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**2**

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**Summary**

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### Contents

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## Regulations and other Acts

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Gouvernement du Québec

### O.C. 118-2012, 22 February 2012

An Act respecting the Caisse de dépôt  
et placement du Québec  
(R.S.Q., c. C-2)

#### **Caisse de dépôt et placement du Québec — Terms and conditions of deposits, funds and portfolios**

Regulation respecting the terms and conditions of deposits, funds and portfolios of the Caisse de dépôt et placement du Québec

WHEREAS paragraphs *d* and *e* of section 23 of the Act respecting the Caisse de dépôt et placement du Québec (R.S.Q., c. C-2) provide that the Caisse de dépôt et placement du Québec must establish by regulation the terms and conditions of deposits, funds and portfolios;

WHEREAS the second paragraph of section 13 of the Act provides that a regulation made by the Caisse de dépôt et placement du Québec under paragraphs *d* and *e* of section 23 of the Act must be submitted for approval to the Government, which may approve it with or without amendment;

WHEREAS, on 12 December 2011, the Caisse de dépôt et placement du Québec made the Regulation respecting the terms and conditions of deposits, funds and portfolios;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft Regulation was published in Part 2 of the *Gazette officielle du Québec* of 28 December 2011 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS the 45-day period has expired and no comments were received before the expiry of that period;

WHEREAS it is expedient to approve the Regulation without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Finance:

THAT the Regulation respecting the terms and conditions of deposits, funds and portfolios of the Caisse de dépôt et placement du Québec, attached to this Order in Council, be approved.

GILLES PAQUIN,  
*Clerk of the Conseil exécutif*

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#### **Regulation respecting the terms and conditions of deposits, funds and portfolios of the Caisse de dépôt et placement du Québec**

An Act respecting the Caisse de dépôt  
et placement du Québec  
(R.S.Q., c. C-2, s. 23, pars. *d* and *e*)

#### **DIVISION I DEFINITIONS**

**1.** In this Regulation, unless the context indicates otherwise,

“Fund” means the Caisse de dépôt et placement du Québec;

“Act” means the Act respecting the Caisse de dépôt et placement du Québec;

“closing “ means the last day of a fiscal period;

“deposit” means all moneys deposited with the Fund under an Act;

“fiscal period” means the period corresponding to the months in the calendar year, inasmuch as the general fund, the individual funds and the specialized funds are concerned, and to the periods defined in the accounting policy established for each case, inasmuch as the specialized portfolios are concerned;

“working day” means any day other than Saturday, Sunday or holidays;

“opening” means the first day of a fiscal period.

## DIVISION II FUNDS

**2.** The Fund may receive deposits in its general fund, in its individual funds, and in its specialized funds.

**3.** The general fund is a pooled fund in which the Fund may receive participation deposits from those of its depositors who are empowered to deposit moneys with the Fund pursuant to section 18 of the Act.

The general fund is a fund whose investments are diversified; it comprises all types or categories of assets and investments.

The general fund carries on cash flow activities for the purposes of the activities and operations of the Fund.

The general fund receives demand and term deposits from all depositors with the Fund, as well as from other funds, specialized portfolios and subsidiaries of the Fund.

The general fund may also hold other elements of assets benefitting all depositors.

Operating and administrative costs of all funds and portfolios are first accounted for in the general fund before the board of directors approves their distribution to the funds and portfolios.

**4.** At the closing of the fiscal period of the general fund, the net result of the investments of the cash flow activities, including the net result of the investments related to the other elements of assets provided for in the fifth paragraph of section 3, is established and the result is apportioned among the depositors in proportion to the value of the participation deposits they hold in all individual funds.

At that closing of the fiscal period, the net result of the investments of activities other than cash flow activities is also established and, after the allocation of the net result of the investments of the cash flow activities, as established in accordance with the previous paragraph, the balance of the net result of the investments of the activities of the general fund, other than cash flow activities, is apportioned among the depositors of the general fund in proportion to the number of units of participation held by each one in the fund.

The net result of the investments is made up of the net income or the net loss of investments, gains and losses on the sale of investments and unrealized gain or loss on investments and liabilities related to the investments, less operating and administrative costs allocated to the fund, following the approval for distribution of the costs by the Fund's board of directors.

At the opening of the fiscal period that follows, the net income is paid to the depositors or the net loss is recovered from the depositors. The same applies to the gains from the sale of investments or the recovered losses from the sale of investments. The payments can be made by issuing units of participation.

**5.** Individual funds each have a single depositor and their investments are diversified in keeping with individual requirements.

The depositor who has use of an individual fund may define general standards related to the distribution of his or her assets between the following general investment categories:

- (a) stocks;
- (b) bonds and hypothecs;
- (c) real estate;
- (d) short term.

Such general standards must however at all times be compatible with the objectives and policies of the Fund and with the general or specific standards enacted, from time to time, by the board of directors.

**6.** Specialized funds are pooled funds in which the Fund may receive participation deposits from those of its depositors who are empowered to deposit moneys with the Fund pursuant to section 20 of the Act.

Specialized funds are each made up of investments of any of the investment categories referred to in section 22 or a combination of such investment categories.

**7.** The equity of a depositor may be transferred from a specialized fund to an individual fund with the approval of the board of directors in compliance with the procedure established in Schedule A and upon such conditions and terms adopted by resolution by the board of directors.

## DIVISION III DEMAND AND TERM DEPOSITS

**8.** The general fund accepts demand deposits and term deposits from day to day.

**9.** Demand deposits bear interest at a variable rate determined by the Fund in keeping with the conditions of any of the money, bond, equity or any other market or in keeping with any of the investment categories described in section 22 or a combination of any such investment categories. Interest is computed daily in keeping with

the returns earned at the maturity date of the deposits; the aggregate interest is credited to the demand deposit accounts on a monthly basis.

**10.** Demand deposits are redeemable by the Fund on the working day following receipt of a written notice of withdrawal.

**11.** Term deposits each bear interest at a fixed rate determined by the Fund in keeping with conditions of the money market on the date of the deposit.

The Fund may determine a variable rate in keeping with the conditions of any bond, equity or any other market or in keeping with any of the investment categories described in section 22 or a combination of any such investment categories.

The interest is computed on the amount of the deposit in keeping with the returns earned and is payable on the maturity date of the deposit

**12.** Term deposits are redeemable by the Fund on the date of maturity.

**13.** Interest to be paid on term deposits, as well as the principal of matured term deposits, is payable into the demand deposit account of the depositor.

**14.** Despite section 12, a depositor may withdraw from his or her demand deposit account, as soon as they are paid into such account, the moneys referred to in sections 13, 18, 19 and 20.

#### **DIVISION IV** **PARTICIPATION DEPOSITS**

**15.** The Fund accepts participation deposits in its funds at the opening of the respective fiscal periods of such funds and effects withdrawals of participation deposits from its funds at the opening of the respective fiscal periods of such funds.

**16.** Participation deposits are expressed in units of participation of the fund to which they are assigned. The number of units of participation corresponding to a deposit made into a fund or a withdrawal from such fund is equal to the amount of the deposit or withdrawal, divided by the price of the units of participation of the fund.

**17.** The price of the units of participation of the funds is calculated by dividing, at the time of establishing the price, the value of the net equity of each fund by the number of units then outstanding. For the purposes of a withdrawal or a deposit, the number of units is the number existing immediately before the withdrawal or deposit operation.

At the time of appraisal of the net equity of a fund, investments are taken at their market value; where there is no market or valid quotation for an investment or an asset, the Fund may appraise it on the basis of yield, at book value or at realizable value. For the purposes of such appraisals, the Fund's assets are part of the equity of the general fund which is also encumbered with the Fund's liabilities.

**18.** At the closing of the fiscal period of an individual fund, after the allocation to the fund of the net result of investments of the cash flow activities of the general fund, as established in accordance with the first paragraph of section 4, the net investment income of the fund is established.

The net result of investments of an individual fund is made up of the net income or the net loss of investments, gains and losses on the sale of investments and unrealized gain or loss on investments and liabilities related to the investments, less operating and administrative costs allocated to the fund, following the approval for distribution of the costs by the Fund's board of directors.

At the opening of the fiscal period that follows, the net income is paid to the depositor or the net loss is recovered. The same applies to the gains from the disposal of investments or the recovered losses from the sale of investments. The payments can be made by issuing units of participation.

**19.** At the closing of the fiscal period of a specialized fund, the net result of investments is established and, after allocation to the fund of the net result of investments of the cash flow activities of the general fund, as established in accordance with the first paragraph of section 4, the balance is apportioned among the depositors of the fund in proportion to the number of units of participation held by each one.

The net result of investments of a specialized fund is made up of the net income or the net loss of investments, gains and losses on the sale of investments and unrealized gain or loss on investments and liabilities related to the investments, less operating and administrative costs allocated to the fund, following the approval for distribution of the costs by the Fund's board of directors.

At the opening of the fiscal period that follows, the net income is paid to the depositors or the net loss is recovered. The same applies to the gains from the disposal of investments or the recovered losses from the sale of investments. The payments can be made by issuing units of participation.

**20.** Withdrawals of participation deposits must be made by means of written notices of withdrawal to be sent to the Fund, indicating the amount of the withdrawal and the date of the withdrawal. Following receipt of such notice, the Fund proceeds in the following manner and according to the sequence prescribed.

On the first day of each fiscal period of a fund during which a depositor has forwarded a notice of withdrawal, the Fund cancels a sufficient number of the depositor's units of participation up to the maximum amounts provided for in the fourth paragraph. The balance of the variance account between the book value of the cancelled units and their cancellation price is then apportioned among the depositors of the fund and paid in proportion to the number of units of participation held by each depositor after the cancellation.

The proceeds from the cancellation of units of participation are recorded in one of the Fund's credit accounts. The amount bears interest at such rate paid by the Fund on demand deposits, as of the day following its recording, whether it be a working day or not. The first day of each month, an amount which does not exceed the limits provided hereinafter is transferred from the credit account to the depositor's demand deposit account.

The maximum amount of monthly reimbursements which the Fund is required to make to a depositor in respect of one or several notices of withdrawal is limited to the sum of \$15,000,000 plus the proceeds of \$2,000,000 multiplied by the number of months elapsed since receipt of the notice of withdrawal by the Fund. Any cancellation of units of participation that is not made due to the maximum amount permitted is carried forward to the first days of the subsequent fiscal periods and made as soon as the limit permits.

## DIVISION V PORTFOLIOS

**21.** Portfolios under separate management are portfolios of movable and immovable assets which the Fund does not own but whose management is entrusted to it by a depositor.

