

Gazette
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DU Québec

Part

2

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Laws and Regulations

Volume 145

Summary

Table of Contents
Regulations and other Acts
Index

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Contents

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- (1) Acts assented to, before their publication in the annual collection of statutes;
- (2) proclamations of Acts;
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- (6) rules of practice made by judicial courts and quasi-judicial tribunals;
- (7) drafts of the texts mentioned in paragraph 3 whose publication in the *Gazette officielle du Québec* is required by law before their adoption or approval by the Government.

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Table of Contents

Page

Regulations and other Acts

1021-2013	Safety and welfare of cats and dogs (Amend.)	3079
1023-2013	Establishment of Parc national du Mont-Saint-Bruno (Amend.)	3083
1024-2013	Parks (Amend.)	3087
1025-2013	Certain Papiers White Birch pension plans	3089
1031-2013	Rates of contribution of municipalities to the pension plans provided for in Parts V.1 and VI of the Courts of Justice Act in respect of judges of the Municipal Courts to whom the plans apply.	3091
1032-2013	Rates of contribution of municipalities to the supplementary benefits plans in respect of judges of the Municipal Courts to whom the pension plan provided for in Part V.1 or VI of the Courts of Justice Act applies.	3092
	Approval of devices used to determine the axle load and the total loaded mass of a road vehicle or combination of road vehicles	3093
	Assignment of proposed aquatic reserve status to an area of the St. Lawrence estuary surrounding the Manicouagan Peninsula and establishment of the plan of that area and its conservation plan	3094
	Fishing and hunting areas (Amend.)	3109

Regulations and other Acts

Gouvernement du Québec

O.C. 1021-2013, 9 October 2013

Animal Health Protection Act
(chapter P-42)

Safety and welfare of cats and dogs — Amendment

Regulation to amend the Regulation respecting the safety and welfare of cats and dogs

WHEREAS, under section 55.9.14.1 of the Animal Health Protection Act (chapter P-42), the Government may, by regulation, set standards to ensure the safety or welfare of animals;

WHEREAS, under paragraphs 2, 3, 5 and 8 to 10 of section 55.9.14.2 of the Act, the Government may, by regulation, determine the classes of permits referred to in section 55.9.4.1 or 55.9.4.2 and the conditions and restrictions attached to each, establish the conditions for their issue and renewal, the fees payable and the costs for opening a permit application file, and establish the standards applicable to the custody of cats or dogs;

WHEREAS the Government made the Regulation respecting the safety and welfare of cats and dogs (chapter P-42, r. 10.1);

WHEREAS it is expedient to amend the Regulation;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft of the Regulation to amend the Regulation respecting the safety and welfare of cats and dogs was published in Part 2 of the *Gazette officielle du Québec* of 27 December 2012 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Agriculture, Fisheries and Food:

THAT the Regulation to amend the Regulation respecting the safety and welfare of cats and dogs, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the safety and welfare of cats and dogs

Animal Health Protection Act
(chapter P-42, ss. 55.9.14.1 and 55.9.14.2)

1. The Regulation respecting the safety and welfare of cats and dogs (chapter P-42, r. 10.1) is amended by inserting the following after Chapter I:

“CHAPTER I.1 PERMITS

DIVISION I CLASSES OF PERMIT

§1. *Permit as the owner or custodian of 15 to 49 cats or dogs*

1.1. The owner or custodian of 15 to 49 cats or dogs must hold a permit issued for that purpose by the Minister.

§2. *Permit as the owner or custodian of 50 or more cats or dogs*

1.2. The owner or custodian of 50 or more cats or dogs must hold a permit issued for that purpose by the Minister.

DIVISION II ISSUE AND RENEWAL OF PERMITS

1.3. An application for the issue of a permit must be made in writing and contain the following information and documents:

(1) the name, address and contact information of the applicant and, in the case of a legal person, partnership, association or organization, those of its representative;

(2) the business number assigned to the applicant pursuant to the Act respecting the legal publicity of enterprises (chapter P-44.1);

(3) the address of each place of custody and a description of the activities carried on there;

(4) for the permit provided for in section 55.9.4.1 of the Animal Health Protection Act (chapter P-42) and the permit as the owner or custodian of 50 or more cats or dogs, a scale plan of the place of custody, its outbuildings and the land on which it is located. The plan must

(a) describe in detail the use of each building and outbuilding;

(b) indicate the floor and wall dimensions and specify the materials used to cover the floor and the lower portions of the walls with which the animals may come into contact; and

(c) describe the equipment used for restraint or confinement, specifying the number of pieces of equipment;

(5) for the permit provided for in section 55.9.4.1 of the Animal Health Protection Act, an estimate of the maximum number of animals, by species, that may be housed in the place of custody;

(6) for all classes of permits as the owner or custodian of 15 or more animals, the number of animals, by species and place of custody, of which the applicant is the owner or custodian, excluding any kittens or pups less than six months old born to a female kept on the same premises;

(7) the number of persons, by place of custody, assigned to care for the animals;

(8) the signature of the applicant or the applicant's representative.

