located in fur-bearing animal management unit 91 and is included in Hunting Zones 22 and 22B. It is also part of the Mistassini beaver reserve, for which the Cree hold exclusive rights to fur-bearing animals.

3. Activities framework

§1. — Introduction

Activities carried on within the proposed 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 provides the framework for the various activities permitted so as to better protect the natural environment in keeping with the conservation principles and other management objectives established for the proposed reserves. Accordingly, certain activities require the prior authorization of the Minister and compliance with the conditions determined by the Minister. The permitted and prohibited activities considered for the period that follows the granting of a permanent status by the government are the same with the necessary adjustments to take into account the enforcement of article 46 of the act.

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

- mining, and gas or petroleum development;
- forest management within the meaning of section 3 of the Forest Act (R.S.Q., c. F-4.1); and
- the development of hydraulic resources and any production of energy on a commercial or industrial basis.

The measures in the Natural Heritage Conservation Act and in this conservation plan apply subject to the provisions of the agreements under the Act approving the Agreement concerning James Bay and Northern Québec (R.S.Q., c. C 67) and the Act approving the Northeastern Québec Agreement (R.S.Q., c. C 67.1).

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

§2.1. — *Protection of resources and the natural environment*

3.1. Subject to the prohibition in the second paragraph, no person may establish in the proposed reserve any specimens or individuals of a native or non-native species of fauna, including by stocking, 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.

No person may establish in the proposed reserve a non-native species of flora, unless the person has been authorized by the Minister and complies with the conditions the Minister determines.

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 of rehabilitating degraded environments or habitats within the proposed reserve, and the interest in reintroducing certain species that have disappeared.

3.2. No person may use fertilizer or fertilizing material in the proposed reserve. Compost for domestic purposes is permitted if used at least 20 metres from a watercourse or body of water measured from the high-water mark.

The high-water mark means the high-water mark defined in the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains, adopted by Order in Council 468-2005 dated 18 May 2005.

3.3. 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, including a marsh, swamp or bog;
- (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) install or erect any structure, infrastructure or new works in or on the bed, banks, shores or floodplain of a watercourse or body of water, although no authorization is required for minor works such as a wharf, platform or boathouse erected for private purposes and free of charge under section 2 of the Regulation respecting the water property in the domain of the State made by Order in Council 81-2003 dated 29 January 2003;
- (5) carry on any activity other than those referred to in the preceding subparagraphs that is likely to degrade the bed, banks or shores of a body of water or watercourse or directly and substantially affect the quality of the biochemical characteristics of aquatic or riparian environments or wetland areas in the proposed reserve, including by discharging or dumping waste or pollutants into those areas;

- (6) carry out soil development work, including any burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose including recreational and tourism purposes such as trail development;
- (7) install or erect any structure, infrastructure or new works;
- (8) reconstruct or demolish an existing structure, infrastructure or works,
- (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, although no authorization is required for the removal of soapstone by beneficiaries within the meaning of section 1 of the Act respecting the land regime in the James Bay and New Québec territories (R.S.Q., c. R 13.1);
- (10) use a pesticide, although no authorization is required for the use of personal insect repellent;
- (11) 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
- (12) hold a sports event, tournament, rally or similar event if more than 15 persons are likely to participate in the activity and have access to the proposed 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 proposed reserve is highly unfeasible.

The conditions determined by the Minister for the 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 on-site materials, 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 11 of the first paragraph refers.

3.4. Despite subparagraphs 6, 7, 8 and 9 of the first paragraph of section 3.3, no authorization is required to carry out work referred to in subparagraph 1 of this section when the requirements of subparagraph 2 are met.

- (1) The work involves
 - (a) work to maintain, repair or upgrade an existing structure, infrastructure or works such as a camp, cottage, road or trail, including ancillary facilities such as lookouts or stairs;
 - (b) the construction or erection of
 - i. an appurtenance or ancillary facility of a trapping camp, rough shelter, shelter or cottage such as a shed, well, water intake or sanitary facilities; or
 - ii. a trapping camp, rough shelter, shelter or cottage if such a building was permitted under the right to use or occupy the land but had not been constructed or installed on the effective date of the status as a proposed reserve; or

(c) the demolition or reconstruction of a trapping camp, rough shelter, shelter or cottage, including an appurtenance or ancillary facility such as a shed, well, water intake or sanitary facilities.

(2) The work is carried out in compliance with the following requirements:

(a) the work involves a structure, infrastructure or works permitted within the proposed reserve;

(b) the work is carried out within the area of land or right-of-way subject to the right to use or occupy the land in the proposed reserve, whether the right results from a lease, servitude or other form of title, permit or authorization;

(c) the nature of the work or elements erected by the work will not operate to increase the area of land that may remain deforested beyond the limits permitted under the provisions applicable to the sale, lease and granting of immovable rights under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and, if applicable, the limits allowed under an authorization for the structure, works or infrastructure; and

(d) the work is carried out in compliance with the conditions of a permit or authorization issued for the work or in connection with the structure, infrastructure or works involved, and in accordance with the laws and regulations that apply.

For the purposes of this section, repair and upgrading work includes work to replace or erect works or facilities to comply with the requirements of an environmental regulation.

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

Despite the first paragraph, an outfitting operation does not require an authorization to use a disposal facility or site in compliance with the Environment Quality Act and its regulations if the outfitting operation was already using the facility or site on the effective date of the protection status as a proposed reserve.

§2.2. Rules of conduct for users

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

3.7. Every person who makes a campfire must

(1) first 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.

3.8. In the proposed reserve, no person may

(1) cause any excessive noise;

- (2) behave in a manner that unduly disturbs other persons or interferes with their enjoyment of the proposed 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 or for the permitted use of property, a device or an instrument within the proposed reserve is considered excessive or undue.

3.9. No person may enter, carry on an activity or travel in a vehicle in a given sector of the proposed 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.

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

§2.3. Activities requiring an authorization

3.11. No person may occupy or use the same site in the proposed reserve for a period of more than 90 days in the same year, unless the person has been authorized by the Minister and complies with the conditions the Minister determines.

- (1) For the purposes of the first paragraph,
 - (a) the occupation or use of a site includes
 - i. staying or settling in the proposed reserve, including for vacation purposes;
 - ii. installing a camp or shelter in the proposed reserve; and
 - iii. installing, burying or leaving property in the proposed reserve, including equipment, any device or a vehicle;
 - (b) "same site" means any other site within a radius of 1 kilometre from the site.
- (2) Despite the first paragraph, no authorization is required if a person,
 - (a) on the effective date of the protection status as a proposed reserve, 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;
 - (b) 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 *a*, and whose right to occupy the land is renewed or extended on the same conditions, subject to possible changes in fees; or

(c) elects to acquire land the person legally occupies on the effective date of the protection status as a proposed reserve, pursuant to the Act respecting the lands in the domain of the State.

3.12. (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 determined by the Minister for the 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 is not required if a person staying or residing in the proposed reserve collects wood to make a campfire.

An authorization is also not required if a person collects firewood to meet domestic needs in the following cases and on the following conditions:

(a) the wood is collected to supply a trapping camp or a rough shelter permitted within the proposed reserve if

i. 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;

ii. the quantity of wood collected does not exceed 7 apparent cubic metres per year;

(b) in all other cases if

i. the wood is collected within a sector designated by the Minister of Natural Resources and Wildlife as a sector for which a permit for the harvest of firewood for domestic purposes under the Forest Act may be issued, and for which, on the effective date of the protection status as a proposed reserve, a designation as such had already been made by the Minister;

ii. the wood is collected by a person who, on the effective date of the protection status as a proposed reserve or in any of the three preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the proposed reserve;

iii. 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.

(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 proposed reserve in accordance with this conservation plan carries on the forest management activity for the purpose of

(a) clearing the permitted areas, maintaining them or creating visual openings, or 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, including work for access roads, stairs and other trails permitted under those provisions; or

(b) clearing the necessary area for the installation, connection, maintenance, repair, reconstruction or upgrading of facilities, lines or mains for water, sewer, electric power or telecommunications services.

If the work referred to in paragraph *b* 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 in sections 3.13 and 3.15.

(4) Despite subsection 1, an authorization to carry on a forest management activity to maintain a sugar bush and harvest maple products for domestic needs is not required if

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

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

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

§ 2.4. *Authorization exemptions*

3.13. Despite the preceding provisions, an authorization is not required for an activity or other form of intervention within the proposed 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 disaster. The person concerned must, however, immediately inform the Minister of the activity or intervention that has taken place.

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

For greater certainty, the provisions of this conservation plan also apply subject to the authorization exemptions and other provisions in the Act respecting hunting and fishing rights in the James Bay and New Québec territories (R.S.Q., c. D-13.1).

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

- (1) any activity or intervention required within the proposed reserve to complete a project for which express authorization had previously been given by the Government and the Minister, or only by the Minister, 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 the activity or intervention is carried out in conformity 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 ascertain the impact of electric 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

3.16. 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.

3.17. The Minister's authorization, which is general or for a group, may be communicated for the benefit of the persons concerned by any appropriate means including a posted notice or appropriate signage at the reception centre or any other location within the proposed reserve that is readily accessible to the public. The Minister may also provide a copy to any person concerned.

§3. Activities governed by other statutes

Certain activities likely to be carried on within the proposed 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 proposed reserve.