**22.** Financial operations may be effected among the various specialized portfolios.

The specialized portfolios are the following:

(1) specialized real estate portfolios composed primarily of real estate assets, shares in real estate corporations or corporations whose object is to acquire, hold, rent or administer real estate properties, as well as evidences of indebtedness relating thereto;

(2) specialized participation portfolios in enterprises;

(3) specialized hypothec portfolios;

(4) specialized portfolios of foreign securities or securities acquired on foreign markets or administered within the scope of overall management of international investments;

(5) specialized portfolios of shares and of securities convertible into shares;

(6) specialized portfolios of money market securities and cash management;

(7) specialized bond portfolios;

(8) specialized portfolios of any of the investment categories referred to in subparagraphs 1 to 7 and 9 to 13 and in juxtaposition with financial instruments or contracts;

(9) specialized portfolios containing one or more securities;

(10) specialized portfolios containing a combination of investment categories referred to in subparagraphs 1 to 9 and 11 to 13;

(11) specialized foreign currency portfolios;

(12) specialized portfolios of derivative financial instruments;

(13) specialized portfolios of diversified products.

**23.** The specialized portfolios are pooled investments in which the funds of the Fund may invest.

**24.** Sections 15, 16, 17 and 20 apply to specialized portfolios to the extent that they may be applicable.

**25.** At the closing of the fiscal period of a specialized portfolio, the net result of investments of the portfolio is established and apportioned among the holders of units of participation in proportion to the number of units of participation held by each one.

The net result of investments of a specialized portfolio is made up of the net income or the net loss of investments, gains and losses on the sale of investments and unrealized gain or loss on investments and liabilities related to the investments, less operating and administrative costs allocated to the portfolio, following the approval for distribution of the costs by the Fund's board of directors.



At the opening of the following fiscal period, the net income is paid to the funds or the net loss is recovered. The payments can be made by issuing units of participation.

## DIVISION VI MISCELLANEOUS

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

### SCHEDULE A

(s. 7)

#### TRANSFER PROCEDURE OF A DEPOSITOR'S ASSETS FROM A SEGREGATED TO AN INDIVIDUAL FUND

1. In this Schedule, the following expressions mean:

“Apportionment”: apportionment to a depositor of part of the investments or other elements of assets or liabilities.

“Depositor’s equity” the sum of:

(1) the stated value of the depositor’s participation units;

(2) the share of accumulated income as at 31 December 1979 attributed to the depositor;

(3) the share of profit or loss on disposal of investments incurred since 1 January 1980 such as it would have been attributable to the depositor at the end of the fiscal period when such disposal occurred;

(4) the share of variance recorded on the withdrawal of participation units attributable to the depositor, in proportion to the units held by the depositor as compared to the fund’s total units at the time of transfer.

“Net assets”: aggregate investments and other assets at stated value less corresponding liabilities; in the case of a specialized fund, this is equal to the depositors overall equity.

“Share”: unless the content indicates otherwise, the share of a depositor is that share represented by the number of participation units held by such depositor, in proportion to the fund’s total number of units.

“Stated value”: residual value of an asset as determined when acquired or recorded, subject to the bookkeeping adjustments which have affected it since that time, until the transfer;

“Unadjusted net assets of a depositor”: in the fund’s net assets, the pro rata value of the participation units of the depositor as compared to the value of the aggregate participation units of the fund.

2. For the purpose of transferring a depositor’s equity from a specialized fund to an individual fund, it is proceeded to the following as at 1 January 1983:

(1) the computation of:

(a) the value of the specialized fund net assets;

(b) the depositor’s unadjusted net assets;

(c) the depositor’s equity;

(d) the depositor’s equity is divided by its unadjusted net assets in order to set up an adjustment factor which will absorb the difference between the cost of investments for the specialized fund and the cost for the depositor;

(e) the depositor’s adjusted net assets are determined by replacing, in the depositor’s unadjusted net assets, the stated value of investments by the value obtained when applying to such stated value the adjustment factor mentioned above;

(2) the apportionment of assets in the following manner:

(a) the apportionment of assets and liabilities of the specialized fund is effected, on the whole, according to the share of each depositor;

(b) the apportionment of each element of assets and liabilities is effected, inasmuch as it is possible, according to the policy mentioned in the preceding paragraph subject to the adjustments and terms agreed upon by the depositor and the Fund or as determined by resolution of the board of directors;

(3) the following operations:

(a) the closing of the accounts of the depositor’s adjusted net assets and the depositor’s equity in the specialized fund and the cancellation of the participation units held by the depositor in the fund;

the remittance to the depositor’s individual fund of the elements of assets and liabilities attributed to the latter, at the closing value mentioned in the preceding paragraph, said value to become the stated value in the individual fund, and the issue to the depositor of the number of participation units of fixed value of \$1,000,

as required for the purpose of obtaining a value equal to that of the transfer. Any fraction of \$1,000 will be completed by the opening up of an account receivable.

1925

Gouvernement du Québec

### **O.C. 119-2012, 22 February 2012**

An Act respecting the Caisse de dépôt et placement du Québec  
(R.S.Q., c. C-2)

#### **Caisse de dépôt et placement du Québec — Internal management — Amendment**

Regulation to amend the Regulation respecting the internal management of the Caisse de dépôt et placement du Québec

WHEREAS paragraph *a* of section 23 of the Act respecting the Caisse de dépôt et placement du Québec (R.S.Q., c. C-2) provides that the Caisse de dépôt et placement du Québec must establish by regulation the rules relating to its internal management and its commercial affairs;

WHEREAS the Regulation respecting the internal management of the Caisse de dépôt et placement du Québec (R.R.Q., c. C-2, r. 3) has provisions concerning the terms and conditions of deposits, funds and portfolios, which are governed by paragraphs *d* and *e* of section 23 of the Act;

WHEREAS those provisions were repeated with amendment in the Regulation respecting the terms and conditions of deposits, funds and portfolios, which was approved by the Government on 22 February 2012 under Order in Council 118-2012;

WHEREAS, on 12 December 2011, the Caisse de dépôt et placement du Québec made the Regulation to amend the Regulation respecting the internal management of the Caisse de dépôt et placement du Québec in order to revoke from the Regulation the provisions concerning the terms and conditions of deposits, funds and portfolios;

WHEREAS the second paragraph of section 13 of the Act respecting the Caisse de dépôt et placement du Québec provides that a regulation made by the Caisse de dépôt et placement du Québec under paragraphs *d* and *e* of section 23 of the Act must be submitted for approval to the Government, which may approve it with or without amendment;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the text of the Regulation was published as a draft in Part 2 of the *Gazette officielle du Québec* of 28 December 2011 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS the 45-day period has expired and no comments were received before the expiry of that period;

WHEREAS it is expedient to approve the Regulation without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Finance:

THAT the Regulation to amend the Regulation respecting the internal management of the Caisse de dépôt et placement du Québec, attached to this Order in Council, be approved.

GILLES PAQUIN,  
*Clerk of the Conseil exécutif*

### **Regulation to amend the Regulation respecting the internal management of the Caisse de dépôt et placement du Québec**

An Act respecting the Caisse de dépôt et placement du Québec  
(R.S.Q., c. C-2, s. 23, par. *a*)

**1.** The Regulation respecting the internal management of the Caisse de dépôt et placement du Québec (R.R.Q., c. C-2, r. 3) is amended by striking out paragraphs *c*, *e* and *i* of section 1 of Division 1, Divisions IX, X, XI, XII, XIII, section 50.1 of Division XIV and Schedule C.

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

1926

**M.O., 2012****Order of the Minister of Sustainable Development, Environment and Parks dated 24 February 2012**

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

Amendment to the plan and conservation plan of the proposed Réserve de biodiversité Albanel-Témiscamie-Otish

THE MINISTER OF SUSTAINABLE DEVELOPMENT,  
ENVIRONMENT AND PARKS,

CONSIDERING the first paragraph of section 27 of the Natural Heritage Conservation Act (R.S.Q., c. C-61.01), which provides that, for the purpose of protecting land to be established as a new protected area, the Minister, with the approval of the Government, is to 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;

CONSIDERING section 31 of the Act, which provides that the Minister may, on the same conditions, amend, replace or revoke the plan of land set aside under the first paragraph of section 27 or the conservation plan established for that land; no amendment to or replacement of a plan may affect the period of time for which the land has been set aside;

CONSIDERING Order in Council 110-2012 dated 22 February 2012 by which the Government authorized the Minister of Sustainable Development, Environment and Parks to amend the plan and conservation plan of the proposed Réserve de biodiversité Albanel-Témiscamie-Otish, which amended plans are attached to this Order in Council;

CONSIDERING section 12 of the Regulations Act (R.S.Q., c. R-18.1), under which the proposed amended plan and conservation plan of a proposed biodiversity reserve may be made without having been published, if the authority making the plans is of the opinion that the urgency of the situation requires it;

CONSIDERING section 18 of that Act, under which the amended plan and conservation plan of a proposed biodiversity reserve may come into force on the date of their publication in the *Gazette officielle du Québec*, where the authority that has made the plans is of the opinion that the urgency of the situation requires it;

CONSIDERING sections 13 and 18 of that Act, under which the reason justifying the absence of prior publication and such coming into force is to be published with the amended plan and conservation plan of a proposed biodiversity reserve;

CONSIDERING that, in the Minister's opinion, the urgency due to the following circumstances warrants the absence of prior publication and such coming into force of the amended plan and conservation plan of the proposed Réserve de biodiversité Albanel-Témiscamie-Otish on the date of their publication in the *Gazette officielle du Québec* with the Minister's Order:

— Considering that mining development is prohibited under the Natural Heritage Conservation Act on the land in the domain of the State covered by the plan of a proposed biodiversity reserve;

— Considering that the amendment to the plans of the proposed Réserve de biodiversité Albanel-Témiscamie-Otish is required so that gravel borrow pits may be operated near the site of the extension work of route 167, in order to limit as much as possible the environmental impact of the work;

— Considering that the extension work of route 167 must start as soon as possible because otherwise, with the first sign of thaw, the road giving access to the work site will no longer be passable and the work will have to be postponed to the winter of 2012-2013.

**ORDERS AS FOLLOWS:**

The plan and conservation plan of the proposed Réserve de biodiversité Albanel-Témiscamie-Otish are amended, which amended plans are attached to this Minister's Order;

The amended plan and conservation plan of the proposed Réserve de biodiversité Albanel-Témiscamie-Otish come into force on the date of their publication in the *Gazette officielle du Québec* with this Minister's Order.