The application must also include a euthanasia protocol or expressly mention that euthanasia will be carried out exclusively by a veterinary surgeon or under his or her immediate supervision.

1.4. An application for the issue of a permit must include payment to the Minister of Finance and the Economy of the fees and costs for opening a file.

1.5. A permit is renewed if the permit holder

(1) applies for renewal to the Minister in writing before the date on which the permit expires;

(2) pays the fees payable to the Minister of Finance and the Economy; and

(3) attests that the information submitted to the Minister in the application for the issue of the permit is still accurate, or specifies any change affecting the information.

The application for renewal must be signed by the permit holder or the permit holder's representative.

1.6. A permit holder must inform the Minister in writing of any change affecting the information or documents submitted at the time of the application for the issue of the permit, within 15 days of the change.

DIVISION III **FEES AND COSTS PAYABLE**

1.7. The costs for opening a file are \$117 for each application for the issue of a permit.

1.8. The fees payable for the issue or renewal of a permit are

(1) \$225 for a permit provided for in section 55.9.4.1 of the Animal Health Protection Act; the fee is reduced to \$100 if the applicant is listed as a charity by the Canada Revenue Agency;

(2) \$100 for a permit as the owner or custodian of 15 to 49 cats or dogs; and

(3) \$225 for a permit as the owner or custodian of 50 or more cats or dogs.

1.9. The fees and costs payable are adjusted on 1 April each year by the annual rate of change in the overall average Québec consumer price index without alcoholic beverages and tobacco products for the 12-month period ending on 30 September of the preceding year.

Adjusted amounts are rounded down to the nearest dollar if they include a dollar fraction that is less than \$0.50, or up to the nearest dollar if they include a dollar fraction that is equal to or greater than \$0.50. The application of this rounding rule may not operate to decrease a fee below its pre-adjustment level.

If an adjusted amount cannot be rounded up to the nearest dollar, the annual adjustments are deferred and accumulated until the fee payable includes a dollar fraction that is equal to or greater than \$0.50.

The Minister publishes the results of an adjustment made pursuant to this section in Part 1 of the *la Gazette officielle du Québec* and by any other means the Minister considers appropriate.

CHAPTER 1.2 **OTHER EXEMPTIONS**

1.10. The following are exempted from the application of section 55.9.4.2 of the Animal Health Protection Act:

(1) a veterinary surgeon in the exercise of his or her profession;

(2) any person who, in a situation of superior force, has temporary custody of animals;

(3) the operator of a transportation enterprise, for the duration of the transportation;

(4) an operator holding a Certificate of Good Animal Practice issued by the Canadian Council on Animal Care;

(5) a person having temporary custody of animals during an animal show or competition.”

2. Section 2 is amended

(1) by replacing “held by an establishment” in subparagraph 2 of the second paragraph by “where cats or dogs are taken in with a view to transferring them to a new place of custody, euthanizing them or having them euthanized by a third person”;

(2) by replacing the last paragraph by the following:

“Every owner or custodian of a cat or dog is bound by the requirements of sections 3 and 4, 12, 22 to 27 and 43.”

3. The following is inserted after section 2:

“**2.1.** The owner or custodian of an animal is not required to comply with any provision of Chapter II if he or she has a written opinion from a veterinary surgeon specifying that the application is not recommended for the animal, given its state of health or when veterinary treatment is planned.

The opinion of the veterinary surgeon must

(1) be signed and dated and indicate the veterinary surgeon’s permit number;

(2) indicate the name and contact information of the animal’s owner or custodian;

(3) describe the animal in question so that it is recognizable by its owner or custodian or by an inspector;

(4) state the requirement from which the animal’s owner or custodian is temporarily exempted;

(5) state the period during which the owner or custodian is exempted from the requirement provided for in subparagraph 4; and

(6) be kept by the animal’s owner or custodian during the period stated under subparagraph 5.

2.2. A veterinary surgeon is not required to comply with any provision of Chapter II whose application is not recommended for the animal, given its state of health or when veterinary treatment is planned.”

4. Section 11 is replaced by the following:

“**11.** The requirements of sections 6 and 7 do not apply in the case of a dwelling house.”

5. Section 16 is amended by replacing the part preceding subparagraph 1 of the first paragraph by the following:

“When an animal is kept in a cage or enclosure, the floor must be in good condition and comply with the following requirements:”

6. Section 18 is amended by striking out “intended for animals to exercise” in the first paragraph.

7. Section 19 is replaced by the following:

“**19.** The requirements of section 18 do not apply in the case of a municipal park intended for animals.”