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

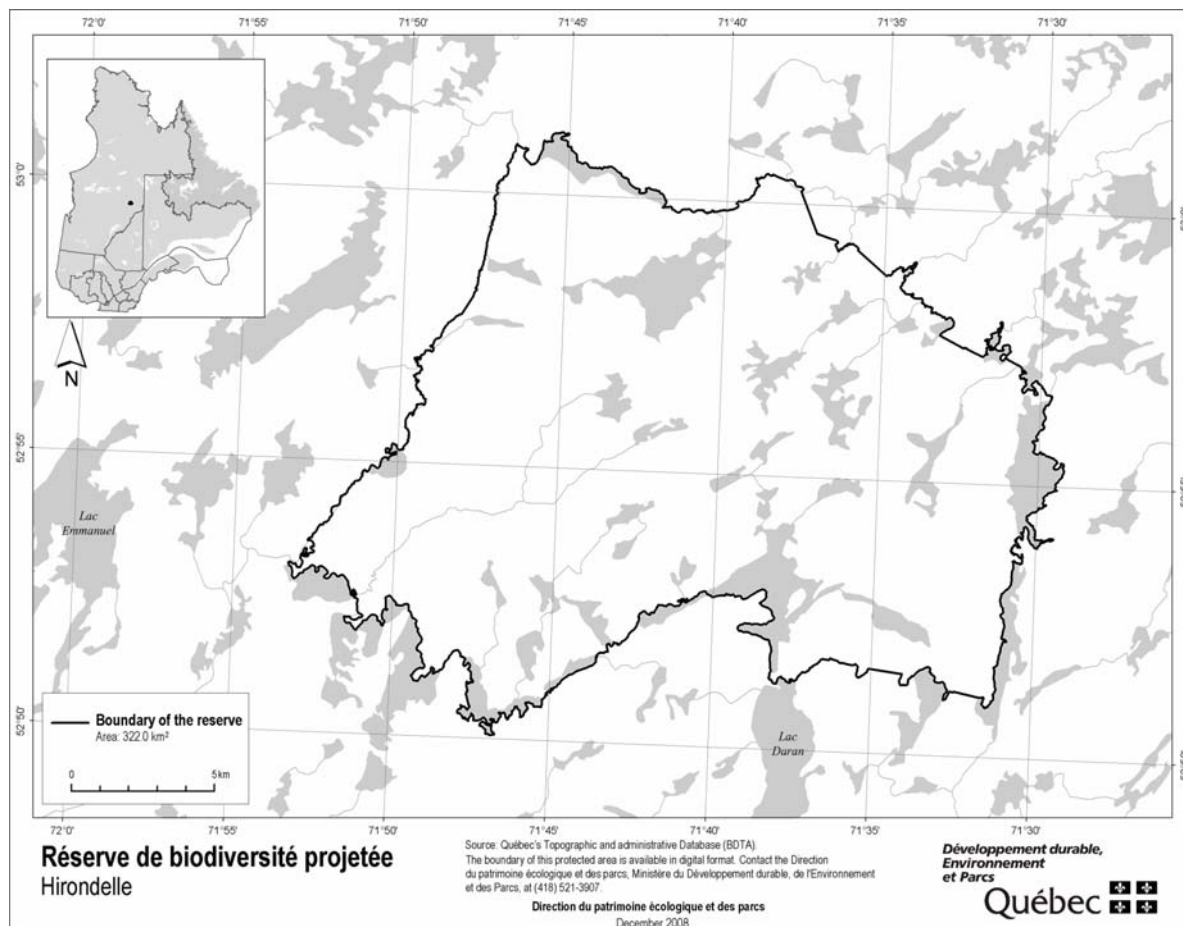
- Environmental protection: measures set out in particular in the Environment Quality Act (R.S.Q., c. Q-2) and its regulations;
- Removal of species of flora designated as threatened or vulnerable: measures set out in the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01) prohibiting the removal of such species;
- Development and conservation 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; in Northern regions: special measures set out in the Act respecting hunting and fishing rights in the James Bay and New Québec territories (R.S.Q., c. D-13.1);
- Archaeological research: measures set out in particular in the Cultural Property Act (R.S.Q., c. B-4);
- Access and land rights related to the domain of the State: 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 Watercourses Act (R.S.Q., c. R-13) and, in Northern regions, in the Act respecting the land regime in the James Bay and New Québec territories (R.S.Q., c. R-13.1);
- 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 respecting motor vehicle traffic in certain fragile environments made under the Environment Quality Act;
- Construction and development standards: regulatory measures adopted by regional and local municipal authorities under the Acts applicable to them.

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

The Minister of Sustainable Development, Environment and Parks is responsible for the conservation and management of the Réserve de biodiversité projetée Hironnelle and is therefore responsible for supervising and monitoring the activities that may be carried on within the reserve. In managing the reserve, the Minister will work collaboratively with other government representatives having specific responsibilities within the boundaries of the reserve or on adjoining land, such as the Minister of Natural Resources and Wildlife. In the exercise of their powers and functions, the Ministers will take into consideration the protection sought for these natural environments and the protection status that has been granted. No additional conservation measure is, at this point, considered. Regarding zoning, the conservation objectives for the period of temporary protection are the same for the entire area, the proposed reserve being only one conservation area.

Appendix 1

Map of the réserve de biodiversité projetée Hironnelle



QUÉBEC STRATEGY FOR PROTECTED AREAS



Réserve de biodiversité projetée du Domaine-La- Vérendrye

Conservation plan



February 2009

1. Protection status and toponym

The protection status of the territory described below is a proposed biodiversity reserve governed by the provisions of the Natural Heritage Conservation Act (R.S.Q., c. C-61.01).

The envisaged permanent protected status is a “biodiversity reserve” governed by the provisions of the Natural Heritage Conservation Act.

The provisional toponym is “Réserve de biodiversité projetée du Domaine-La-Vérendrye”. The official toponym will be determined at the time when permanent protection status is accorded to the territory.

2. Plan and description

2.1. Geographic location, boundaries and dimensions

The boundaries and location of the Réserve de biodiversité projetée du Domaine-La-Vérendrye appear on the map that constitutes Appendix 1.

The Réserve de biodiversité projetée du Domaine-La-Vérendrye is located in the Outaouais administrative region, between 46°53'20'' and 47°09'15'' latitude north and 76°32'04'' and 76°47'58'' longitude west, approximately 75 km northwest of Maniwaki and 12 km south of the Algonquin village of Lac-Rapide. The proposed biodiversity reserve covers an area of 260.6 km², entirely in the unincorporated territory of Lac-Pythonga, part of the Vallée-de-la-Gatineau regional county municipality.

2.2. Ecological overview

The proposed biodiversity reserve is located in the Southern Laurentians natural province, in the Dépression de La Vérendrye natural region, mostly and more precisely in the Buttes du lac Denahey physiographic unit and in the Buttons du lac de l'Écorce ecological district, although the north section is part of the Plaine ondulée du lac Cawatoze physiographic unit and of the Monticules du lac Carrière ecological district..

The proposed reserve lies in an area of small, till-covered knolls. This landscape varies in altitude from 365 m to 455 m, with an average of roughly 380 m. The reserve, located in the Grenville geological province, has a rock base of migmatite cut through by granitic gneiss. The reserve is entirely within the bioclimatic field of fir stands with yellow birch, and is characterized by a mild sub-arctic and sub-humid climate with a long growing season.

Lakes and watercourses cover one-third of the area of the reserve. Most of the land is covered by deciduous tress, with stands of yellow birch, red maple, sugar maple and quaking aspen. These species are often accompanied by stands of black spruce or, more rarely, by stands of balsam fir and white pine. Shade-tolerant hardwood sectors are found in the mature forest, while other areas contain mainly medium-age and young trees.

The proposed reserve is in the Des Rapides watershed, part of the Gens-de-Terre watershed, itself part of the Gatineau watershed which flows in the drainage basin of the Gatineau river.

2.3. Land occupation and use

Almost all the proposed biodiversity reserve lies within the La Vérendrye wildlife reserve, although a section in the south is part of “Territoire de chasse et de pêche Poirier”, an outfitting operation with exclusive rights. The proposed reserve abuts on fur-bearing animals management units 7, 13 and 17, and lies within hunting zone 12. Four traplines are concerned by the proposed reserve. The northern half of the proposed reserve is part of the Grand-Lac-Victoria beaver reserve.

A limited network of unpaved forest roads provides access to the proposed biodiversity reserve, especially in its south and west sections.

3. Activities framework

§1. — Introduction

Activities carried on within the proposed 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 provides the framework for the various activities permitted so as to better protect the natural environment in keeping with the conservation principles and other management objectives established for the proposed reserves. Accordingly, certain activities require the prior authorization of the Minister and compliance with the conditions determined by the Minister. The permitted and prohibited activities considered for the period that follows the granting of a permanent status by the government are the same with the necessary adjustments to take into account the enforcement of article 46 of the act.

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

- mining, and gas or petroleum development;
- forest management within the meaning of section 3 of the Forest Act (R.S.Q., c. F-4.1); 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 proposed reserve

§2.1. Protection of resources and the natural environment

3.1. Subject to the prohibition in the second paragraph, no person may establish in the proposed reserve any specimens or individuals of a native or non-native species of fauna, including by stocking, 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.

No person may establish in the proposed reserve a non-native species of flora, unless the person has been authorized by the Minister and complies with the conditions the Minister determines.

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 of rehabilitating degraded environments or habitats within the proposed reserve, and the interest in reintroducing certain species that have disappeared.

3.2. No person may use fertilizer or fertilizing material in the proposed reserve. Compost for domestic purposes is permitted if used at least 20 metres from a watercourse or body of water measured from the high-water mark.

The high-water mark means the high-water mark defined in the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains, adopted by Order in Council 468-2005 dated 18 May 2005.