Made in Québec, on 24 February 2012

PIERRE ARCAND,  
*Minister of Sustainable Development,  
Environment and Parks*

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## QUÉBEC STRATEGY FOR PROTECTED AREAS



# Réserve de biodiversité projetée Albanel- Témiscamie- Otish

**Conservation plan**



February 2012

## 1. Protection status and toponym

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

The permanent protection status sought is to be that of "national park" under the Parks Act (R.S.Q., c. P-9).

The provisional name is "Réserve de biodiversité projetée Albanel-Témiscamie-Otish". The official toponym will be determined at the time of assignment of permanent protection status to the land.

## 2. Plan and description

### 2.1. Geographic location, boundaries and dimensions

The boundaries and location of the Réserve de biodiversité projetée Albanel-Témiscamie-Otish are shown on the map attached as a Appendix.

The Réserve de biodiversité projetée Albanel-Témiscamie-Otish covers an area of 11,871.3 km<sup>2</sup> and is located almost entirely in Municipalité de Baie-James, outside the regional county municipality; a small portion in the sector of À l'Eau Froide lake is situated in Municipalité régionale de comté de Maria-Chapdelaine, and two other small portions to the east cover Municipalité régionale de comté du Fjord-du-Saguenay. The proposed reserve is located between 50° and 52° north latitude and between 70° and 75° west longitude, northeast of Ville de Chibougamau and the Mistissini Cree community.

Two roads give access to the reserve. Route 167 runs north from Chibougamau to Village de Mistissini, the northeast shore of Albanel lake and the mouth of the Témiscamie river. **As well**, there is a road on the northwest shore of Mistassini lake, by way of Route du Nord. In addition, a winter road crosses through part of the territory to the north of the Témiscamie river. This temporary road will be replaced by a permanent road and, to that end, four gravel deposits have been excluded from the perimeter of the projected biodiversity reserve.

A network of forest roads is located at the periphery, in the part of the proposed biodiversity reserve leading from Cosnier and Témiscamie lakes to Lac à l'Eau froide starting from Route 167.

Two corridors have been excluded from the portion of the reserve from the Témiscamie river to À l'Eau Froide lake to allow access to significant timber supply areas. Moreover, the unprotected land enclave in the western Rupert River sector will be accessible in the event of a resource exploitation project. However, the exact location of this kind of line will require a more stringent analysis of the target sector so as to limit as much as possible any impact on the integrity of the proposed biodiversity reserve.

Hydro-Québec uses the data from a meteorological station within the boundaries of the proposed biodiversity reserve. The station has been excluded from the proposed biodiversity reserve.

## 2.2. Ecological overview

The Réserve de biodiversité projetée Albanel-Témiscamie-Otish represents chiefly the Mistassini River Highlands natural province and to a lesser extent the Central Laurentian, Grande-Rivière Low Hills and Nord-du-Québec Central Plateau natural provinces. The proposed biodiversity reserve is the hydrographic hub of central Québec and the source of the Rupert, Eastmain and La Grande rivers that flow into James Bay, and of the Péribonka, Aux Outardes and Manicouagan rivers that feed the St. Lawrence River.

The proposed biodiversity reserve is characteristic of three major vegetation zones typical of Northern Québec. The northern limit of the boreal forest is approximately 60 km northwest of the Témiscamie river. At the foot of the Otish mountains, the forest is gradually replaced by taiga, open woodland dominated by black spruce, lichens and heaths. Vast tundra areas characterize the high peaks of the Otish mountains. A sizeable array of northern Québec components are to be found in the proposed biodiversity reserve.

With an area of 2,336 km<sup>2</sup>, Mistassini lake is the largest natural lake in Québec and the source of the Rupert river. The Mistassini and Albanel lakes region is characterized by large limestone formations isolated within the Canadian Shield. This sedimentary bed supports calcicole flora unusual in a boreal forest. To date, 497 different species of vascular plants and more than 400 species of non-vascular plants have been listed. This special geology also explains the presence of a number of species of plants, bryophytes and lichens that are currently vulnerable in Québec.

The Rupert river starts its course toward James Bay, dividing into three branches and creating huge islands surrounded by interlacing lakes traversed by long eskers from which round hills emerge in the vast plain forming the spillway of Mistassini lake on the perimeter of the Sakami frontal moraine some 630 kilometres long. Large sand beaches form the bed of the downstream portion of the Témiscamie over 40 kilometres. Old-growth white spruce stands are interspersed on its shores and other old-growth forest ecosystems are home to woodland caribou along the historic canoe route linking Saint-Jean lake and the James Bay territory through À l'Eau Froide lake.

The Otish mountains massif comprises a number of summits over 1,000 metres high, including Mont Yapeitso at 1,135 metres. The mountains are characterized by Proterozoic sedimentary formations with cuesta topography. The massif is one of the last regions in Québec to be freed from the ice after the Wisconsin continental glaciation 7,000 years ago. The tundra flora composed of lichens, moss and stunted shrub is characteristic of Arctic Québec landscapes. South slopes are home to old-growth white spruce forests over a hundred years old, which are rare at this latitude.

Naococane lake with its indefinite contour in the northern part of the proposed biodiversity reserve near the Caniapiscou reservoir contains numerous islands of all sizes that are remains of the submergence of one of the largest disintegration moraine in the world. It is a landscape typical of the Nord-du-Québec Central Plateau with as much water as land. Open woodlands are characteristic of the taiga and the

islands are home to the last balsam fir that take shelter there before disappearing entirely further to the north.

The area of the Réserve de biodiversité projetée Albanel-Témiscamie-Otish protects nine vascular plants that may be designated as threatened or vulnerable. In the south, Mistassini and Albanel lakes and the Témiscamie river are home to seven of those species, namely *Amerorchis rotundifolia*, *Calypso bulbosa* var. *americana*, *Carex petricosa* var. *misandroides*, *Drosera linearis*, *Salix arbusculoides*, *Salix maccaliana* and *Salix pseudo-monticola*. In the north, the Otish mountains have colonies of two of those species, *Agoseris aurantiaca* and *Gnaphalium norvegicum*. The southern part of the proposed biodiversity reserve is the habitat of three species of animals likely to be designated as threatened or vulnerable, namely the caribou (ecotype woodland), the hoary bat and the southern bog lemming.

### 2.3. Occupation and land uses

There are three outfitting facilities and two campgrounds on the shores of Mistassini and Albanel lakes and at the mouth of the Rupert river. Three eco-tourism shelters for hikers are located northeast of the Otish mountains. An outfitting camp is situated at Pluto lake, at the southern piedmont of the Otish mountains, and there is a vacation resort lease at Naococane lake. Four commercial leases have been issued for the southern portion of the proposed biodiversity reserve, three of the sites (land rights) being in the same sector. Two of the sites have a floatplane base, one of which is beside the Témiscamie river bridge near Albanel lake to provide the only access currently possible to the Otish mountains.

Cree hunters and trappers have over one hundred camps throughout the region used to continue their traditional activities.

The proposed biodiversity reserve is on Category II and Category III land in the trapping territories of the Mistissini nation 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). It also touches upon the Roberval beaver reserve and includes part of the Lacs-Albanel-Mistassini-et-Waconichi wildlife sanctuary.

The Réserve de biodiversité projetée Albanel-Témiscamie-Otish has more than fifty listed archaeological sites, mainly along the Témiscamie river (nearly thirty sites), Albanel lake (about ten sites) and Mistassini lake (about ten sites), as well as the Colline-Blanche archaeological sites including a Mistassini quartzite quarry and the Antre du Lièvre or "Wapushakamikw". Those sites were classified in 1976 by the Ministère des Affaires culturelles (current Ministère de la Culture et des Communications). Other archaeological sites may be discovered in the Réserve de biodiversité projetée Albanel-Témiscamie-Otish. Such is the case with the Uupichun portage sector between Albanel and Mistassini lakes where three French establishments dating to the contact period mentioned in the archives have not yet been located: Louis Jolliet's house, Dorval house and the Sainte-Famille mission.

### 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.

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.