8. Section 32 is replaced by the following:

“**32.** The owner or custodian of an animal must prepare, keep up to date and implement a cleaning, disinfecting and vermin control protocol for the building where the animal is kept, its outbuildings, cages, enclosures or yards, including equipment and accessories. The protocol must indicate

(1) the frequency of cleaning and disinfecting;

(2) the order in which cleaning and disinfecting must be done;

(3) the cleaning products and disinfectants to be used as well as their concentration, surface contact time and rinsing method; and

(4) the vermin control procedure to be used.

The protocol must be kept on the premises where the animal is kept and made available to any person who cares for the animal.

This section does not apply to the owner or custodian of an animal kept in a dwelling house.”

9. Section 35 is replaced by the following:

“**35.** Animals with parasites or symptoms of disease must be separated from other animals.

Animals of unknown state of health must be quarantined.

Any person required to hold a permit provided for in section 55.9.4.2 of the Animal Health Protection Act who keeps 15 or more animals in one location must ensure that the location is designed in a way that allows an animal with parasites or symptoms of disease to be separated, or quarantined when the animal is of unknown state of health.”

10. Section 38 is replaced by the following:

“**38.** The owner or custodian of an animal must draw up, update and implement an exercise protocol. The protocol must be kept on the premises where the animal is kept and made available to every person who cares for the animal.

This section does not apply to an animal that is kept at liberty in a dwelling house or in a grooming salon or veterinary establishment to receive care.”

11. Section 43 is replaced by the following:

“**43.** When an animal is euthanized, its owner or custodian must ensure that the circumstances and the method used are not cruel and cause the animal a minimum of anxiety and pain. The euthanasia method chosen must result in rapid and irreversible loss of consciousness, followed quickly by death.

The owner or custodian must also ensure that the absence of vital signs is determined immediately following euthanasia.”

12. Section 44 is replaced by the following:

“**44.** Animals must be euthanized in a place away from other animals.”

13. Division IV of Chapter II is replaced by the following:

“DIVISION IV REGISTER

45. For each animal kept, the owner or custodian must record the following information in a register and keep it up to date:

(1) a description of the animal, including species, breed or crossbreed, colour, gender and date of birth or, if unknown, probable date of birth specifically indicated as probable;

(2) an indication whether the animal has been sterilized;

(3) if the animal is identified by any permanent identifying mark, its identification code;

(4) if the animal was not born with its current owner or custodian, the reason and date of its arrival, and the name and contact information of its previous owner or custodian, along with the permit number issued to the previous owner or custodian by the Minister pursuant to this Regulation;

(5) if the animal is female, the dates on which it gave birth and the number of kittens or puppies in each litter, whether live-born or still-born; and

(6) the date of the animal’s death, or of its final departure to a new owner or custodian and the name and contact information of the new owner or custodian in the case of an owner or custodian referred to in the first or second paragraph of section 2, along with the permit number issued to the previous owner or custodian by the Minister pursuant to this Regulation.

46. The register provided for in section 45 must be kept for two years after the date of the last entry.

47. The owner or custodian of an animal must record in the register, accurately and legibly, all of the information required to be kept in the register provided for in section 45.

48. Grooming salons, animal board establishments, training schools and veterinary establishments are exempted from keeping the register provided for in section 45.”

14. Chapter III is replaced by the following:

“CHAPTER III PROVISIONS APPLICABLE TO OPERATORS OF PREMISES WHERE CATS OR DOGS ARE TAKEN IN WITH A VIEW TO TRANSFERRING THEM TO A NEW PLACE OF CUSTODY, EUTHANIZING THEM OR HAVING THEM EUTHANIZED BY A THIRD PERSON

49. In addition to complying with the requirements of Chapter II, the operator of premises where cats or dogs are taken in with a view to transferring them to a new place of custody, euthanizing them or having them euthanized by a third person must comply with the requirements of this Chapter.

50. For the purposes of section 35, a building where cats or dogs are taken in with a view to transferring them to a new place of custody, euthanizing them or having them euthanized by a third person must include an isolation room and a quarantine room.

51. Cages and enclosures located in isolation and quarantine rooms must be designed and installed so as to reduce the risk of contamination to a minimum and avoid direct contact between animals.

52. Cages and enclosures located in isolation and quarantine rooms, including their equipment and accessories, must be disinfected prior to housing a new animal and must be disinfected daily during disease or parasite outbreaks.

53. Traffic between isolation and quarantine rooms and the other sections of the building must be limited, and all other reasonable means to prevent the spread of disease or parasites must be implemented.

53.1 Each operator must file a report on its operations for the preceding calendar year with the Minister no later than 31 March each year, setting out

(1) the number of animals that were taken in and the reason for their admission;

(2) the number of animals that were returned to their owners, and the number adopted or transferred to another location;

(3) out of the number of animals returned to their owners, adopted or transferred, the number that, while in the custody of the operator, were respectively vaccinated, dewormed or identified with a permanent mark, and the number of male and female animals sterilized;

(4) the number of animals that died, listed by probable cause;

(5) the number of animals that were euthanized and the reason for euthanasia;

(6) the number of animals taken in that disappeared; and

(7) the minimum, maximum and average time during which animals were kept at the establishment.”.