3.3. 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, including a marsh, swamp or bog;
- (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) install or erect any structure, infrastructure or new works in or on the bed, banks, shores or floodplain of a watercourse or body of water, although no authorization is required for minor works such as a wharf, platform or boathouse erected for private purposes and free of charge under section 2 of the Regulation respecting the water property in the domain of the State made by Order in Council 81-2003 dated 29 January 2003;
- (5) carry on any activity other than those referred to in the preceding subparagraphs that is likely to degrade the bed, banks or shores of a body of water or watercourse or directly and substantially affect the quality of the biochemical characteristics of aquatic or riparian environments or wetland areas in the proposed reserve, including by discharging or dumping waste or pollutants into those areas;
- (6) carry out soil development work, including any burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose including recreational and tourism purposes such as trail development;
- (7) install or erect any structure, infrastructure or new works;
- (8) reconstruct or demolish an existing structure, infrastructure or works,
- (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) use a pesticide, although no authorization is required for the use of personal insect repellent;
- (11) 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
- (12) hold a sports event, tournament, rally or similar event if more than 15 persons are likely to participate in the activity and have access to the proposed 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 proposed reserve is highly unfeasible.

The conditions determined by the Minister for the 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 on-site materials, 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 11 of the first paragraph refers.

3.4. Despite subparagraphs 6, 7, 8 and 9 of the first paragraph of section 3.3, no authorization is required to carry out work referred to in subparagraph 1 of this section when the requirements of subparagraph 2 are met.

- (1) The work involves
 - (a) work to maintain, repair or upgrade an existing structure, infrastructure or works such as a camp, cottage, road or trail, including ancillary facilities such as lookouts or stairs;
 - (b) the construction or erection of
 - i. an appurtenance or ancillary facility of a trapping camp, rough shelter, shelter or cottage such as a shed, well, water intake or sanitary facilities; or
 - ii. a trapping camp, rough shelter, shelter or cottage if such a building was permitted under the right to use or occupy the land but had not been constructed or installed on the effective date of the status as a proposed reserve; or
 - (c) the demolition or reconstruction of a trapping camp, rough shelter, shelter or cottage, including an appurtenance or ancillary facility such as a shed, well, water intake or sanitary facilities.
- (2) The work is carried out in compliance with the following requirements:
 - (a) the work involves a structure, infrastructure or works permitted within the proposed reserve;
 - (b) the work is carried out within the area of land or right-of-way subject to the right to use or occupy the land in the proposed reserve, whether the right results from a lease, servitude or other form of title, permit or authorization;
 - (c) the nature of the work or elements erected by the work will not operate to increase the area of land that may remain deforested beyond the limits permitted under the provisions applicable to the sale, lease and

granting of immovable rights under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and, if applicable, the limits allowed under an authorization for the structure, works or infrastructure; and

(d) the work is carried out in compliance with the conditions of a permit or authorization issued for the work or in connection with the structure, infrastructure or works involved, and in accordance with the laws and regulations that apply.

For the purposes of this section, repair and upgrading work includes work to replace or erect works or facilities to comply with the requirements of an environmental regulation.

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

Despite the first paragraph, an outfitting operation does not require an authorization to use a disposal facility or site in compliance with the Environment Quality Act and its regulations if the outfitting operation was already using the facility or site on the effective date of the protection status as a proposed reserve.

§2.2. Rules of conduct for users

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

3.7. Every person who makes a campfire must

- (1) first 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.

3.8. In the proposed reserve, no person may

- (1) cause any excessive noise;
- (2) behave in a manner that unduly disturbs other persons or interferes with their enjoyment of the proposed 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 or for the permitted use of property, a device or an instrument within the proposed reserve is considered excessive or undue.

3.9. No person may enter, carry on an activity or travel in a vehicle in a given sector of the proposed 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.

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

§2.3. Activities requiring an authorization

3.11. No person may occupy or use the same site in the proposed reserve for a period of more than 90 days in the same year, unless the person has been authorized by the Minister and complies with the conditions the Minister determines.

(1) For the purposes of the first paragraph,

(a) the occupation or use of a site includes

i. staying or settling in the proposed reserve, including for vacation purposes;

ii. installing a camp or shelter in the proposed reserve; and

iii. installing, burying or leaving property in the proposed reserve, including equipment, any device or a vehicle;

(b) "same site" means any other site within a radius of 1 kilometre from the site.

(2) Despite the first paragraph, no authorization is required if a person,

(a) on the effective date of the protection status as a proposed reserve, 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;

(b) 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 *a*, and whose right to occupy the land is renewed or extended on the same conditions, subject to possible changes in fees; or

(c) elects to acquire land the person legally occupies on the effective date of the protection status as a proposed reserve, pursuant to the Act respecting the lands in the domain of the State.

3.12. (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 determined by the Minister for the 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 is not required if a person staying or residing in the proposed reserve collects wood to make a campfire.

An authorization is also not required if a person collects firewood to meet domestic needs in the following cases and on the following conditions:

(a) the wood is collected to supply a trapping camp or a rough shelter permitted within the proposed reserve if

i. 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;

ii. the quantity of wood collected does not exceed 7 apparent cubic metres per year;

(b) in all other cases if

i. the wood is collected within a sector designated by the Minister of Natural Resources and Wildlife as a sector for which a permit for the harvest of firewood for domestic purposes under the Forest Act may be issued, and for which, on the effective date of the protection status as a proposed reserve, a designation as such had already been made by the Minister;

ii. the wood is collected by a person who, on the effective date of the protection status as a proposed reserve or in any of the three preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the proposed reserve;

iii. 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.

(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 proposed reserve in accordance with this conservation plan carries on the forest management activity for the purpose of

(a) clearing the permitted areas, maintaining them or creating visual openings, or 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, including work for access roads, stairs and other trails permitted under those provisions; or

(b) clearing the necessary area for the installation, connection, maintenance, repair, reconstruction or upgrading of facilities, lines or mains for water, sewer, electric power or telecommunications services.

If the work referred to in paragraph *b* 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 in sections 3.13 and 3.15.

(4) Despite subsection 1, an authorization to carry on a forest management activity to maintain a sugar bush and harvest maple products for domestic needs is not required if

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

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

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

§ 2.4. *Authorization exemptions*

3.13. Despite the preceding provisions, an authorization is not required for an activity or other form of intervention within the proposed 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 disaster. The person concerned must, however, immediately inform the Minister of the activity or intervention that has taken place.

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

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

(1) any activity or intervention required within the proposed reserve to complete a project for which express authorization had previously been given by the Government and the Minister, or only by the Minister, 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 the activity or intervention is carried out in conformity 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 ascertain the impact of electric 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

3.16. 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.

3.17. The Minister's authorization, which is general or for a group, may be communicated for the benefit of the persons concerned by any appropriate means including a posted notice or appropriate signage at the reception centre or any other location within the proposed reserve that is readily accessible to the public. The Minister may also provide a copy to any person concerned.

§3. Activities governed by other statutes

Certain activities likely to be carried on within the proposed 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 proposed reserve.

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

- Environmental protection: measures set out in particular in the Environment Quality Act (R.S.Q., c. Q-2) and its regulations;
- Removal of species of flora designated as threatened or vulnerable: measures set out in the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01) prohibiting the removal of such species;
- Development and conservation 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;
- Archaeological research: measures set out in particular in the Cultural Property Act (R.S.Q., c. B-4);

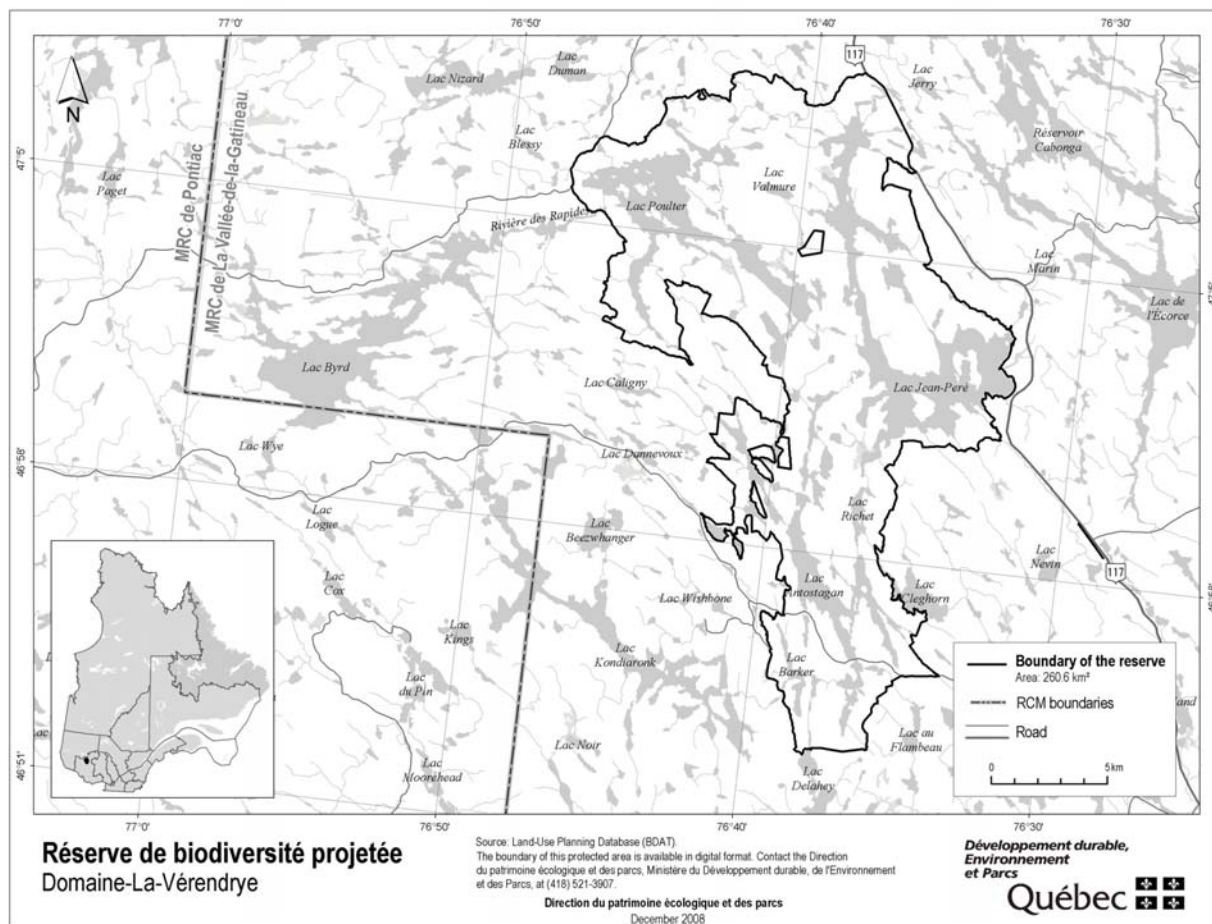
- Access and land rights related to the domain of the State: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and in the Watercourses Act (R.S.Q., c. R-13);
- Operation of vehicles: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and in the regulation respecting motor vehicle traffic in certain fragile environments made under the Environment Quality Act;
- Construction and development standards: regulatory measures adopted by regional and local municipal authorities under the Acts applicable to them.