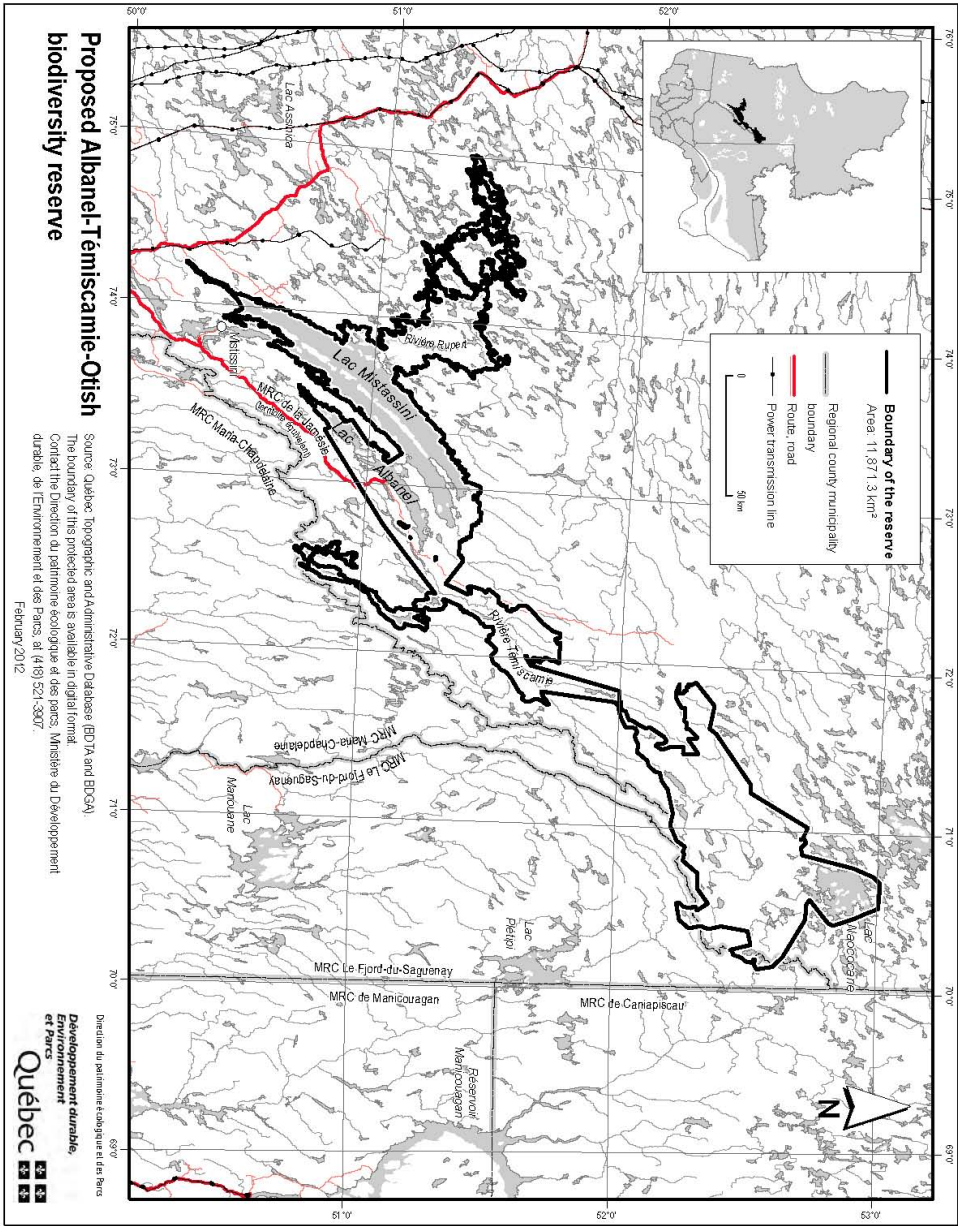


#### **4. Responsibilities of the Minister of Sustainable Development, Environment and Parks**

The conservation and management of the Réserve de biodiversité projetée Albanel-Témiscamie-Otish are the responsibility of the Minister of Sustainable Development, Environment and Parks, who is therefore responsible for the monitoring and control of activities permitted there. In managing the reserve the Minister works with the collaboration and participation of other government representatives having specific responsibilities in or adjacent to the territory, 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 now been granted them.

**APPENDIX**

**Map of the Réserve de biodiversité projetée Albanel-Témiscamie-Otish**



**M.O., 2012****Order of the Minister of Municipal Affairs, Regions and Land Occupancy dated 15 February 2012**

An Act respecting the Ministère des Affaires municipales, des Régions et de l'Occupation du territoire (R.S.Q., c. M-22.1)

CONCERNING management indicators pertaining to the administration of certain municipal bodies

WHEREAS, pursuant to section 17.6.1 of the Act respecting the Ministère des Affaires municipales, des Régions et de l'Occupation du territoire (R.S.Q., c. M-22.1), the Minister of Municipal Affairs, Regions and Land Occupancy may, after consultation with the bodies that represent the municipalities, in particular the Union des municipalités du Québec and the Fédération québécoise des municipalités, establish management indicators pertaining to the administration of municipal bodies and prescribe the conditions and procedures for the implementation of the indicators in such bodies;

WHEREAS, pursuant to the same section, the Minister may also for this purpose:

— classify municipal bodies by category and establish management indicators or implementation conditions and procedures that may vary according to the category of municipal body;

— prescribe the manner in which municipal bodies must provide residents with the information that the Minister determines concerning the results observed by means of the management indicators applied;

— exempt any municipal body from the application of management indicators for any period that the Minister determines;

WHEREAS the Minister of Municipal Affairs and Regions adopted an order for that purpose that was published in the *Gazette officielle du Québec* on December 19, 2007;

WHEREAS the Union des municipalités du Québec, the Fédération québécoise des municipalités and various other bodies that represent the municipalities have been consulted within the framework of deliberations on the evaluation of the management indicators stipulated in this order;

WHEREAS it is opportune, following the consultation, to revise the indicators;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft order was published in Part 2 of the *Gazette officielle du Québec* on December 14th 2011, with notice that the Minister of Municipal Affairs, Regions and Land Occupancy could enact it on the expiry of a period of 45 days after this publication;

WHEREAS no comment has been received within this time limit;

WHEREAS there is good reason to enact this order unamended;

ACCORDINGLY, the Minister orders that:

1. the management indicators that appear in the Schedule to this Order are established;

2. the categories of municipal bodies to which this Order applies are the following:

— municipalities except Northern villages, the Municipalité de Baie-James and the Municipalité de Côte-Nord-du-Golfe-du-Saint-Laurent;

— intermunicipal management boards.

3. Every municipal body to which this Order applies must, in respect of each fiscal year, measure the performance of each activity of its administration as determined in the Schedule by calculating, using the formula prescribed therein, the value of each indicator pertaining to the activity.

The first fiscal year in respect of which the indicators in this Order are applied is fiscal year 2011.

4. Every municipal body to which this Order applies must, before June 30 of the fiscal year following the fiscal year in respect of which the management indicators established in the Schedule are applied, submit to the Minister of Municipal Affairs, Regions and Land Occupancy a document that includes at least the results observed at the end of the fiscal year in question.

5. The document referred to in section 4 must be tabled at a regular meeting of the council or, in the case of an intermunicipal management board, at a meeting of the board of directors.

The first fiscal year in which the document referred to in the first paragraph must be tabled is fiscal year 2012 and the document must include the results observed for fiscal year 2011.

6. This Order replaces the Order of the Minister of Municipal Affairs and Regions respecting the establishment of management indicators pertaining to the administration of certain municipal bodies adopted on December 3, 2007 and that came into force on December 19, 2007.

7. This Order comes into force on the day of its publication in the *Gazette officielle du Québec*.

Québec, February 15, 2012

LAURENT LESSARD,  
*Minister of Municipal Affairs, Regions  
and Land Occupancy*

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## SCHEDULE

### 2011 MUNICIPAL MANAGEMENT INDICATORS

Function and activity	Indicator	Definition	Formula
Public safety <b>Fire safety</b>	Cost of fire safety per \$100 of assessment	Cost of the fire safety activity per \$100 of assessment	$\frac{\text{Cost of the fire safety activity}}{\text{Standardized real estate value}} \times 100$ <p>a) pre-amortization operating costs – services provided b) operating costs – services provided</p>
Road transportation <b>Municipal roads</b>	Cost of municipal roads per kilometre of road	Cost of the municipal road activity per kilometre of road belonging to the municipal body	$\frac{\text{Cost of the municipal road activity}}{\text{Number of kilometres of roads}}$ <p>a) pre-amortization operating costs – services provided b) operating costs – services provided</p>
Road transportation <b>Snow removal</b>	Cost of snow removal per kilometre of road	Cost of the snow removal activity per kilometre of road belonging to the municipal body	$\frac{\text{Cost of the snow removal activity}}{\text{Number of kilometres of roads cleared of snow}}$ <p>a) pre-amortization operating costs – services provided b) operating costs – services provided</p>
Environmental hygiene <b>Water supply, purification and distribution network</b>	Number of breaks per 100 kilometres of pipe  Cost of distribution per kilometre of pipe	Number of breaks in the water supply system per 100 kilometres of drinking water pipes, excluding breaks at water inlets  Cost of the drinking water distribution activity in relation to the number of kilometres of drinking water pipes belonging to a municipal body	$\frac{\text{Number of breaks in the water supply system}}{\text{Number of kilometres of drinking water pipes}} \times 100$ <p>a) pre-amortization operating costs – services provided b) operating costs – services provided</p>

Function and activity	Indicator	Definition	Formula
	Cost of supplying and purifying drinking water per cubic metre of water	Cost assumed by the municipal body to purify one cubic metre of water and for water supply	Cost of the water supply and drinking water purification activity <u>Total number of cubic metres of water purified</u> a) pre-amortization operating costs b) operating costs
	Cost of distribution per cubic metre of water	Cost assumed by the municipal body to distribute one cubic metre of drinking water	<u>Cost of the drinking water distribution activity</u> <u>Number of cubic metres of water circulating in the network</u> a) pre-amortization operating costs – services provided b) operating costs – services provided
Environmental hygiene <b>Wastewater treatment and sewer systems</b>	Cost of treatment per cubic metre of wastewater	Cost of treating one cubic metre of wastewater	<u>Cost of the wastewater treatment activity</u> <u>Number of cubic metres of wastewater treated by the treatment plant</u> a) pre-amortization operating costs b) operating costs
	Cost of sewer systems per kilometre of pipes	Cost of the sewer systems activity per kilometre of sewer pipes, excluding service inlets	<u>Cost of the sewer systems activity</u> <u>Number of kilometres of sewer pipes</u> a) pre-amortization operating costs – services provided b) operating costs – services provided

Function and activity	Indicator	Definition	Formula
	Cost of sewer systems per cubic metre of wastewater	Cost of the sewer systems activity per cubic metre of wastewater	$\frac{\text{Cost of the sewer systems activity}}{\text{Number of cubic metres of wastewater circulating in the systems}}$ <p>a) pre-amortization operating costs – services provided b) operating costs – services provided</p>
Environmental hygiene <b>Household and similar waste</b>	Cost of collecting household and similar waste by premises	Cost of the household and similar waste collection activities by premises	$\frac{\text{Cost of the collection, transportation and elimination of household and similar waste activities}}{\text{Number of premises served by the collection of household and similar waste}}$ <p>a) pre-amortization operating costs – services provided b) operating costs – services provided</p>
Environmental hygiene <b>Separate collection of recyclable materials</b>	Average annual yield on separate collection	Metric tonnes of recyclable materials (separate collection) collected per inhabitant benefiting from the separate collection service	$\frac{\text{Number of metric tonnes of recyclable materials (separate collection) collected}}{\text{Total number of inhabitants in the territory served by the separate collection service}}$
	Average annual diversion	Percentage of recyclable materials (separate collection) in relation to total household and similar waste and separate collection	$\frac{\text{Number of metric tonnes of recyclable materials (separate collection) collected}}{\text{Number of metric tonnes of household and similar waste and recyclable materials (separate collection) collected}} \times 100$

<b>Function and activity</b>	<b>Indicator</b>	<b>Definition</b>	<b>Formula</b>
Planning, urban planning and development <b>Planning, urban planning and development</b>	Growth in residential assessed value	Percentage of the value of taxable new units and residential renovation in relation to the total value of taxable residential units	$\frac{\text{Value of taxable new units and residential renovations}}{\text{Total value of taxable residential units}} \times 100$
<b>Human resources</b>	Training effort per employee	Number of training hours paid in relation to persons/year	$\frac{\text{Number of hours of training}}{\text{Persons/year}}$
	Percentage of training cost in relation to total remuneration	Percentage of training cost in relation to total remuneration	$\frac{\text{Cost of training}}{\text{Total remuneration}} \times 100$
	Percentage of potential retirements	Percentage of potential retirements within five years after December 31 of the fiscal year under study in relation to the total number of regular employees	$\frac{\text{Number of potential retirements within the next five years}}{\text{Number of regular employees}} \times 100$



**M.O., 2012****Order of the Minister of Economic Development, Innovation and Export Trade dated 3 February 2012**

An Act respecting artistic, literary and scientific competitions  
(R.S.Q., c. C-51)

CONCERNING Prix du Québec scientific competitions

WHEREAS pursuant to section 1, paragraph 2 of the Act respecting artistic, literary and scientific competitions (R.S.Q., c. C-51), the Minister of Economic Development, Innovation and Export Trade may establish annual scientific competitions, and determine the conditions thereof;

WHEREAS pursuant to section 4 of said Act, the conditions of each competition shall be published in due time in the *Gazette officielle du Québec*;

WHEREAS the Ministerial Order of the Minister of State for the Economy and Finance and the Minister of Industry, Trade, Science and Technology adopted on 22 September 1998 should be replaced;

THEREFORE, the Minister of Economic Development, Innovation and Export Trade hereby enacts the annexed competition.