15. Chapters IV and V, comprising sections 54 to 56, are repealed.

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

3017

Gouvernement du Québec

O.C. 1023-2013, 9 October 2013

Parks Act
(chapter P-9)

Parc national du Mont-Saint-Bruno
— **Establishment**
— **Amendment**

Regulation to amend the Regulation respecting the establishment of Parc national du Mont-Saint-Bruno

WHEREAS, under the first paragraph of section 4 of the Parks Act (chapter P-9), the Government may establish, abolish or change the boundaries of a park, if the Minister has previously:

(a) given notice of his or her intention to establish, abolish or change the boundaries of the park in the *Gazette officielle du Québec* and in one or two newspapers published in the region concerned, or, if no newspaper is published in that region, in one or two newspapers published in the closest neighbouring region;

(b) granted 60 days from the publication of such notice to enable interested persons to submit their objections to the Minister in writing;

(c) received in a public hearing the persons contemplated in paragraph b;

WHEREAS, in accordance with the procedure established in section 4 of the Act, a notice of the Minister's intent to change the boundaries of Parc national du Mont-Saint-Bruno was published in the *Gazette officielle du Québec* of 22 July 2000 and in two local newspapers on 30 July 2000;

WHEREAS, in accordance with the procedure established in the second paragraph of section 4 of the Act, a public hearing was held by a person designated by the Minister on 29 and 30 September 2000 in Saint-Bruno-de-Montarville;

WHEREAS it is expedient to make the Regulation to amend the Regulation respecting the establishment of Parc national du Mont-Saint-Bruno:

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

THAT the Regulation to amend the Regulation respecting the establishment of Parc national du Mont-Saint-Bruno, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the establishment of Parc national du Mont-Saint-Bruno

Parks Act
(chapter P-9, ss. 3 and 4)

1. The Regulation respecting the establishment of Parc national du Mont-Saint-Bruno (chapter P-9, r. 16) is amended by striking out section 2.

2. Schedule 1 to the Regulation is replaced by Schedule 1 attached hereto.

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

SCHEDULE 1

PROVINCE OF QUÉBEC

MINISTÈRE DES RESSOURCES NATURELLES ET
DE LA FAUNE DU QUÉBEC

TECHNICAL DESCRIPTION

PARC NATIONAL DU MONT-SAINT-BRUNO

Foreword

It is understood that any reference to a lot is always in reference to the cadastre of Québec, unless otherwise indicated.

The Parc national du Mont-Saint-Bruno, composed of 3 territories, located in the municipalities of Ville de Saint-Bruno-de-Montarville and Ville de Sainte-Julie, comprising a total area of 884.20 ha and whose perimeter may be described as follows:

TERRITORY 1

The following lots of the cadastre of Québec:

2 416 054, 4 549 695 and 4 549 696.

Area: 88.59 ha

TERRITORY 2

The following lots of the cadastre of Québec:

2 420 148, 2 420 474, 2 420 881, 2 420 883, 2 420 884, 2 420 887, 2 420 888, 2 420 890, 2 420 891, 2 420 895, 2 420 901, 2 420 905, 2 420 915, 2 420 916, 2 451 933, 2 451 935, 2 451 936, 2 451 937, 2 451 938, 2 452 049, 2 452 050, 3 042 974, 3 042 976, 3 042 979, 3 042 980, 3 042 982, 3 042 983, 3 042 988, 3 042 992, 3 042 994, 3 042 995, 3 042 996, 3 042 997, 3 042 998, 3 042 999, 3 043 000, 3 043 001, 3 043 004, 3 043 005, 3 043 011, 3 043 013, 3 043 015, 3 043 016, 3 043 017, 3 043 018, 3 043 019, 3 043 021, 3 043 023, 3 043 024, 3 043 101, 3 043 102, 3 043 104, 3 043 106, 3 043 107, 3 696 627, 4 519 733, 4 519 734, 4 519 735, 4 519 736, 4 519 742, 4 549 227, 4 549 228 and 4 549 561.

Area: 780.73 ha

TERRITORY 3

This perimeter is comprised within the boundaries of the cadastre of Paroisse de Sainte-Julie.