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

The Minister of Sustainable Development, Environment and Parks is responsible for the conservation and management of the Réserve de biodiversité projetée du Domaine-La-Vérendrye and is therefore responsible for supervising and monitoring the activities that may be carried on within the reserve. In managing the reserve, the Minister will work collaboratively with other government representatives having specific responsibilities within the boundaries of the reserve or on adjoining land, such as the Minister of Natural Resources and Wildlife. In the exercise of their powers and functions, the Ministers will take into consideration the protection sought for these natural environments and the protection status that has been granted. No additional conservation measure is, at this point, considered. Regarding zoning, the conservation objectives for the period of temporary protection are the same for the entire area, the proposed reserve being only one conservation area.

Appendix 1

Map of the Réserve de biodiversité projetée du Domaine-La-Vérendrye



QUÉBEC STRATEGY FOR PROTECTED AREAS



Réserve de biodiversité projetée de la Station-de- Biologie-des- Laurentides

Conservation plan



February 2009

1. Protection status and toponym

The protection status of the territory described below is a proposed biodiversity reserve governed by the provisions of the Natural Heritage Conservation Act (R.S.Q., c. C-61.01).

The envisaged permanent protected status is a “biodiversity reserve” governed by the provisions of the Natural Heritage Conservation Act.

The provisional toponym is “Réserve de biodiversité projetée de la Station-de-Biologie-des-Laurentides”. The official toponym will be determined at the time when permanent protection status is accorded to the territory.

2. Plan and description

2.1. Geographic location, boundaries and dimensions

The boundaries and location of the Réserve de biodiversité projetée de la Station-de-Biologie-des-Laurentides appear on the map that constitutes Appendix 1.

The Réserve de biodiversité projetée de la Station-de-Biologie-des-Laurentides straddles the boundary between the Laurentides and Lanaudière administrative regions, and is located between 45°57' and 46°03' latitude north and 73°57' and 74°03' longitude west, less than 3 km southeast of Ville de l'Estérel and approximately 55 km north of the Mohawk village of Kanesatake. The proposed biodiversity reserve covers an area of 29.6 km². Its small area is due to its location in a highly subdivided region where public land is scarce. The proposed reserve abuts Ville de Sainte-Adèle (Pays-d'en-Haut regional county municipality), the parish of Saint-Hippolyte (Rivière-du-Nord regional county municipality) and the municipality of Chertsey (Matawinie regional county municipality).

2.2. Ecological overview

The proposed biodiversity reserve is located in the Southern Laurentians natural province, in the Massif du mont Tremblant natural region, and more precisely in the Buttes du lac Masson physiographic unit.

The irregular, steep terrain comprises a series of small knolls and low hills, with a thin layer of till over anorthositic bedrock. The proposed reserve includes 15 small lakes, 10 wetlands (peat bogs and flood zones) and over 50 km of streams. The altitude of the landscape, formed by glaciers, varies from 295 m to 450 m, with an average of around 375 m.

The proposed reserve has a mainly moderate, sub-humid climate with a long growing season, but a small section in the north has a mild subpolar, sub-humid climate with a long growing season. The proposed reserve is in bioclimatic field of maple stands with yellow birch.

The proposed biodiversity reserve is home to many species of trees, including white birch, red maple, sugar maple, largetooth aspen, yellow birch, balsam fir, black spruce, white spruce and eastern white cedar. Smaller numbers of beech, red oak and quaking aspen are also found. Most of the stands are young or of medium age. The only mature stands are found in the southern section, and contain maple and yellow birch.

The proposed biodiversity reserve lies partly within the Doncaster watershed and partly within the Achigan watershed.

Over 85 species of bird frequent the area each year. It is also home to indigenous mammals such as moose, black bear, white-tailed deer, red fox, coyote, raccoon, porcupine, and several other species of rodent. The most common fish are brook trout, white sucker, bluegill and several species of *Cyprinidae*.

2.3. Land occupation and use

The proposed reserve corresponds in large part to the Station de biologie des Laurentides, under the responsibility of the biology department of the Université de Montréal, which has many different infrastructures to promote scientific research and education. The Université de Montréal holds one lease from the MRNF in the area, granted for community education purposes. Further information on the facilities and activities of the Station de biologie des Laurentides is available at: <http://www.bio.umontreal.ca/SBL/Index.html>

A snowmobile trail runs through the proposed biodiversity reserve. In vicinity of the station's buildings, a loop trail can be used for hiking or for cross-country skiing. An access road beforehand authorized by the Ministry of Natural Resources and Wildlife (MNRW) will be subjected to a right of way. Furthermore, a new outline for the Trans-Québec 33 snowmobile trail has been identified on site by different stakeholders. An authorization of right of way must be granted shortly by the MNRW before the setting up of that trail.

Part of the proposed territory is presently under a territorial management agreement with Les Pays-d'En-Haut Regional County Municipality (RCM).

The proposed reserve abuts on fur-bearing animal units 23 and 26, and is part of hunting zone 09E.

In this region, fragmented by a large number of roads and trails, the station offers a largely intact landscape, giving it particular ecological interest.

3. Activities framework

§1. — Introduction

Activities carried on within the proposed 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 provides the framework for the various activities permitted so as to better protect the natural environment in keeping with the conservation principles and other management objectives established for the proposed reserves. Accordingly, certain activities require the prior authorization of the Minister and compliance with the conditions determined by the Minister. The permitted and prohibited activities considered for the period that follows the granting of a permanent status by the government are the same with the necessary adjustments to take into account the enforcement of article 46 of the act.

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

- mining, and gas or petroleum development;
- forest management within the meaning of section 3 of the Forest Act (R.S.Q., c. F-4.1); 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 proposed reserve

§2.1. Protection of resources and the natural environment

3.1. Subject to the prohibition in the second paragraph, no person may establish in the proposed reserve any specimens or individuals of a native or non-native species of fauna, including by stocking, 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.

No person may establish in the proposed reserve a non-native species of flora, unless the person has been authorized by the Minister and complies with the conditions the Minister determines.

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 of rehabilitating degraded environments or habitats within the proposed reserve, and the interest in reintroducing certain species that have disappeared.

3.2. No person may use fertilizer or fertilizing material in the proposed reserve. Compost for domestic purposes is permitted if used at least 20 metres from a watercourse or body of water measured from the high-water mark.

The high-water mark means the high-water mark defined in the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains, adopted by Order in Council 468-2005 dated 18 May 2005.

3.3. 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, including a marsh, swamp or bog;

- (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) install or erect any structure, infrastructure or new works in or on the bed, banks, shores or floodplain of a watercourse or body of water, although no authorization is required for minor works such as a wharf, platform or boathouse erected for private purposes and free of charge under section 2 of the Regulation respecting the water property in the domain of the State made by Order in Council 81-2003 dated 29 January 2003;
- (5) carry on any activity other than those referred to in the preceding subparagraphs that is likely to degrade the bed, banks or shores of a body of water or watercourse or directly and substantially affect the quality of the biochemical characteristics of aquatic or riparian environments or wetland areas in the proposed reserve, including by discharging or dumping waste or pollutants into those areas;
- (6) carry out soil development work, including any burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose including recreational and tourism purposes such as trail development;
- (7) install or erect any structure, infrastructure or new works;
- (8) reconstruct or demolish an existing structure, infrastructure or works,
- (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) use a pesticide, although no authorization is required for the use of personal insect repellent;
- (11) 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
- (12) hold a sports event, tournament, rally or similar event if more than 15 persons are likely to participate in the activity and have access to the proposed 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 proposed reserve is highly unfeasible.

The conditions determined by the Minister for the 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 on-site materials, 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 11 of the first paragraph refers.

3.4. Despite subparagraphs 6, 7, 8 and 9 of the first paragraph of section 3.3, no authorization is required to carry out work referred to in subparagraph 1 of this section when the requirements of subparagraph 2 are met.

- (1) The work involves
- (a) work to maintain, repair or upgrade an existing structure, infrastructure or works such as a camp, cottage, road or trail, including ancillary facilities such as lookouts or stairs;
 - (b) the construction or erection of
 - i. an appurtenance or ancillary facility of a trapping camp, rough shelter, shelter or cottage such as a shed, well, water intake or sanitary facilities; or
 - ii. a trapping camp, rough shelter, shelter or cottage if such a building was permitted under the right to use or occupy the land but had not been constructed or installed on the effective date of the status as a proposed reserve; or
 - (c) the demolition or reconstruction of a trapping camp, rough shelter, shelter or cottage, including an appurtenance or ancillary facility such as a shed, well, water intake or sanitary facilities.
- (2) The work is carried out in compliance with the following requirements:
- (a) the work involves a structure, infrastructure or works permitted within the proposed reserve;
 - (b) the work is carried out within the area of land or right-of-way subject to the right to use or occupy the land in the proposed reserve, whether the right results from a lease, servitude or other form of title, permit or authorization;
 - (c) the nature of the work or elements erected by the work will not operate to increase the area of land that may remain deforested beyond the limits permitted under the provisions applicable to the sale, lease and granting of immovable rights under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and, if applicable, the limits allowed under an authorization for the structure, works or infrastructure; and
 - (d) the work is carried out in compliance with the conditions of a permit or authorization issued for the work or in connection with the structure, infrastructure or works involved, and in accordance with the laws and regulations that apply.