Québec City, 3 February 2012.

SAM HAMAD,  
*Minister of Economic Development,  
Innovation and Export Trade*

**Prix du Québec scientific competitions****DIVISION I****NATURE OF THE AWARDS**

**1.** The Minister of Economic Development, Innovation and Export Trade hereby institutes six competitions for the purpose of granting six scientific awards annually.

Each award is the highest distinction granted by the Gouvernement du Québec to honour a scientist for an outstanding career in his or her field.

The six awards are as follows:

(1) Prix Marie-Victorin

(2) Prix Léon-Gérin

(3) Prix Wilder-Penfield

(4) Prix Armand-Frappier

(5) Prix Lionel-Boulet

(6) Prix Marie-Andrée-Bertrand

**2.** Prix Marie-Victorin is intended for research scientists working in the field of natural sciences and engineering, excluding the biomedical field.

The branches of learning recognized for this award are exact and natural sciences, engineering and technological sciences, and agricultural sciences.

**3.** Prix Léon-Gérin is intended for research scientists working in the field of human and social sciences.

All branches of learning are recognized for this award.

**4.** Prix Wilder-Penfield is intended for research scientists working in the biomedical field.

The branches of learning recognized for this award are medical sciences, natural sciences and engineering sciences.

**5.** Prix Armand-Frappier is intended for persons who have had careers in research and who have contributed to the development of research establishments or devoted themselves to the administration or promotion of research and who, as a result, were able to foster new careers in science and develop interest in science and technology among the general population.

All branches of learning are recognized for this award.

**6.** Prix Lionel-Boulet is intended for research scientists working in the industrial field.

All branches of learning are recognized for this award.

**7.** Prix Marie-Andrée-Bertrand is intended for persons who have had careers in research and whose scope and quality of scientific work have led to the development and implementation of important social innovations contributing to the wellbeing of individuals or communities.

All branches of human and social science learning are recognized for this award.

## DIVISION II ELIGIBILITY

**8.** To be eligible, candidates must be Canadian citizens and must have worked during their careers in Québec.

**9.** Jury members are not eligible for competitions during the year they are members of the jury.

**10.** Candidates may not nominate themselves.

**11.** Every candidacy must be accompanied by a letter of introduction, an up-to-date résumé and three to five letters of recommendation from experts in the branch of learning explaining why the candidate should receive the award.

**12.** Awards may be granted to only one person in any given year unless the jury decides to grant them jointly to people who worked together on a single project.

**13.** Candidates may not receive the same award more than once nor receive more than one award during the same year.

Candidates may, however, be granted different awards for different contributions in the course of their careers.

**14.** Awards may not be granted posthumously.

## DIVISION III JURY COMPOSITION AND DUTIES

**15.** The Minister shall annually empanel a jury for each competition, appoint the members thereof and designate the chair.

The jury shall be made up of five members.

The quorum for a meeting of the jury shall be four members.

Those who have proposed or supported a candidacy may not be members of the jury.

Travel and living expenses incurred by jury members while carrying out their duties shall be reimbursed by the Ministère du Développement économique, de l'Innovation et de l'Exportation in accordance with the Règles sur les frais de déplacement des personnes engagées à honoraires (C.T. 170100, 89-03-14).

**16.** For each competition the jury shall select who, if anybody, is to receive the award.

## DIVISION IV SELECTION OF WINNERS

**17.** The jury's decision shall be rendered in writing by a majority vote of its members. The decision shall give reasons and be dated and signed by the members who rendered it.

**18.** Should the jury decide not to grant an award in a given year, it shall render its decision in the manner prescribed in section 17.

**19.** The deliberations of the jury shall be confidential.

**20.** The decision of the jury has effect from the date indicated on it.

**21.** The secretary shall send the jury's decision to the Minister within 30 days of the date on which it was rendered.

**22.** The Minister shall announce the jury's decision no later than 30 November of each year.

**23.** Each winner shall receive:

(1) an amount of \$30,000, non-taxable;

(2) a medal engraved with his or her name and created by a professional Québec artist, an unengraved double of which shall be given to the Musée national des beaux-arts du Québec;

(3) a certificate written in calligraphy on parchment.

## DIVISION V ADMINISTRATION OF COMPETITIONS

**24.** The secretary of each competition shall be the director of the Direction de la promotion de la science citoyenne of the Ministère du Développement économique, de l'Innovation et de l'Exportation or any person the secretary may appoint for that purpose.

**25.** The secretary shall call the meetings of the juries by sending a notice in writing to each member at least one clear day before meetings are held.

The secretary shall attend the meetings, draw up the minutes thereof and send the decisions of the juries and copies of the minutes to the Minister.

The secretary is not entitled to vote at jury meetings.

**26.** This competition replaces the competition made by the Ministerial Order of the Minister of State for the Economy and Finance and the Minister of Industry, Trade, Science and Technology on 22 September 1998.

1927



## Draft Regulations

### Draft Regulation

An Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1)

#### Scale of fees and duties related to the development of wildlife

##### — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting the scale of fees and duties related to the development of wildlife, appearing below, may be made by the Minister on the expiry of 45 days following this publication.

The draft Regulation revokes sections that determine the fees required to obtain certain hunting licences for caribou. The amendments are necessary considering the amendments to be made to the Regulation respecting hunting (R.R.Q., c. C-61.1, r. 12) concerning hunting for forest- tundra caribou.

Study of the matter has shown some negative impact on enterprises in connection with the development of forest-tundra caribou in the territories concerned. Administrative mitigation measures have been implemented.

Further information on the draft Regulation may be obtained by contacting Gaétan Roy, Service de la réglementation, de la tarification et des permis, Ministère des Ressources naturelles et de la Faune, 880, chemin Sainte-Foy, 2<sup>e</sup> étage, Québec (Québec) G1S 4X4; telephone: 418 521-3888, extension 7394; fax: 418 646-5179; email: gaetan.roy@mrnf.gouv.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Nathalie Camden, Associate Deputy Minister for Faune Québec, Ministère des Ressources naturelles et de la Faune, 880, chemin Sainte-Foy, 10<sup>e</sup> étage, Québec (Québec) G1S 4X4.

SERGE SIMARD,  
Minister for Natural  
Resources and Wildlife

CLÉMENT GIGNAC,  
Minister of Natural  
Resources and Wildlife

### Regulation to amend the Regulation respecting the scale of fees and duties related to the development of wildlife

An Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1, s. 163, 1st par., subpars. 4 and 9)

**1.** The Regulation respecting the scale of fees and duties related to the development of wildlife (c. C-61.1, r. 32) is amended in Schedule I by striking out paragraphs *d* and *e* of section 1.

**2.** Schedule VI is amended

(1) by striking out subparagraph iv in respect of caribou in section 1;

(2) by striking out subparagraph ii in respect of caribou in section 2.

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

1930

### Draft Regulation

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

#### Physical rehabilitation therapists — Diplomas giving access to permits — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation amends section 2.12 of the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or

specialist's certificates of professional orders to add 3 new programs to it. The addition will allow diploma holders who have completed one of those programs to obtain a physical rehabilitation therapist permit from the Ordre professionnel de la physiothérapie du Québec.

The draft Regulation has no impact on enterprises, including small and medium-sized businesses.

The draft Regulation will be submitted to the Office des professions du Québec and to the Ordre professionnel de la physiothérapie du Québec for their opinion. To that end, the Office will seek the opinion of the Order and forward it with its own opinion to the Minister of Justice after consultation with the educational institutions and bodies concerned.

Further information may be obtained by contacting Marie-France Salvas, Legal Services, Ordre professionnel de la physiothérapie du Québec, 7151, rue Jean-Talon Est, bureau 1000, Anjou (Québec) H1M 3N8; telephone: 514 351-2770; toll free: 1 800 361-2001; fax: 514 351-2658; email: physio@oppq.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Jean Paul Dutriscac, Chair of the Office des professions du Québec, 800, place D'Youville, 10<sup>e</sup> étage, Québec (Québec) G1R 5Z3. The comments will be forwarded by the Office to the Minister of Justice and may also be sent to the professional order concerned and to interested persons, departments and bodies.

JEAN-MARC FOURNIER,  
*Minister of Justice*

## **Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders**

Professional Code  
(R.S.Q., c. C-26, s. 184)

**1.** The Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders (c. C-26, r. 2) is amended in section 2.12

(1) by inserting “de” in the French text after “général et professionnel”;

(2) by replacing “and Sherbrooke” by “, Sherbrooke and Matane general and vocational colleges, Dawson College and Collège Ellis Trois-Rivières campus.”.

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

1924

## **Draft Regulation**

An Act respecting the Société des alcools du Québec (R.S.Q., c. S-13)

### **Cider and other apple-based alcoholic beverages**

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 cider and other apple-based alcoholic beverages, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation gives further details and makes adjustments to the Regulation respecting cider and other apple-based alcoholic beverages, made on 5 November 2008.

The draft Regulation authorizes the use of 2 other methods for concentrating apple juice. It also adjusts the definitions of certain cider designations, adds a new designation, and relaxes the obligations regarding the information that must appear on labels.

New provisions make distinctions between and regulate small-scale cider production and industrial production so that all products have an equitable access to the various marketing networks.

Study of the matter has shown no negative impact on the public or enterprises.

Further information may be obtained by contacting Pierre A. Forgues, Director, Direction du commerce et de la construction, Ministère du Développement économique, de l'Innovation et de l'Exportation, 380, rue Saint-Antoine Ouest, 4<sup>e</sup> étage, Montréal (Québec) H2Y 3X7; telephone: 514 499-2199, extension 3184; fax: 514 873-7408; email: pierrea.forgues@mdeie.gouv.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Mr. Forgues at the above-mentioned addresses and numbers.