Starting from point 1 located at the west corner of lot 86-1 of the cadastre of Paroisse de Sainte-Julie;

Thence, northeasterly, following respectively the northwestern boundaries of lots 86-1, 87-1, 88-1, 89-1 and 91-1 of the cadastre of Paroisse de Sainte-Julie to the meeting point with the southwestern limit of lot 92 of the cadastre of Paroisse de Sainte-Julie, namely to point 2;

Thence, northwesterly, northeasterly and southeasterly, following the southwestern, northwestern and northeastern boundaries of that lot until the meeting point with the west corner of a part of lot 94 of the cadastre of Paroisse de Sainte-Julie, namely to point 3;

Thence, in a general northeasterly and southeasterly direction, following respectively the northwestern boundaries of a part of lots 94 and 95 and the northeastern boundary of a part of lots 97, 100 and 101 of the cadastre of Paroisse de Sainte-Julie, namely to point 4;

Thence, southeasterly, southerly and southwesterly, following respectively the northeastern, eastern and southeastern boundaries of a part of lot 101 then the southeastern boundaries of a part of lots 100, 97, 95 and lot 606 of the cadastre of Paroisse de Sainte-Julie, namely to point 5;

Thence, in a general westerly and northwesterly direction, following the southern and southwestern boundaries of lot 606 and the southwestern boundary of lot 86-1 of the cadastre of Paroisse de Sainte-Julie to the starting point, point 1.

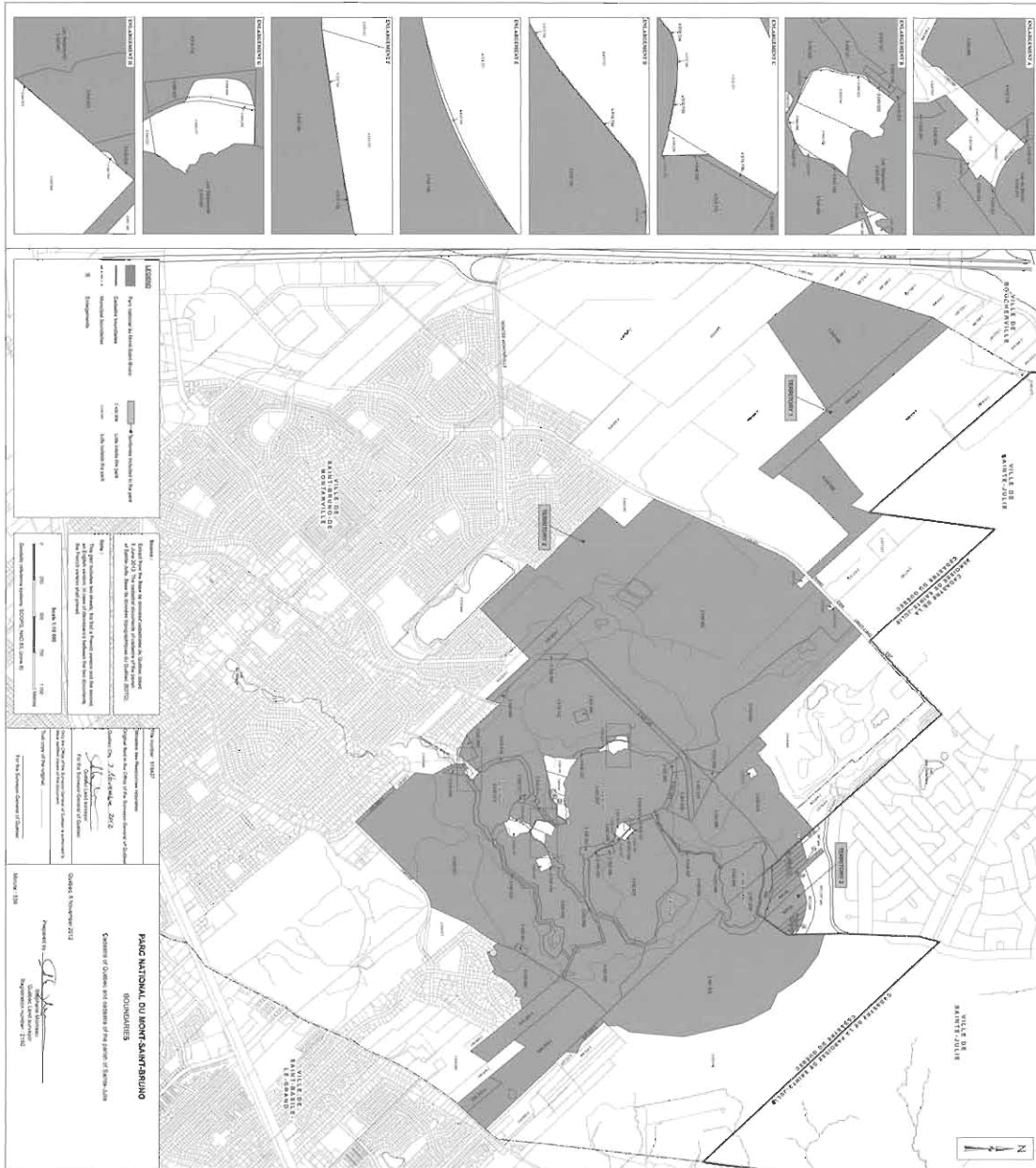
Area: 14.88 ha

The areas in this technical description are expressed in SI (International System of Units) units, and the accompanying plan was prepared using numerical information from the cadastral data bank of Québec dated 10 June 2012, the cadastral documents of the cadastre of Paroisse de Sainte-Julie and the Base de données topographiques du Québec (BDTQ) produced by the Ministère des Ressources naturelles et de la Faune du Québec on a 1:20,000 scale.