For the purposes of this section, repair and upgrading work includes work to replace or erect works or facilities to comply with the requirements of an environmental regulation.

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

Despite the first paragraph, an outfitting operation does not require an authorization to use a disposal facility or site in compliance with the Environment Quality Act and its regulations if the outfitting operation was already using the facility or site on the effective date of the protection status as a proposed reserve.

§2.2. *Rules of conduct for users*

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

3.7. Every person who makes a campfire must

(1) first 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.

3.8. In the proposed reserve, no person may

(1) cause any excessive noise;

(2) behave in a manner that unduly disturbs other persons or interferes with their enjoyment of the proposed 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 or for the permitted use of property, a device or an instrument within the proposed reserve is considered excessive or undue.

3.9. No person may enter, carry on an activity or travel in a vehicle in a given sector of the proposed 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.

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

§2.3. *Activities requiring an authorization*

3.11. No person may occupy or use the same site in the proposed reserve for a period of more than 90 days in the same year, unless the person has been authorized by the Minister and complies with the conditions the Minister determines.

(1) For the purposes of the first paragraph,

(a) the occupation or use of a site includes

i. staying or settling in the proposed reserve, including for vacation purposes;

ii. installing a camp or shelter in the proposed reserve; and

iii. installing, burying or leaving property in the proposed reserve, including equipment, any device or a vehicle;

(b) "same site" means any other site within a radius of 1 kilometre from the site.

(2) Despite the first paragraph, no authorization is required if a person,

(a) on the effective date of the protection status as a proposed reserve, 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;

(b) 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 *a*, and whose right to occupy the land is renewed or extended on the same conditions, subject to possible changes in fees; or

(c) elects to acquire land the person legally occupies on the effective date of the protection status as a proposed reserve, pursuant to the Act respecting the lands in the domain of the State.

3.12. (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 determined by the Minister for the 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 is not required if a person staying or residing in the proposed reserve collects wood to make a campfire.

An authorization is also not required if a person collects firewood to meet domestic needs in the following cases and on the following conditions:

(a) the wood is collected to supply a trapping camp or a rough shelter permitted within the proposed reserve if

i. 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;

ii. the quantity of wood collected does not exceed 7 apparent cubic metres per year;

(b) in all other cases if

i. the wood is collected within a sector designated by the Minister of Natural Resources and Wildlife as a sector for which a permit for the harvest of firewood for domestic purposes under the Forest Act may be issued, and for which, on the effective date of the protection status as a proposed reserve, a designation as such had already been made by the Minister;

ii. the wood is collected by a person who, on the effective date of the protection status as a proposed reserve or in any of the three preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the proposed reserve;

iii. 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.

(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 proposed reserve in accordance with this conservation plan carries on the forest management activity for the purpose of

(a) clearing the permitted areas, maintaining them or creating visual openings, or 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, including work for access roads, stairs and other trails permitted under those provisions; or

(b) clearing the necessary area for the installation, connection, maintenance, repair, reconstruction or upgrading of facilities, lines or mains for water, sewer, electric power or telecommunications services.

If the work referred to in paragraph *b* 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 in sections 3.13 and 3.15.

(4) Despite subsection 1, an authorization to carry on a forest management activity to maintain a sugar bush and harvest maple products for domestic needs is not required if

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

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

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

§ 2.4. *Authorization exemptions*

3.13. Despite the preceding provisions, an authorization is not required for an activity or other form of intervention within the proposed 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 disaster. The person concerned must, however, immediately inform the Minister of the activity or intervention that has taken place.

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

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

- (1) any activity or intervention required within the proposed reserve to complete a project for which express authorization had previously been given by the Government and the Minister, or only by the Minister, 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 the activity or intervention is carried out in conformity 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 ascertain the impact of electric 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*

3.16. 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.

3.17. The Minister's authorization, which is general or for a group, may be communicated for the benefit of the persons concerned by any appropriate means including a posted notice or appropriate signage at the reception centre or any other location within the proposed reserve that is readily accessible to the public. The Minister may also provide a copy to any person concerned.

§3. *Activities governed by other statutes*

Certain activities likely to be carried on within the proposed 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 proposed reserve.

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

- Environmental protection: measures set out in particular in the Environment Quality Act (R.S.Q., c. Q-2) and its regulations;
- Removal of species of flora designated as threatened or vulnerable: measures set out in the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01) prohibiting the removal of such species;
- Development and conservation 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;
- Archaeological research: measures set out in particular in the Cultural Property Act (R.S.Q., c. B-4);
- Access and land rights related to the domain of the State: 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 Watercourses Act (R.S.Q., c. R-13);
- 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 respecting motor vehicle traffic in certain fragile environments made under the Environment Quality Act;

- Construction and development standards: regulatory measures adopted by regional and local municipal authorities under the Acts applicable to them.

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

The Minister of Sustainable Development, Environment and Parks is responsible for the conservation and management of the Réserve de biodiversité projetée de la Station-de-Biologie-des-Laurentides and is therefore responsible for supervising and monitoring the activities that may be carried on within the reserve. In managing the reserve, the Minister will work collaboratively with other government representatives having specific responsibilities within the boundaries of the reserve or on adjoining land, such as the Minister of Natural Resources and Wildlife. In the exercise of their powers and functions, the Ministers will take into consideration the protection sought for these natural environments and the protection status that has been granted. No additional conservation measure is, at this point, considered. Regarding zoning, the conservation objectives for the period of temporary protection are the same for the entire area, the proposed reserve being only one conservation area.

QUÉBEC STRATEGY FOR PROTECTED AREAS



Réserve de biodiversité projetée de Grandes- Piles

Conservation plan



February 2009

1. Protection status and toponym

The protection status of the territory described below is the proposed biodiversity reserve governed by the provisions of the *Natural Heritage Conservation Act* (R.S.Q. c. C-61.01).

The envisaged permanent protected status is a “biodiversity reserve” governed by the provisions of the *Natural Heritage Conservation Act*.

The provisional toponym is “Réserve de biodiversité projetée de Grandes-Piles”. The official toponym will be determined at the time when permanent protection status is granted to the territory.

2. Plan and description

2.1. Geographic location, boundaries and dimensions

The boundaries and location of the Réserve de biodiversité projetée de Grandes-Piles appear on the map that constitutes Appendix 1.

The Réserve de biodiversité projetée de Grandes-Piles is located in the administrative region of Mauricie, between 46°44'30'' and 46°47'45'' latitude north and 72°35'15'' and 72°44' 30'' longitude west. It is located in the municipality of Grandes-Piles (regional county municipality of Mékinac) approximately 15 km north of Shawinigan. It covers an area of 36.3 km² near the Saint-Maurice River, which flows less than 3 km to the east. To the south, lakes Éric and Kiolet are excluded from the proposed biodiversity reserve.

2.2. Ecological overview

The Réserve de biodiversité projetée de Grandes-Piles is located in the natural region of the La Tuque Depression, in the natural province of the Southern Laurentides. It is located on a series of low hills that overlook the Saint Maurice plain, which stretches immediately to the south. The waters of the territory flow mainly into the Batiscan River (via Des Envies River), except for Lake des Îles in the western portion of the reserve, which flows into the Saint Maurice. Surface deposits are mainly glacial in origin (till). The bedrock is made of charnockitic gneiss, paragneiss and quartzite with a large number of outcroppings in the Lake Roberge region. Vegetation cover is varied and includes maple forests, birch stands (mainly yellow birch), balsam fir stands and a variety of forest stands dominated by conifers. The forests around Lake Roberge are generally younger and a number of old forests are found elsewhere within the reserve.

Lake Roberge supports a population of rainbow smelt. Lakes Roberge and Second lac Roberge support residual maskinonge landlocked in these water bodies during the withdrawal of Champlain Sea several thousand years ago (relict populations). The area of lakes Clair, des Îles, aux Lièves and Saint-Jean-Baptiste is an area of high importance for amphibians and reptiles. We find there eight of the eleven species of Anura known to exist in Québec province, five of the ten species of Urodela, three of the eight species of snakes and a species of turtle. Among those 17 species, three are considered rare (pickerel frog, northern dusky salamander and ringneck snake).

2.3. Land occupation, rights and use

Four rights in land have been granted within the territory of the proposed biodiversity reserve. These include 2 rights for vacationing purposes and 2 rights for municipal purposes. The Réserve de biodiversité projetée de Grandes-Piles includes six experimental forest previously enforced by the forest act. A snowmobile trail crosses the eastern part of the protected area while there is a dam south of lac des Îles.

Route 159 (Saint-Tite to Saint-Roch de Mékinac) runs alongside the southwest shoreline of Lake Roberge cutting the biodiversity reserve in two distinct parts. 1.1. The reserve is also part of the fur bearing animal management unit (UGAF) 37 and is comprised in the hunting and fishing zone 26 west.

3. Activities framework

§1. — Introduction

Activities carried on within the proposed 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 provides the framework for the various activities permitted so as to better protect the natural environment in keeping with the conservation principles and other management objectives established for the proposed reserves. Accordingly, certain activities require the prior authorization of the Minister and compliance with the conditions determined by the Minister. The permitted and prohibited activities considered for the period that follows the granting of a permanent status by the government are the same with the necessary adjustments to take into account the enforcement of article 46 of the act.