SAM HAMAD,  
*Minister of Economic Development,  
Innovation and Export Trade*

PIERRE CORBEIL,  
*Minister of Agriculture,  
Fisheries and Food*

ROBERT DUTIL,  
*Minister of Public Security*

## Regulation to amend the Regulation respecting cider and other apple-based alcoholic beverages

An Act respecting the Société des alcools du Québec (R.S.Q., c. S-13, s. 37, 1st par., subpars. 1, 2, 3, 5 and 10)

**1.** The Regulation respecting cider and other apple-based alcoholic beverages is amended in section 1 in the definition of “apple juice”

(1) by inserting “, the action of direct fire on the juice” after “dehydration of the apples”;

(2) by adding “or on the juice” after “on the apples”.

**2.** Section 2 is amended

(1) by replacing “have been” in subparagraph 2 of the first paragraph by “may have been”;

(2) by replacing “10%” in subparagraph 3 of the first paragraph by “15%”;

(3) by replacing “fermentation” in subparagraphs 9 and 10 of the first paragraph by “production”;

(4) by adding the following after subparagraph 13 of the first paragraph:

“(14) “flavoured apple mistelle”: apple mistelle to which fruits, fruit juice, honey or maple syrup have been added, the finished product having the sensory characteristics of apples.”;

(5) by replacing “and apple mistelle” in the second paragraph by “, apple mistelle and flavoured apple mistelle”;

(6) by adding the following sentence at the end of the second paragraph:

“Despite the foregoing, cider cocktail is deemed to be light cider for the purposes of its marketing.”.

**3.** The Regulation is amended by replacing the heading of Division II by the following:

“PRODUCTION AND BOTTLING REQUIREMENTS”.

**4.** Section 11 is amended

(1) by inserting “may also derive” after “production and”

(2) by replacing “and apple mistelle” by “, apple mistelle and flavoured apple mistelle”.

**5.** Section 13 is amended by replacing “aperitif cider and flavoured cider” by “aperitif cider, flavoured cider and flavoured apple mistelle”.

**6.** The following is inserted after section 13:

**13.1** Holders of a small-scale production permit that are cider producers must have a minimum of 1 hectare of apple trees on their land and press and transform at their establishment, into cider or another apple-based alcoholic beverage, the apples they grow on their land or on leased land, and must bottle, bag or barrel themselves at their establishment the cider and alcoholic beverages they make for marketing purposes.

**13.2** Holders of a cider maker permit must transform, at their establishment, apples or apple juice into cider or another apple-based alcoholic beverage, and must bottle, bag or barrel themselves at their establishment the cider and alcoholic beverages they make for marketing purposes; the apples used may be grown by the permit holder or purchased from an apple producer in accordance with the rules applicable to the product made.”.

**7.** Section 14 is amended by replacing the second paragraph by the following:

“Despite the foregoing, a holder of a cider maker permit may subcontract the pressing of his or her apples in Québec for the purposes of producing an ice cider, provided that no juice concentration or freezing is performed during such pressing and that a traceability

system be implemented and maintained, in respect of the apples used by the permit holder to make all of the holder's ice cider, between the raw material and the finished product certified by an accredited certification body, approved by the Québec Minister of Agriculture, Fisheries and Food.

In addition, the permit holder may make ice cider by using no more than 50% of Québec apples not grown by the permit holder.”.

**8.** Section 17 is amended by replacing “1 to 7” in the second paragraph by “1, 3, 4, 5, 6 and 7”.

**9.** The following is inserted after section 17:

“**17.1** The words “Made and bottled on the property” on a container is reserved exclusively for cider produced under the small-scale production permit described in section 13.1.”.

**10.** Section 19 is amended by striking out “be followed by the word “vintage” and” in the second paragraph.

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



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## Notices

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### Notice

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

#### **Réserve écologique de la Grande-Rivière — Change to the limits**

Notice is hereby given, in accordance with section 44 of the Natural Heritage Conservation Act (R.S.Q., c. C-61.01), that the Government made Order in Council 72-2012, on 8 february 2012, changing the limits of the Réserve écologique de la Grande-Rivière, as they appear in the plan of that area and in the conservation plan attached to this notice.

DIANE JEAN,  
*Deputy Minister*

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A Lifelong Heritage

# Réserve écologique de la Grande-Rivière



CONSERVATION PLAN

Québec 

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Réal Carpentier: Figure 3; Photos 2, 4

Gildo Lavoie: Figure 5

Norman Dignard, MRNF: Figure 7

MRNF: Figure 8

**Bibliographic Reference:**

Government of Québec, Ministère du Développement durable, de l'Environnement et des Parcs, Direction du patrimoine écologique et des parcs. réserve écologique de la Grande-Rivière, Conservation Plan. 2009. 19 p.

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## Background

In December 1999, an area of about 184 km<sup>2</sup>, located approximately 12 km north of the town of Grande-Rivière in Gaspésie, was assigned provisional protection status as the " Réserve écologique projetée de la Grande-Rivière." One of the main objectives of this initiative was to ensure the ecological integrity of the river called Grande Rivière, designated as a salmon river and used as a source of drinking water by the town of Grande-Rivière, and to maintain the natural hydrological cycle.

In February 2001, the establishment of the réserve écologique de la Grande-Rivière (173 km<sup>2</sup>) under the *Act respecting ecological reserves* excluded the southwest portion of the project, including certain private properties and various sections of road, which nevertheless retained the status of proposed ecological reserve.

The upcoming expansion of the ecological reserve in 2012, through the addition of almost all the territory that has kept the status of a proposed ecological reserve, will consolidate the boundaries of the réserve écologique de la Grande-Rivière. This expansion, covering an area of about 11 km<sup>2</sup>, will reinforce the protection of Grande Rivière's riparian ecosystems and its ecological integrity and will increase the ecological reserve's area to 184 km<sup>2</sup>.

In conformity with section 88 of the *Natural Heritage Conservation Act*, the conservation plan of the réserve écologique projetée de la Grande-Rivière was submitted to the government and approved on December 17, 2003, by the adoption of Order in Council 1364-2003. This conservation plan includes data from the original conservation plan and covers the entire territory of the réserve écologique de la Grande-Rivière.

## 1. Official name

Official name: Réserve écologique Grande-Rivière. This name refers to the Grande Rivière, whose eastern watershed is partially protected by the ecological reserve.

## 2. Plan and description

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

The location of the réserve écologique de la Grande-Rivière is shown in Figure 1, and its boundaries in Figure 9 (large scale).

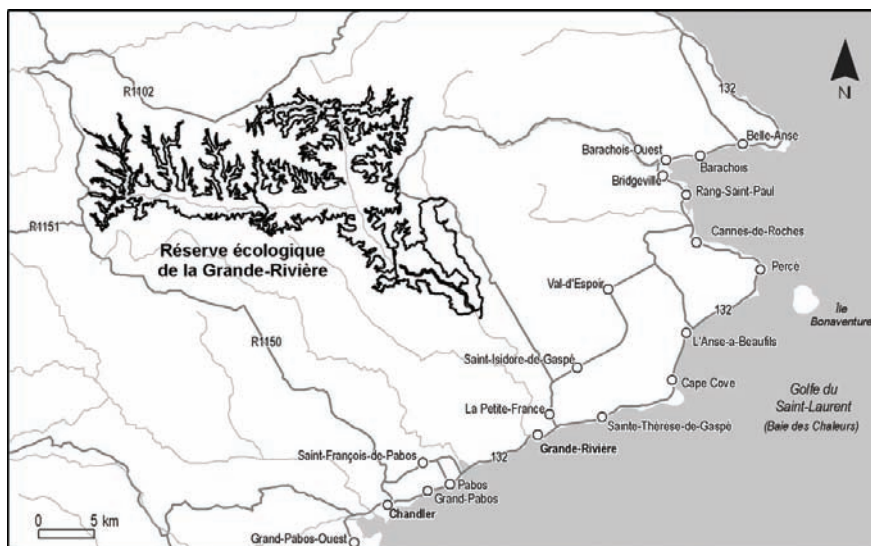


Figure 1. Location of the réserve écologique de la Grande-Rivière

The réserve écologique de la Grande-Rivière is located between 48°29' and 48°42' north latitude and 64°33' and 64°51' west longitude. It straddles the townships of Rameau, Fortin, Pellegrin, Joncas, and Power, in the unorganized territory of Mont-Alexandre, in the Rocher-Percé regional municipal county, in the Gaspésie-Iles-de-la-Madeleine administrative region.

A photographic inventory of the réserve écologique de la Grande-Rivière is presented in Appendix 1.

## 2.2. Ecological overview

The réserve écologique de la Grande-Rivière forms part of the Appalachian natural province. It protects ecosystems characteristic of the Gaspé Peninsula natural region.

### 2.2.1. Representative elements

**Climate:** The territory of the ecological reserve is characterized by a subpolar, subhumid continental climate and a medium growing season. It belongs to the bioclimatic field of balsam fir/white birch stands in the continuous boreal forest vegetation subzone.

**Geology and geomorphology:** The bedrock in the ecological reserve is mainly composed of shale, clay, limestone, and slate dating back to the Ordovician (from 500 to 435 million years ago) and to the early Silurian (approximately 440 million years ago). This geological foundation is covered with morainic till deposited by glaciers during the Quaternary era. It mainly runs from west to east along a fault that geologists call the Grande Rivière fault.

**Archeology:**

The electronic database of *Inventaire des sites archéologiques du Québec* lists no archeological site in the area of the réserve écologique de la Grande-Rivière.

**Hydrography and topography:** The protected area forms part of the Grande-Rivière drainage basin, which covers an area of nearly 700 km<sup>2</sup>. The Grande Rivière flows almost 70 kilometers before emptying into Chaleur Bay. If we added up all its main branches, such as Grande Rivière Ouest, Grande Rivière Est, and Grande Rivière Nord, not to mention other primary and secondary branches, it would reach a total length of up to 150 kilometers. The Grande Rivière's headwaters are located inland, about 40 kilometers from the sea near Rivière Saint-Jean on an undulating plateau at approximately 400 to 500 meters altitude. The plateau is transected by numerous, sometimes steep-sided, river valleys, creating a mountainous topography varying in altitude by up to 200 to 250 meters. At the fork called *Aux Trois-Fourches* (see Figure 2), the Grande Rivière turns southeast, flowing through a deep, narrow, winding valley. Downstream of the Grande Rivière Est and Grande Rivière Ouest forks, it flows through rolling hills from an altitude of 200 meters down to the river's mouth at sea level in the center of the town that bears its name (see Figure 1).