The whole as shown on a plan prepared by the undersigned on xx month 2012 and kept at the Register of the Surveyor-General of Québec, Ministère des Ressources naturelles et de la Faune, under number 519427.

Prepared in Québec this 6 November 2012, under number 539 of my minutes

By: _____
STÉPHANE MORNEAU,
Land surveyor



Gouvernement du Québec

O.C. 1024-2013, 9 October 2013

Parks Act
(chapter P-9)

Parks
— **Amendment**

Regulation to amend the Parks Regulation

WHEREAS, under paragraph *b* of section 9 of the Parks Act (R.S.Q., c. P-9), the Government may make regulations, in respect of a park, to divide it into different zones;

WHEREAS, under paragraph *g* of section 9 of the Act, the Government may make regulations, in respect of a park, to absolutely or partially prohibit fishing and determine the conditions on which fishing may be allowed;

WHEREAS, under subparagraph *b* of the first paragraph of section 9.1 of the Act, the Government may also, by regulation, exempt, in the cases it determines, any person or class or group of persons it identifies from all or part of the obligations imposed by section 6.1;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Parks Regulation was published in Part 2 of the *Gazette officielle du Québec* of 11 July 2012 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation without amendment;

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

THAT the Regulation to amend the Parks Regulation, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Parks Regulation

Parks Act
(R.S.Q., c. P-9, s. 9, pars. *b* and *g*, and s. 9.1,
1st par., subpar.1)

1. The Parks Regulation (c. P-9, r. 25) is amended by adding the following after section 10:

“**10.1.** No authorization to fish may be issued in the territory of Parc national du Mont-Saint-Bruno except in favour of the owners of landlocked parcels who benefit from a fishing servitude on lakes Seigneurial and du Moulin.

The said owners are exempted from payment of the fees provided for in the second paragraph of section 10.”.

2. Schedule 14 is replaced by Schedule 14 attached hereto.

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



Gouvernement du Québec

O.C. 1025-2013, 9 October 2013

Supplemental Pension Plans Act
(chapter R-15.1)

Papiers White Birch — Certain pension plans

CONCERNING the Regulation concerning certain Papiers White Birch pension plans

WHEREAS, under the second paragraph of section 2 of the Supplemental Pension Plans Act (chapter R-15.1), the Government may, by regulation and on the conditions it determines, exempt any pension plan it designates from the application of all or part of that Act, particularly by reason of the special characteristics of the plan or by reason of the complexity of the Act in relation to the number of members in the plan and prescribe special rules applicable to the plan or category;

WHEREAS, in accordance with the third paragraph of that section, such a regulation may, if it so provides, have retroactive effect from a date that is prior to the date of its coming into force but not prior to 31 December of the second year preceding the year in which it was published in the *Gazette officielle du Québec* under section 8 of the Regulations Act (chapter R-18.1);

WHEREAS, in accordance with sections 10, 11 and 12 of the Regulations Act, a draft of the Regulation concerning certain Papiers White Birch pension plans, attached hereto, was published, with a written notice that it could be made by the Government on the expiry of 30 days following its publication, in Part 2 of the *Gazette officielle du Québec* on 18 May 2013;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Employment and Social Solidarity:

THAT the Regulation concerning certain Papiers White Birch pension plans, attached hereto, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation concerning certain Papiers White Birch pension plans

Supplemental Pension Plans Act
(chapter R-15.1, s. 2, para. 2 and 3.)

DIVISION I COMPONENTS OF A PENSION PLAN

1. A pension plan referred to in Appendix A is comprised of two or three components, that is, a current component and one or two past components.

The liabilities of the current component of a pension plan correspond to the portion of the liabilities of the plan related to obligations arising from services rendered as of the date of coming into force of the plan.

The past component of a pension plan means a component whose liabilities are related to credited service under a pension plan which has been terminated. The pension plans that have been terminated are referred to in Appendix B.

The pension plan designated by number 32198 has only one past component.

The pension plans designated by numbers 32197 and 32199 have two past components. The liabilities of the past component referred to as the “past component for the retirees” is the portion of the liabilities of the plan related to the members and beneficiaries of that plan to whom a pension was being paid prior to 13 September 2012 by a terminated pension plan. The liabilities of the past component referred to as the “past component of the other members” correspond to the balance of the liabilities of the plan related to credited service under a terminated pension plan.

The pension fund of a pension plan is divided into as many distinct accounts as the number of components in the plan.

2. At the effective date of a pension plan referred to in Appendix A, the assets of a past component of a plan correspond, for the purpose of determining its solvency and funding, to the value of the amounts to be transferred to the component further to the termination of a pension plan referred to in Appendix B.