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

- mining, and gas or petroleum development;
- forest management within the meaning of section 3 of the Forest Act (R.S.Q., c. F-4.1); 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 proposed reserve*

§2.1. *Protection of resources and the natural environment*

3.1. Subject to the prohibition in the second paragraph, no person may establish in the proposed reserve any specimens or individuals of a native or non-native species of fauna, including by stocking, 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.

No person may establish in the proposed reserve a non-native species of flora, unless the person has been authorized by the Minister and complies with the conditions the Minister determines.

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 of rehabilitating degraded environments or habitats within the proposed reserve, and the interest in reintroducing certain species that have disappeared.

3.2. No person may use fertilizer or fertilizing material in the proposed reserve. Compost for domestic purposes is permitted if used at least 20 metres from a watercourse or body of water measured from the high-water mark.

The high-water mark means the high-water mark defined in the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains, adopted by Order in Council 468-2005 dated 18 May 2005.

3.3. 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, including a marsh, swamp or bog;
- (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) install or erect any structure, infrastructure or new works in or on the bed, banks, shores or floodplain of a watercourse or body of water, although no authorization is required for minor works such as a wharf, platform or boathouse erected for private purposes and free of charge under section 2 of the Regulation respecting the water property in the domain of the State made by Order in Council 81-2003 dated 29 January 2003;
- (5) carry on any activity other than those referred to in the preceding subparagraphs that is likely to degrade the bed, banks or shores of a body of water or watercourse or directly and substantially affect the quality of the biochemical characteristics of aquatic or riparian environments or wetland areas in the proposed reserve, including by discharging or dumping waste or pollutants into those areas;

- (6) carry out soil development work, including any burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose including recreational and tourism purposes such as trail development;
- (7) install or erect any structure, infrastructure or new works;
- (8) reconstruct or demolish an existing structure, infrastructure or works,
- (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) use a pesticide, although no authorization is required for the use of personal insect repellent;
- (11) 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
- (12) hold a sports event, tournament, rally or similar event if more than 15 persons are likely to participate in the activity and have access to the proposed 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 proposed reserve is highly unfeasible.

The conditions determined by the Minister for the 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 on-site materials, 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 11 of the first paragraph refers.

3.4. Despite subparagraphs 6, 7, 8 and 9 of the first paragraph of section 3.3, no authorization is required to carry out work referred to in subparagraph 1 of this section when the requirements of subparagraph 2 are met.

- (1) The work involves
 - (a) work to maintain, repair or upgrade an existing structure, infrastructure or works such as a camp, cottage, road or trail, including ancillary facilities such as lookouts or stairs;
 - (b) the construction or erection of
 - i. an appurtenance or ancillary facility of a trapping camp, rough shelter, shelter or cottage such as a shed, well, water intake or sanitary facilities; or
 - ii. a trapping camp, rough shelter, shelter or cottage if such a building was permitted under the right to use or occupy the land but had not been constructed or installed on the effective date of the status as a proposed reserve; or
 - (c) the demolition or reconstruction of a trapping camp, rough shelter, shelter or cottage, including an appurtenance or ancillary facility such as a shed, well, water intake or sanitary facilities.

- (2) The work is carried out in compliance with the following requirements:
- (a) the work involves a structure, infrastructure or works permitted within the proposed reserve;
 - (b) the work is carried out within the area of land or right-of-way subject to the right to use or occupy the land in the proposed reserve, whether the right results from a lease, servitude or other form of title, permit or authorization;
 - (c) the nature of the work or elements erected by the work will not operate to increase the area of land that may remain deforested beyond the limits permitted under the provisions applicable to the sale, lease and granting of immovable rights under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and, if applicable, the limits allowed under an authorization for the structure, works or infrastructure; and
 - (d) the work is carried out in compliance with the conditions of a permit or authorization issued for the work or in connection with the structure, infrastructure or works involved, and in accordance with the laws and regulations that apply.

For the purposes of this section, repair and upgrading work includes work to replace or erect works or facilities to comply with the requirements of an environmental regulation.

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

Despite the first paragraph, an outfitting operation does not require an authorization to use a disposal facility or site in compliance with the Environment Quality Act and its regulations if the outfitting operation was already using the facility or site on the effective date of the protection status as a proposed reserve.

§2.2. Rules of conduct for users

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

3.7. Every person who makes a campfire must

- (1) first 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.

3.8. In the proposed reserve, no person may

- (1) cause any excessive noise;
- (2) behave in a manner that unduly disturbs other persons or interferes with their enjoyment of the proposed 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 or for the permitted use of property, a device or an instrument within the proposed reserve is considered excessive or undue.

3.9. No person may enter, carry on an activity or travel in a vehicle in a given sector of the proposed 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.

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

§2.3. Activities requiring an authorization

3.11. No person may occupy or use the same site in the proposed reserve for a period of more than 90 days in the same year, unless the person has been authorized by the Minister and complies with the conditions the Minister determines.

- (1) For the purposes of the first paragraph,

(a) the occupation or use of a site includes

i. staying or settling in the proposed reserve, including for vacation purposes;

ii. installing a camp or shelter in the proposed reserve; and

iii. installing, burying or leaving property in the proposed reserve, including equipment, any device or a vehicle;

(b) "same site" means any other site within a radius of 1 kilometre from the site.

- (2) Despite the first paragraph, no authorization is required if a person,

(a) on the effective date of the protection status as a proposed reserve, 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;

(b) 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 *a*, and whose right to occupy the land is renewed or extended on the same conditions, subject to possible changes in fees; or

(c) elects to acquire land the person legally occupies on the effective date of the protection status as a proposed reserve, pursuant to the Act respecting the lands in the domain of the State.

3.12. (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 determined by the Minister for the 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 is not required if a person staying or residing in the proposed reserve collects wood to make a campfire.

An authorization is also not required if a person collects firewood to meet domestic needs in the following cases and on the following conditions:

(a) the wood is collected to supply a trapping camp or a rough shelter permitted within the proposed reserve if

i. 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;

ii. the quantity of wood collected does not exceed 7 apparent cubic metres per year;

(b) in all other cases if

i. the wood is collected within a sector designated by the Minister of Natural Resources and Wildlife as a sector for which a permit for the harvest of firewood for domestic purposes under the Forest Act may be issued, and for which, on the effective date of the protection status as a proposed reserve, a designation as such had already been made by the Minister;

ii. the wood is collected by a person who, on the effective date of the protection status as a proposed reserve or in any of the three preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the proposed reserve;

iii. 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.

(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 proposed reserve in accordance with this conservation plan carries on the forest management activity for the purpose of

(a) clearing the permitted areas, maintaining them or creating visual openings, or 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, including work for access roads, stairs and other trails permitted under those provisions; or

(b) clearing the necessary area for the installation, connection, maintenance, repair, reconstruction or upgrading of facilities, lines or mains for water, sewer, electric power or telecommunications services.

If the work referred to in paragraph *b* 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 in sections 3.13 and 3.15.

(4) Despite subsection 1, an authorization to carry on a forest management activity to maintain a sugar bush and harvest maple products for domestic needs is not required if

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

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

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

§ 2.4. *Authorization exemptions*

3.13. Despite the preceding provisions, an authorization is not required for an activity or other form of intervention within the proposed 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 disaster. The person concerned must, however, immediately inform the Minister of the activity or intervention that has taken place.

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

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

(1) any activity or intervention required within the proposed reserve to complete a project for which express authorization had previously been given by the Government and the Minister, or only by the Minister, 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 the activity or intervention is carried out in conformity 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 ascertain the impact of electric 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

3.16. 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.

3.17. The Minister's authorization, which is general or for a group, may be communicated for the benefit of the persons concerned by any appropriate means including a posted notice or appropriate signage at the reception centre or any other location within the proposed reserve that is readily accessible to the public. The Minister may also provide a copy to any person concerned.

§3. Activities governed by other statutes

Certain activities likely to be carried on within the proposed 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 proposed reserve.

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

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

- Removal of species of flora designated as threatened or vulnerable: measures set out in the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01) prohibiting the removal of such species;
- Development and conservation 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;
- Archaeological research: measures set out in particular in the Cultural Property Act (R.S.Q., c. B-4);
- Access and land rights related to the domain of the State: 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 Watercourses Act (R.S.Q., c. R-13);
- 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 respecting motor vehicle traffic in certain fragile environments made under the Environment Quality Act;
- Construction and development standards: regulatory measures adopted by regional and local municipal authorities under the Acts applicable to them.

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

The Minister of Sustainable Development, Environment and Parks is responsible for the conservation and management of the Réserve de biodiversité projetée de Grandes-Piles and is therefore responsible for supervising and monitoring the activities that may be carried on within the reserve. In managing the reserve, the Minister will work collaboratively with other government representatives having specific responsibilities within the boundaries of the reserve or on adjoining land, such as the Minister of Natural Resources and Wildlife. In the exercise of their powers and functions, the Ministers will take into consideration the protection sought for these natural environments and the protection status that has been granted. No additional conservation measure is, at this point, considered. Regarding zoning, the conservation objectives for the period of temporary protection are the same for the entire area, the proposed reserve being only one conservation area.

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation respecting the maximum production capacity under a program to purchase electric power from small hydroelectric plants was published in Part 2 of the *Gazette officielle du Québec* of 1 October 2008 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation;

IT IS ORDERED, therefore, on the recommendation of the Minister of Natural Resources and Wildlife:

THAT the Regulation respecting the maximum production capacity under a program to purchase electric power from small hydroelectric plants, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation respecting the maximum production capacity under a program to purchase electric power from small hydroelectric plants

An Act respecting the Régie de l'énergie
(R.S.Q., c. R-6.01, ss. 74.3 and 112, 1st par., subpar. 2.3)

1. The maximum eligible capacity of a hydroelectric plant of a producer participating in the distributor's program to purchase electric power must be equal to or less than 50 MW.