**Vegetation:** The ecological reserve is largely forested. Balsam fir (*Abies balsamea*), white spruce, (*Picea glauca*), and white birch (*Betula papyrifera*) predominate on mesic sites, and eastern white cedar (*Thuja occidentalis*) on slopes. At lower altitudes, the plateaus are covered by white birch and red maple (*Acer rubrum*) stands; while sugar maple (*Acer saccharum*) and yellow birch (*Betula alleghaniensis*) dominate the sunnier slopes. Generally speaking, these stands are old and have been little or not at all affected by human activity or natural disturbances.

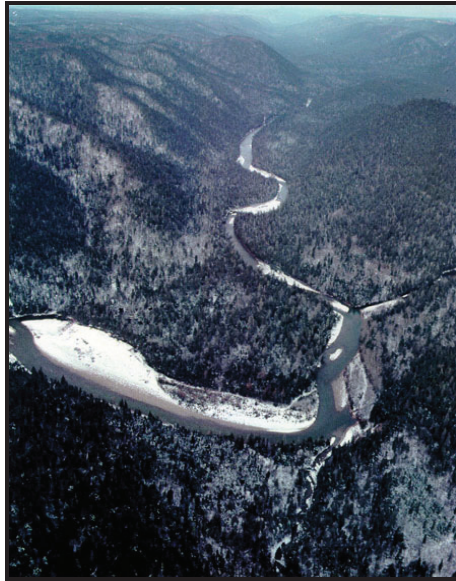


Figure 2. View of Grande Rivière from  
Trois-Fourches with the fork of Grande Rivière Nord on the right



Figure 3. Grande Rivière Est with its limestone shores

In certain areas of the valley floor, there are eastern white cedar/balsam fir stands on peat, a unique forest ecosystem according to Ministère des Ressources naturelles et de la Faune. Sugar maple/yellow birch stands grow along Grande Rivière Est, the northern limit of their geographic range.



Like most of the rivers that empty into Chaleur Bay, Grande Rivière flows through limestone bedrock, which promotes the growth of cedars along its banks in the upper reaches, as well as very rare plants, and a number of species of calcicole plants that generally grow farther north or in other limestone habitats like Anticosti-Minganie (see Figure 3). The forest bordering the river shows signs in some places of the large fires that have ravaged the area, in 1960 for example.

### 2.2.2. Outstanding elements

The flora of the ecological reserve is influenced by the boreal climate. Two rare species are found growing along the river on rocks and banks at water's edge: Anticosti aster (*Symphotrichum anticostense*), a threatened species in Québec and Canada (Figure 4), and the Showy lady's slipper (*Cypripedium reginae*), a species likely to be designated in Québec (Figure 5).

Anticosti aster, endemic to the Gulf of St. Lawrence, colonizes fields covered in grass, low shrubs, and bare rock, on the upper slopes of sandy alluvial flats covered with limestone rocks and periodically submerged during spring floods. In 2001, the Anticosti aster population in this area was estimated at over 68,000 stems and its entire riparian habitat has been protected since February 2001 under the *Act respecting threatened or vulnerable species* (R.S.Q. E-12.01). As for showy lady's slipper, it grows on the humid, limestone upper banks. Twelve colonies, made up of a total of 50 stems, were observed in this area in 2001.

The limestone bedrock favors the presence of calcicole species, including two uncommon ferns, the limestone fern (*Gymnocarpium robertianum*) (Figure 6), which grows along the river at the forest's edge, and alpine woodsia (*Woodsia alpina*), which clings to rocks in the area known as "round rock.". There are also several colonies of northern arnica (*Arnica lonchophylle*, *subsp. Lonchophylla*) and yellow mountain avens (*Dryas drummondii*) (Figure 7). The latter species, 1,500 kilometers from its main geographic range, the Canadian Rockies, is considered to be a relic of the last glaciation.



Figure 4. Anticosti Aster  
(*Symphyotrichum anticostense*)



Figure 5. Showy Lady's Slipper  
(*Cypripedium reginae*)



Figure 6. Limestone Fern (*Gymnocarpium robertianum*)



Figure 7. Yellow Mountain Avena  
(*Dryas drummondii*)

The ecological reserve is also home to the Golden Eagle (*Aquila chrysaetos*), a diurnal bird of prey that is rare in the Gaspésie and vulnerable in Québec. It nests on the rocky cliffs overlooking the Grande Rivière (Figure 8). The last sighting dates back to 2003. The main threats to the golden eagle population are habitat loss, disturbance, and mortality due to human activity.



Figure 8. Golden Eagle  
(*Aquila chrysaetos*)

### 2.3. Main land Occupation and uses

The réserve écologique de la Grande-Rivière is located in a steep valley. Numerous logging roads cross these mountains and end in the plateaus overlooking this valley. Two gravel roads transect the ecological reserve, one suitable for automobile traffic in the western part and another in the southwest that is only accessible to ATVs. These roads and their right-of-ways give access to the neighboring area and are outside the boundaries of the ecological reserve. Their rights-of-way are five meters wide in the southwest and 35 meters wide in the rest of the reserve. The 40.25 meter wide right-of-way of the 161 kV, 1607 circuit electrical transmission line linking the Micmac substation with Wakeham crossing the eastern section of the réserve écologique de la Grande-Rivière is also outside the reserve. These areas are shown in Figure 9. As well, the existing roads by which Hydro-Québec accesses the power line right-of-way near structure 97 and travels outside the right-of-way corridor between structures 114 and 115 are also excluded from the Grande-Rivière Ecological Reserve.

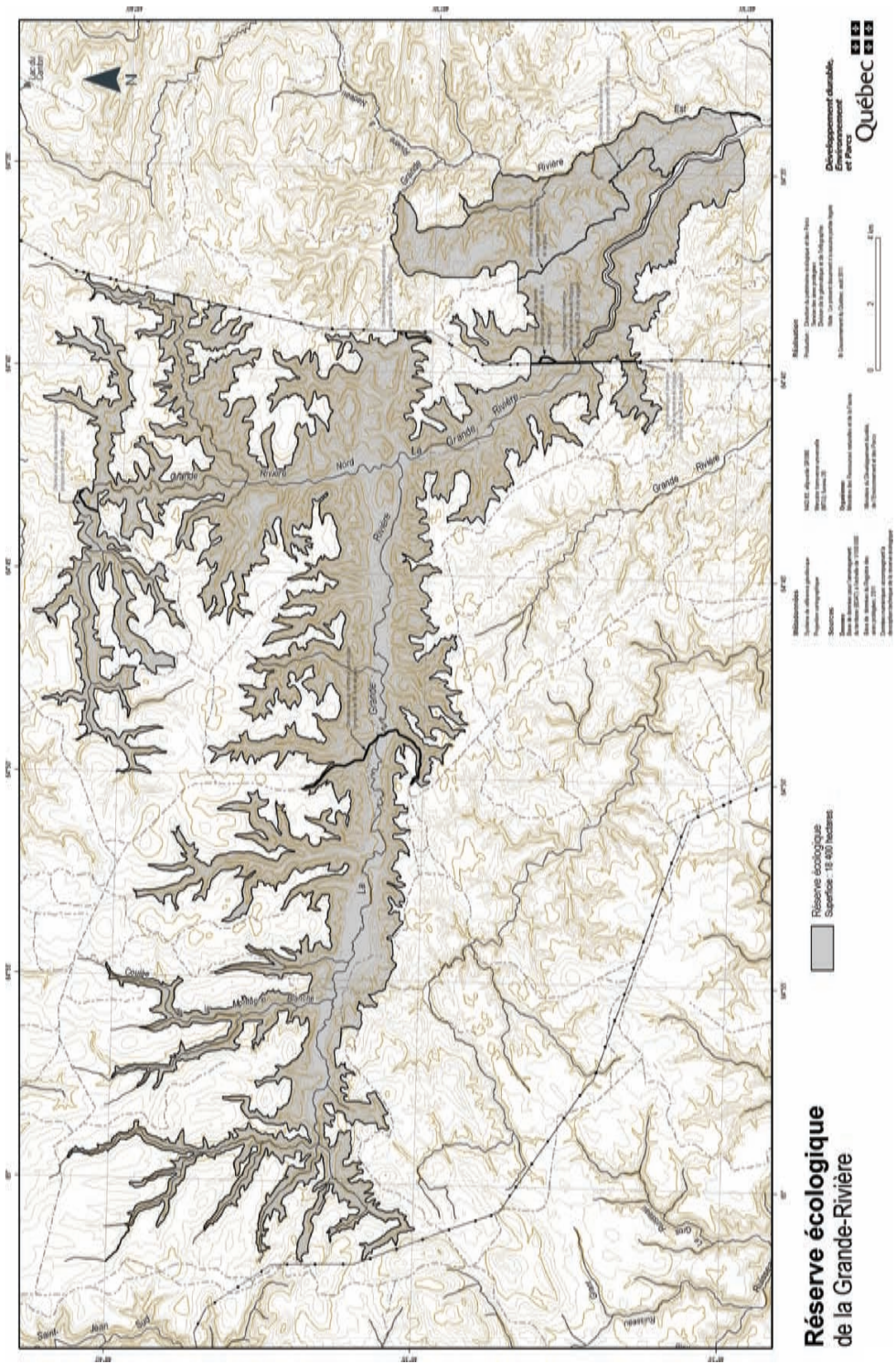
A controlled harvesting zone (ZEC) for salmon (*Salmo salar*) was established in 1980 on the portion of the Grande Rivière in the public domain. The Grande Rivière ZEC, administered by the not-for-profit organization, Société de gestion de la rivière Grande-Rivière, runs along the river for over twenty kilometers. The ZEC boundaries are based on those of the ecological reserve.

No land entitlement has been granted within the perimeter of the ecological reserve.

### 3. Protection status

The area is an exceptional ecosystem that should be protected because it is geologically unique, serves as habitat for plant and animal species that are uncommon, threatened, vulnerable, or likely to be designated in Québec, and is relatively undisturbed. The ecological reserve will entirely and permanently preserve a large part of the Grande Rivière watershed. This protection status is governed by the *Natural Heritage Conservation Act*.

Figure 9. Map of the ecological reserve showing the various excluded features (roads, electrical lines).



## 4. Activities within the reserve

The activities carried out in the réserve écologique de la Grande-Rivière are governed by the provisions of the *Natural Heritage Conservation Act* (R.S.Q., c. C-61.01) and are restricted to scientific research, education, and management and require the written permission from the Minister of Sustainable Development, environment and Parks.