3. For the purposes of section 39, Chapters X (Solvency and funding), X.1 (Appropriation of surplus assets) and XII (Division and merger), Division II of Chapter XI

(Investments) and Chapter XIII (Rights of members and beneficiaries on winding-up) of the Supplemental Pension Plans Act (chapter R-15.1), the liabilities of a component and the corresponding account of the pension fund are considered to be separate from the liabilities and corresponding account of any other component.

However, where a pension plan has only one past component, the surplus assets of that component may be appropriated to the payment of employer contributions of the current component of the plan.

DIVISION II **SPECIAL MEASURES FOR THE PAST** **COMPONENTS OF PLANS 32197 AND 32199**

4. Is exempt from the application of paragraph 2 of section 130 and sections 132 and 216 of the Act, the amendment of a pension plan that grants benefits referred to as “additional benefits related to early retirement” to the member of a past component of the other members of a pension plan designated by number 32197 or 32199, where the following conditions are met:

(1) the member is at least age 55 but under age 65 at the time his period of continuous services ends;

(2) his period of continuous service ends during the calendar year in which the amendment is made or during the preceding calendar year;

(3) his period of continuous service ends prior to the date on which the plan is terminated;

(4) during the existence of the plan, the plan text provides for the funding by the employer of additional liabilities whose value is established on a solvency basis in any actuarial valuation on the assumption that the additional benefits related to early retirement are allocated to any member of a past component of the other members who is at least age 55 but under age 65;

(5) the additional benefits related to early retirement are described in detail in the copy of the plan text that accompanies the application for registration of the pension plan submitted to the Régie des rentes du Québec.

The additional benefits referred to in this section are not considered additional obligations within the meaning of section 128, paragraph 1 of section 130, sections 131 and 135 and the third paragraph of section 146.1 of the Act.

5. Notwithstanding section 3, the surplus assets of the past component of the retirees may at any time be appropriated to the payment of either the deficit or employer contributions of the past component of the other members and vice versa.

Where both past components have surplus assets, the surplus assets of a past component can be allocated to the payment of the employer contributions to the current component of the pension plan.

6. The assets and liabilities of the past component of the retirees and those of the past component of the other members can be merged into a single component only at the date of an actuarial valuation showing that a new component resulting from their merger is solvent and fully funded.

DIVISION III **ACTUARIAL VALUATION REPORT**

7. The actuarial valuation report for a pension plan shall present separately the information related to each component.

8. With respect to a past component of a pension plan, the actuarial valuation report shall contain the information and statements of the actuary provided for in the Section of the Canadian Institute of Actuaries’ Standards of Practice to which section 4 of the Regulation respecting supplemental pension plans (chapter R-15.1, r. 6) refers, as well as the information required by paragraphs 1 to 5 of that section and sections 4.1 to 4.6 of that regulation.

For such purposes, it is understood that these provisions and standards apply to each past component of the pension plan as though it were a separate pension plan.

DIVISION IV **COMMUNICATIONS**

9. The second part of the statement provided for in section 108 of the Act shall mention that, for as long as the plan is comprised of separate components, the liabilities of each component and the corresponding account of the pension fund are considered to be separate from the liabilities and the account of any other component for the purposes of the payment of the share that goes to the spouse.

10. The information that the statements provided for under sections 108, 112, 113 and 207.3 of the Act must contain is determined for each component as though they were separate plans. The information relating to each component shall be presented separately on the statements.

The statements shall also mention that for the purposes of the payment of the benefits of the members and beneficiaries of the plan, for as long as the plan is comprised of separate components, the liabilities of each component and the corresponding account of the pension fund are considered to be separate from the liabilities and the account of any other component.

11. The Régie des rentes du Québec may require from a pension committee, a provisional administrator or an employer party to a pension plan, on the conditions and within the time limits established by the Régie, any document, information or report that it deems necessary for ascertaining that the requirements imposed by this Regulation are met, particularly concerning the amounts to be transferred to each of the past components further to the termination of a pension plan referred to in Appendix B.

DIVISION V MISCELLANEOUS PROVISIONS

12. This Regulation does not have the effect of creating, for the employer party to the pension plans referred to in Appendix A, any obligations in respect of the pension plans referred to in Appendix B.

13. Notwithstanding the second paragraph of section 118 of the Act, any actuarial valuation provided for under the first paragraph of that section that concerns a past component must be complete.

14. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*. However, it has effect from 13 September 2012.