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

9162

Gouvernement du Québec

O.C. 367-2009, 25 March 2009

Labour Code
(R.S.Q., c. C-27)

Remuneration of arbitrators — Amendments

Regulation to amend the Regulation respecting the remuneration of arbitrators

WHEREAS, under section 103 of the Labour Code (R.S.Q., c. C-27), the Government may make a regulation to determine, after consultation with the Conseil consul-

tatif du travail et de la main-d'œuvre, the remuneration to which the arbitrators of disputes and grievances appointed by the Minister are entitled;

WHEREAS the Government made the Regulation respecting the remuneration of arbitrators by Order in Council 851-2002 dated 26 June 2002;

WHEREAS it is expedient to amend sections 2 and 7 of the Regulation;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft of the Regulation to amend the Regulation respecting the remuneration of arbitrators attached to this Order in Council was published in Part 2 of the *Gazette officielle du Québec* of 10 September 2008 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS the Conseil consultatif du travail et de la main-d'œuvre has been consulted;

WHEREAS no comments have been received in respect of the draft Regulation;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Labour:

THAT the Regulation to amend the Regulation respecting the remuneration of arbitrators, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the remuneration of arbitrators*

Labour Code
(R.S.Q., c. C-27, s. 103)

1. The Regulation respecting the remuneration of arbitrators is amended by replacing "\$120" in the first paragraph of section 2 by "\$140".

* The Regulation respecting the remuneration of arbitrators, made by Order in Council 851-2002 dated 26 June 2002 (2002, *G.O.* 2, 3809), was last amended by the regulation made by Order in Council 505-2004 dated 26 May 2004 (2004, *G.O.* 2, 1728). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2008, updated to 1 September 2008.

2. Section 7 is amended by replacing “\$80” in the second paragraph by “\$90”.

3. The hourly rates provided for in sections 1 and 2 of this Regulation apply to grievances and disputes submitted to arbitration as of 23 April 2009.

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

9163

Gouvernement du Québec

O.C. 368-2009, 25 March 2009

An Act respecting industrial accidents and occupational diseases
(R.S.Q., c. A-3.001)

Medical aid — Amendment

Regulation to amend the Regulation respecting medical aid

WHEREAS, under subparagraph 3.1 of the first paragraph of section 454 of the Act respecting industrial accidents and occupational diseases (R.S.Q., c. A-3.001), the Commission de la santé et de la sécurité du travail may make a regulation determining the care, treatment, technical aid and costs forming part of the medical aid referred to in paragraph 5 of section 189 and specifying the cases in which, the conditions on which and up to what amount payments may be made as well as the prior authorizations to which such payments may be subject;

WHEREAS, under that provision, the Commission made the Regulation respecting medical aid, which was approved by Order in Council 288-93 dated 3 March 1993;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation attached to this Order in Council was published in Part 2 of the *Gazette officielle du Québec* of 16 July 2008 with a notice that on the expiry of 45 days following that publication it could be made by the Commission and submitted to the Government for approval pursuant to section 455 of the Act respecting industrial accidents and occupational diseases;

WHEREAS, at its sitting of 16 October 2008, the Commission made the Regulation to amend the Regulation respecting medical aid, without amendments;

WHEREAS it is expedient to approve the Regulation;

IT IS ORDERED, therefore, on the recommendation of the Minister of Labour:

THAT the Regulation to amend the Regulation respecting medical aid, attached to this Order in Council, be approved.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting medical aid*

An Act respecting industrial accidents and occupational diseases
(R.S.Q., c. A-3.001, s. 454, 1st par., subpar. 3.1)

1. The Regulation respecting medical aid is amended in Schedule I by replacing “\$35.00” in the column “Rate” by “\$36.00” for the care and treatments “Occupational therapy—Individual treatment, per session” and “Physiotherapy—Individual treatment, per session”.

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

9164

Gouvernement du Québec

O.C. 369-2009, 25 March 2009

An Act respecting collective agreement decrees
(R.S.Q., c. D-2)

Cartage industry – Québec — Amendment

Decree to amend the Decree respecting the cartage industry in the Québec region

WHEREAS, under section 2 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), the Government made the Decree to amend the Decree respecting the cartage industry in the Québec region (R.R.Q., 1981, c. D-2, r.7);

* The Regulation respecting medical aid, approved by Order in Council 288-93 dated 3 March 1993 (1993, *G.O.* 2, 963), was last amended by the regulation approved by Order in Council 888-2007 dated 10 October 2007 (2007, *G.O.* 2, 2925). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2008, updated to 1 September 2008.

WHEREAS, under section 6.1 of the Act, the contracting parties to the Decree have petitioned the Minister of Labour for amendments to be made to the Decree;

WHEREAS, under sections 2 and 6.1 of the Act, the Government may amend a collective agreement decree;

WHEREAS, under section 7 of the Act, notwithstanding section 17 of the Regulations Act (R.S.Q., c. R-18.1), a decree comes into force on the day of its publication in the *Gazette officielle du Québec* or on any later date fixed therein;

WHEREAS, under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and sections 5 and 6.1 of the Act respecting collective agreement decrees, an amending draft Decree was published in Part 2 of the *Gazette officielle du Québec* of 17 December 2008 and, on the same date, in a French-language newspaper and an English-language newspaper, with a notice that it could be made by the Government on the expiry of the 45-day period following that publication;

WHEREAS no comment was made on the draft Decree;

WHEREAS it is expedient to make the draft Decree without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Labor:

THAT the Decree to amend the Decree respecting the cartage industry in the Québec region, attached hereto, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Decree to amend the Decree respecting the cartage industry in the Québec region*

An Act respecting collective agreement decrees (R.S.Q., c. D-2, ss. 2 and 6.1)

1. The Decree respecting the cartage industry in the Québec region is amended by replacing “\$17.50” by “\$35.00” in the second and third sentences of the second paragraph of section 26.01.

* The Decree respecting the cartage industry in the Québec region (R.R.Q., 1981, c. D-2, r.7) was last amended by the Regulation made by Order in Council No. 115-2009 dated 11 February 2009 (2009, *G.O.* 2, 175). For previous amendments, please refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2008, updated to 1 September 2008.

2. This Decree comes into force on the date of its publication in the *Gazette officielle du Québec*.

9165

Gouvernement du Québec

O.C. 370-2009, 25 March 2009

An Act respecting collective agreement decrees (R.S.Q., c. D-2)

Automotive services industry — Arthabaska, Granby, Sherbrooke and Thetford Mines regions — Amendments

CONCERNING the Decree to amend the Decree respecting the automotive services industry in the Arthabaska, Granby, Sherbrooke and Thetford Mines regions

WHEREAS the Government has, in accordance with section 2 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), made the Decree respecting the automotive services industry in the Arthabaska, Granby, Sherbrooke and Thetford Mines regions (R.R.Q., 1981, c. D-2, r.42);

WHEREAS, under section 6.1 of the Act, the contracting parties named in the Decree have made application to the Minister of Labour to have amendments made to the Decree;

WHEREAS sections 2 and 6.1 of the Act authorize the Government to amend a collective agreement decree;

WHEREAS under section 7 of the Act, notwithstanding the provisions of section 17 of the Regulations Act (R.S.Q., c. R-18.1), a decree comes into force on the day of its publication in the *Gazette officielle du Québec* or on a later fixed date;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act and sections 5 and 6.1 of the Act respecting collective agreement decrees, an amendment decree was published in Part 2 of the *Gazette officielle du Québec* of 24 September 2008 and, the 20 September, in many French-language newspapers and an English-language newspaper, with a notice that it may be made by the Government on the expiry of the 45 days following this publication;

WHEREAS no comment has been brought forward concerning this amendment decree;

WHEREAS it is expedient to make this decree without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Labour:

THAT the Decree to amend the Decree respecting the automotive services industry in the Arthabaska, Granby, Sherbrooke and Thetford Mines regions, attached hereto, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Decree to amend the Decree respecting the automotive services industry in the Arthabaska, Granby, Sherbrooke and Thetford Mines regions*

An Act respecting collective agreement decrees (R.S.Q., c. D-2, a. 2 et 6.1)

1. Section 3.01 of the Decree respecting the automotive services industry in the Arthabaska, Granby, Sherbrooke and Thetford Mines regions is amended by striking out the words “from Monday to Saturday” in paragraph 3.

2. Section 4.03 of the Decree is replaced by the following:

“Hours worked between 9:00 p.m. and 7:00 a.m. by employees, except for employees specified in subsection 4 of section 3.01, entail a premium of \$0.70 an hour. “.

3. The Decree is amended by adding the following after section 12.01:

12.02. As of 8 April 2009, the employee who holds a card as chassis or differential specialist maintains his card and is entitled, depending on the length of his service, to the minimum hourly rates provided for in section 9.01 for the suspension specialist.”.

4. This Decree comes into force on the date of its publication in the *Gazette officielle du Québec*.

9166

* The last amendments to the Decree respecting the automotive services industry in the Arthabaska, Granby, Sherbrooke and Thetford Mines regions (R.R.Q., 1981, c. D-2, r.42) were made by the regulation made under Order in Council No. 755-2007, dated 28 August 2007 (2007, *G.O.* 2, 2531). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2008, updated to 1 September 2008.