This conservation plan does not prohibit activities other than those prohibited in ecological reserves by this Act. Nor does it authorize any other activities or set additional constraints on activities permitted by this Act.

Since the protection status assigned is comprehensive, no other conservation measure is planned for this protected area. As the conservation objectives are the same as for the entire area, the ecological reserve constitutes a single zone.

### 4.1. Prohibited activities

Under the *Natural Heritage Conservation Act*, the following are the main activities prohibited in an area designated as an ecological reserve:

- Forest management within the meaning of section 3 of the *Forest Act* (R.S.Q., c. F-4.1)
- Mining, and gas and petroleum development
- Mining, gas, or petroleum exploration or development, brine or underground reservoir exploration, prospecting, digging, or drilling
- Development of hydraulic resources and production of energy on a commercial or industrial basis
- Hunting, trapping, fishing, excavation or construction work, agricultural, industrial, or commercial activities, as well as any activity that could modify the state or appearance of ecosystems

Except for inspections or authorized activities under the Act, it is prohibited to be in an ecological reserve. The Minister of Sustainable Development, Environment and Parks can give written authorization, on conditions he or she determines, for any activity related to the purposes of an ecological reserve or its management.

### 4.2. Activities governed by other laws

Activities related to scientific research, education, and management carried out in the réserve écologique de la Grande-Rivière are also governed by other applicable legislative and regulatory provisions, including those that require issuance of a permit or authorization or the payment of fees.

In this ecological reserve, a special legal framework may govern activities having prior authorization from the ministry, particularly in the following spheres:

- Archeological 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;
- Plant species designated as threatened or vulnerable: measures prohibiting notably the removal of these species under *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);
- Access and land rights related to the domain of the State: measures set out in *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 respecting motor vehicle traffic in certain fragile environments made under the *Environment Quality Act*.

### 4.3. Supervision of activities

The Minister of Sustainable Development, Environment and Parks is responsible for the application of the *Natural Heritage Conservation Act* and for the management of the ecological reserves established under this Act. She supervises and monitors the measures set out in the Act with regard to the permitted activities in protected areas. The minister also has the authority over these lands, which form part of the domain of the State.

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APPENDIX 1

PHOTOGRAPHIC INVENTORY



Photo 1. View of Grande Rivière and the fork of Grande Rivière Est



Photo 2. View of Grande Rivière Est



Photo 3. View of Grande Rivière, west of fork of Grande Rivière Est



Photo 4. View of Grande Rivière in the Île des Mélèzes area,  
west of the fork of Grande Rivière Est

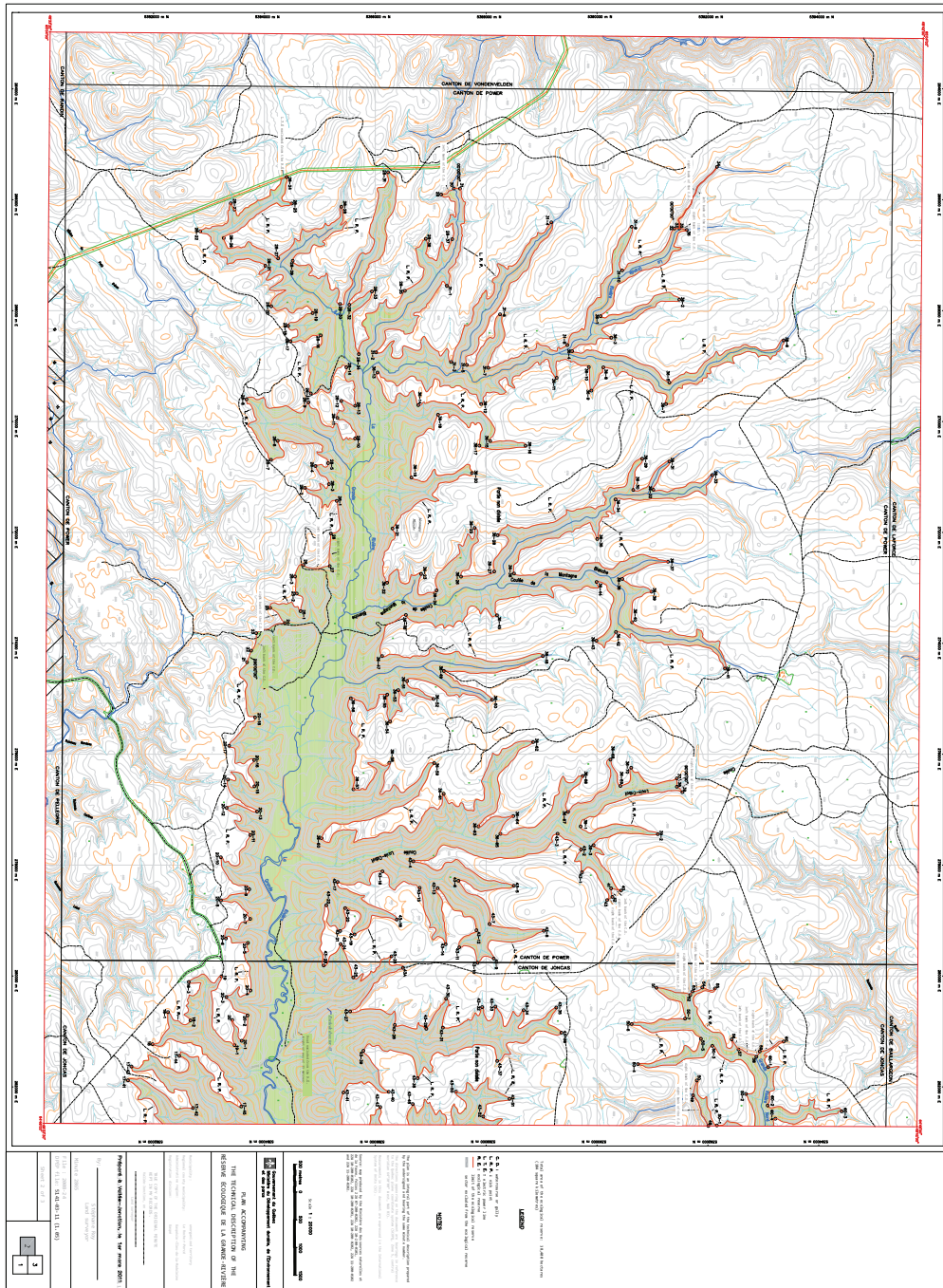


Photo 5. View of Grande Rivière Nord



Photo 6. View of Grande Rivière, west of Coulée de la Montagne Blanche





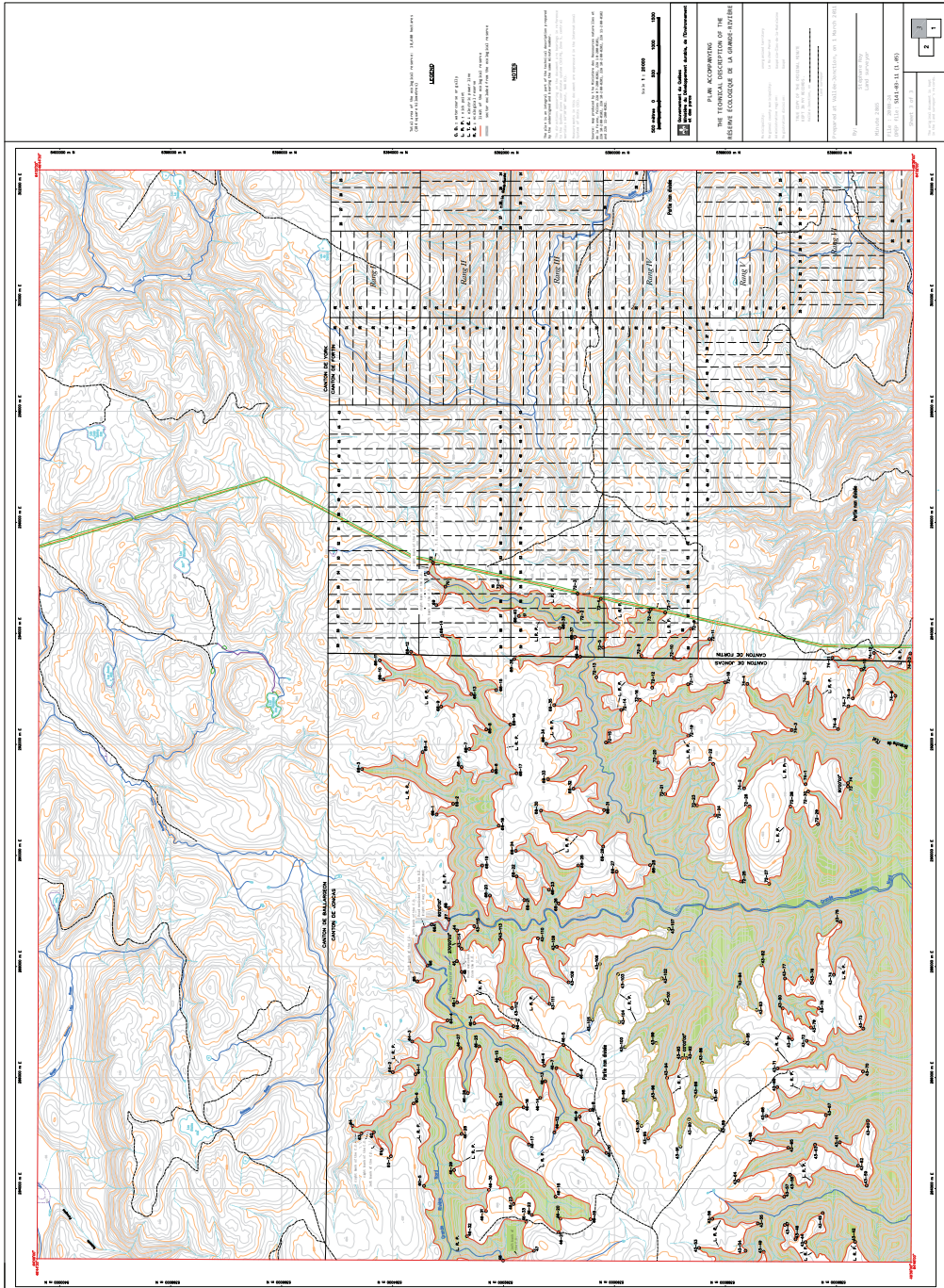
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Abbreviations : **A**: Abrogated, **N**: New, **M**: Modified

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