Gouvernement du Québec

O.C. 371-2009, 25 March 2009

An Act respecting collective agreement decrees (R.S.Q., c. D-2)

Non-structural metalwork industry – Montréal — Amendments

CONCERNING the Decree to amend the Decree respecting the non-structural metalwork industry in the Montréal region

WHEREAS the Government, in accordance with section 2 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), made the Decree respecting the non-structural metalwork industry in the Montréal region (R.R.Q., c. D-2, r.35);

WHEREAS the contracting parties to this Decree, in accordance with section 6.1 of the Act, have made application to the Minister of Labour to have amendments made to the Decree;

WHEREAS sections 2 and 6.1 of the Act authorize the Government to amend a collective agreement decree;

WHEREAS, under section 7 of the Act, notwithstanding the provisions of section 17 of the Regulations Act (R.S.Q., c. R-18.1), a decree comes into force on the day of its publication in the *Gazette officielle du Québec* or at a later fixed date;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act and sections 5 and 6.1 of the Act respecting collective agreement decrees, an amendment decree was published in Part 2 of the *Gazette officielle du Québec* of 10 September 2008 and, on the same date, in a French-language newspaper and an English-language newspaper, with a notice that it may be made by the Government at the expiry of the 45 days following that publication;

WHEREAS no comment was brought forward concerning this amendment decree;

WHEREAS it is expedient to make the draft Decree with amendment in the English version;

IT IS ORDERED, therefore, on the recommendation of the Minister of Labour:

THAT the Decree to amend the Decree respecting the non-structural metalwork industry in the Montréal region, attached hereto, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Decree to amend the Decree respecting the non-structural metalwork industry in the Montréal region*

An Act respecting collective agreement decrees
(R.S.Q., c. D-2, a. 2 and 6.1)

1. The Decree to amend the Decree respecting the non-structural metalwork industry in the Montréal region is amended by deleting in the first WHEREAS preceding DIVISION 1.00, the name “Fédération de la métallurgie inc. (CSN);”.

2. Section 13.04 of the Decree is amended by deleting in paragraphs a and b of the second paragraph, “for the years 2007 to 2009,”.

3. The Decree is amended by replacing the words “worked by his employees” by the word “paid” everywhere these words are found in sections 14.01, 14.02 and 14.06.

4. Section 14.03 of the Decree is amended by replacing “10th” by the word “fifteenth”.

5. Section 14.05 of the Decree is amended by replacing, in paragraph b, “a sum equal to \$0.52 for each hour of the standard workweek provided for in Division 3.00”, by “equal to the contribution provided for in sections 14.01 and 14.02”.

6. This Decree comes into force on the date of its publication in the *Gazette officielle du Québec*.

9167

* The last amendments to the Decree respecting the non-structural metalwork industry in the Montréal region (R.R.Q., c. D-2, r.35) were made by the regulation made under Order in Council No. 1179-2007, dated 19 December 2007 (2008, *G.O.* 2, 38). For previous amendments, refer to the *Tableaux des modifications et Index sommaire*, Éditeur officiel du Québec, 2008, updated to 1 September 2008.

Draft Regulations

Draft Regulation

Automobile Insurance Act
(R.S.Q., c. A-25)

Reimbursement of certain expenses — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting the reimbursement of certain expenses, appearing below, may be submitted to the Government for approval on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to increase the amount reimbursed by the Société de l'assurance automobile du Québec to an injured person for expenses incurred for physiotherapy or occupational therapy treatment, for the correction of a scar or deformity and for transportation by private automobile.

The Société foresees no impact on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Lucie Samson, Société de l'assurance automobile du Québec, 333, boulevard Jean-Lesage, S-4-11, case postale 19600, Québec (Québec) G1K 8J6; telephone: 418 528-4262.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Transport, 700, boulevard René-Lévesque Est, 29^e étage, Québec (Québec) G1R 5H1.

JULIE BOULET,
Minister of Transport

Regulation to amend the Regulation respecting the reimbursement of certain expenses*

Automobile Insurance Act
(R.S.Q., c. A-25, s. 195, pars. 15 and 16)

1. The Regulation respecting the reimbursement of certain expenses is amended in section 10 by striking out “, physiotherapy or occupational therapy” in the first paragraph.

2. The following is inserted after section 10:

“**10.1.** Expenses incurred for purposes of receiving physiotherapy or occupational therapy treatment qualify for reimbursement up to 15 prescribed treatment sessions.

These expenses qualify for reimbursement up to a maximum amount of \$36 per treatment session.

Expenses incurred for purposes of receiving at home a treatment covered by this section qualify for reimbursement when the victim is in a physical state such that the victim is incapable of travel. Home treatment qualifies for reimbursement up to a maximum amount of \$54 per treatment session.”.

3. Section 13 is amended in the first paragraph

- (1) by replacing “\$258” in subparagraph 1 by “\$280”;
- (2) by replacing “\$387” in subparagraph 2 by “\$415”;
- (3) by replacing “\$580” in subparagraph 3 by “\$625”;
- (4) by replacing “\$774” in subparagraph 4 by “\$835”.

4. Section 13.1. is amended in the first paragraph

- (1) by replacing “\$860” in subparagraph 1 by “\$925”;
- (2) by replacing “\$430” in subparagraph 2 by “\$465”;

* The Regulation respecting the reimbursement of certain expenses, approved by Order in Council 1925-89 dated 13 December 1989 (1989, *G.O.* 2, 4661), was last amended by the regulation approved by Order in Council 879-2002 dated 8 August 2002 (2002, *G.O.* 2, 4401). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2008, updated to 1 September 2008.

(3) by replacing “\$860” in subparagraph 3 by “\$925”;

(4) by replacing “\$430” in subparagraph 4 by “\$465”.

5. Schedule III is amended by replacing “\$0.125” in section 26 by “\$0.145”.

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

9152

Draft Regulation

An Act respecting the Québec Pension Plan
(R.S.Q., c. R-9)

Benefits

— Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting benefits, appearing below, may be submitted to the Government for approval on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to provide the terms and conditions for applications for a retirement pension made by telephone. The purpose of the draft Regulation is also to determine the date of receipt of presumed applications for a retirement pension of contributors entitled to the additional pension and to specify the terms and conditions of payment following the beginning of payment of the additional pension. In addition, the draft Regulation harmonizes certain provision of the Regulation with the institution of the civil union.

Further information may be obtained by contacting Andrée D. Labrecque, Direction des affaires juridiques, Régie des rentes du Québec, Place de la Cité, 2600, boulevard Laurier, Québec (Québec) G1V 4T3; telephone: 418 657-8702, extension 3285; fax: 418 643-9590; e-mail: andree.labrecque@rrq.gouv.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to André Trudeau, President and General Manager of the Régie des rentes du Québec, Place de la Cité, 2600, boulevard Laurier, 5^e étage, Québec (Québec) G1V 4T3. The comments will be

forwarded by the Régie to the Minister of Employment and Social Solidarity and Minister responsible for the Capitale-Nationale region, who is responsible for the application of the Act respecting the Québec Pension Plan.

SAM HAMAD,
*Minister of Employment and Social Solidarity
and Minister responsible for the
Capitale-Nationale region*

Regulation to amend the Regulation respecting benefits*

An Act respecting the Québec Pension Plan
(R.S.Q., c. R-9, s. 219; para. j.2, j.3 and k)

1. Section 2 of the Regulation respecting benefits is amended:

(1) by inserting, in the first paragraph, after the word “marriage”, the words “, civil union”;

2° by adding, at the end, the following paragraph:

“Proof of the dissolution or annulment of the civil union shall be made by filing a copy of the judgment of dissolution, the judgment of annulment or the notarized joint declaration of dissolution certified by the public officer with whom it was deposited.”.

2. Section 3 of the Regulation is amended by inserting, after the word “marriage”, the words “, civil union”.

3. Section 9 of the Regulation is amended by adding, at the end, the following paragraph:

“Furthermore, a payment may be carried forward to the following six-month period if the amount thereof is less than 2 \$, provided such carrying forward does not exceed 5 years.”.

4. The regulation is amended by inserting, after section 13, the following section:

“**13.1** An application for a retirement pension may be made to the Régie by telephone. In such case, the application is made the day on which the contributor expresses his desire to receive a retirement pension and provides the information required under the Act.”.

* The last amendments to the Regulation respecting benefits, approved by Order in Council 967-94, dated 22 June 1994 (*G.O.* 1994, 2, 3213), were made by the Regulation approved by Order in Council 279-99 dated 24 March 1999 (*G.O.* 1999, 2, 754). For the preceding amendments, see the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2008, updated to 1 September 2008.

5. The Regulation is amended by inserting, after section 14, the following section:

“**14.1** A contributor who is not the beneficiary of a retirement pension under the Québec Pension Plan and who is entitled to an additional pension in accordance with section 120.3 of the Act is deemed to have made an application for a retirement pension the last day of the first year for which unadjusted pensionable earnings are related to months subsequent to the end of his contributory period, under the terms of subparagraph *a* or *b* of the first paragraph of section 101 of the Act.”.

6. Section 15 of the Regulation is amended:

(1) by inserting, in the first paragraph, after the words “married spouses”, the words “or civil union spouses”;

(2) by replacing, in paragraph 2 of the first paragraph, the words, “marriage certificate”, with the words “certificate of marriage or civil union”;

(3) by inserting, at the beginning of paragraph 3 of the first paragraph, the words “in the case of married spouses,”;

(4) by inserting, in paragraph 4 of the first paragraph, after the words “prior to the spouses’ marriage”, the words “or civil union”;

(5) by replacing, in paragraph 2 of the second paragraph, the words “married to another person” with the words “joined by marriage or civil union to another person”.

7. Section 20 of the Regulation is amended by inserting, after the words “separation from bed and board”, the words “or a judgment of dissolution or annulment of civil union or a notarized transaction fixing the consequences of a dissolution of civil union”.

8. Section 21 of the Regulation is amended by inserting, in paragraph 5, after the words “prior to marriage”, the words “or civil union”.

9. Section 22.3 of the Regulation is amended by inserting, in the first paragraph, after the words “prior to marriage”, the words “or civil union”.

10. Section 24 of the Regulation is amended by inserting, in paragraph 2 of the first paragraph, following the number “120,” the number “120.3,”.

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

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

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