Appendix A (sec. 1)

Pension plans

Number under which the plan is designated at the Régie des rentes du Québec	Probable name of the plan at the time of registration
32197	Régime complémentaire de retraite des employés syndiqués de la Société en Commandite de Papier Masson WB
32198	Régime complémentaire de retraite des employés syndiqués de la Société en Commandite Stadacona WB
32199	Régime complémentaire de retraite des employés syndiqués de la Société en Commandite FF Soucy WB

Appendix B (sec. 1)

Terminated pension plans

Number under which the plan is registered with the Régie des rentes du Québec	Name of the plan at the date of its termination
24480	Régime de retraite des employés syndiqués de Stadacona
26552	Régime complémentaire de retraite des employés syndiqués d'usine de F.F. Soucy
30735	Régime complémentaire de retraite des employés syndiqués de bureau de F.F. Soucy
31765	Régime de retraite des employés syndiqués de PML
3020	

Gouvernement du Québec

O.C. 1031-2013, 9 October 2013

Courts of Justice Act
(chapter T-16)

Rates of contribution of municipalities to the pension plans provided for in Parts V.1 and VI of the Courts of Justice Act in respect of judges of the Municipal Courts to whom the plans apply

WHEREAS, under the third paragraph of section 246.26 of the Courts of Justice Act (chapter T-16), with respect to the judges of Municipal Courts to whom the pension plans provided for in Part V.1 or VI of the Act applies, the cost of those plans is, except contributions paid by those judges to the pension plan provided for in Part V.1 and contributions paid by those judges for the years 1979 to 1989 to the equivalent pension plan in force in the municipality, borne by each municipality, respectively;

WHEREAS the rates of contribution of municipalities to those pension plans were fixed on 1 January 2011 by Order in Council 264-2011 dated 23 March 2011;

WHEREAS, under the first paragraph of section 246.26 of the Courts of Justice Act, at least once every three years, the Commission administrative des régimes de

retraite et d'assurances causes an actuarial valuation of the pension plans provided for in Parts V.1 and VI of the Act to be prepared for the Minister of Justice by the actuaries it designates;

WHEREAS, in February 2013, the Commission administrative des régimes de retraite et d'assurances sent to the Minister of Justice the last actuarial valuation of the pension plans;

WHEREAS, under the first paragraph of section 246.26.1 of the Courts of Justice Act, the Government determines, by order, at intervals of not less than three years, the rates of contribution of municipalities to the pension plans provided for in Parts V.1 and VI of the Act and the rates are based on each plan's experience and obtained at the time of the last actuarial valuation;

WHEREAS, under the same first paragraph, the order may have effect from 1 January following the date on which the Minister of Justice receives the actuarial valuation or any later date fixed in the order;

WHEREAS it is expedient to amend the rates of contribution of municipalities to the pension plans provided for in Parts V.1 and VI of the Courts of Justice Act;

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

THAT the rate of contribution of municipalities to the pension plan provided for in Part V.1 of the Courts of Justice Act (chapter T-16), in respect of judges of the Municipal Courts to whom the plan applies, be fixed at the amount by which 11.70% of the annual salary, including any salary that would have been paid to the judge had the judge not benefited from a leave without pay or a leave with deferred pay, exceeds the rate of the contribution paid by the judge;

THAT the rate of contribution of municipalities to the pension plan provided for in Part VI of the Courts of Justice Act, in respect of judges of the Municipal Courts to whom the plan applies, be fixed at 10.72% of the annual salary, including any salary that would have been paid to the judge had the judge not benefited from a leave without pay or a leave with deferred pay;

THAT this Order in Council have effect from 1 January 2014.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

3021

Gouvernement du Québec

O.C. 1032-2013, 9 October 2013

Courts of Justice Act
(chapter T-16)

Rates of contribution of municipalities to the supplementary benefits plans in respect of judges of the Municipal Courts to whom the pension plan provided for in Part V.1 or VI of the Courts of Justice Act applies

WHEREAS, under the second paragraph of section 122.3 of the Courts of Justice Act (chapter T-16), the cost of the supplementary benefits established by the Government under the second paragraph of section 122 of the Act is borne, in respect of judges of the Municipal Courts to whom the plan provided for in Part V.1 or Part VI applies, by each municipality, respectively;

WHEREAS the rates of contribution of municipalities to those supplementary benefits plans were fixed on 1 January 2011 by Order in Council 265-2011 dated 23 March 2011;

WHEREAS, under the first paragraph of section 122.3 of the Courts of Justice Act, at least once every three years, the Commission administrative des régimes de retraite et d'assurances is to cause an actuarial valuation of the supplementary benefits plans established under the second paragraph of section 122 to be prepared for the Minister of Justice by the actuaries it designates;

WHEREAS, in February 2013, the Commission administrative des régimes de retraite et d'assurances sent to the Minister of Justice the last actuarial valuation of the supplementary benefits plans;

WHEREAS, under the third paragraph of section 122.3 of the Act, the Government determines, by order, at intervals of not less than three years, the rates of contribution of the municipalities to the plans, which are based on the result of the last actuarial valuation of the plans;

WHEREAS, under the same third paragraph, the order may have effect from 1 January following the date on which the Minister of Justice receives the actuarial valuation or any later date fixed in the order;

WHEREAS it is expedient to amend the rates of contribution of municipalities to the supplementary benefits plan;

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

THAT the rate of contribution of municipalities to the supplementary benefits plan, in respect of judges of the Municipal Courts to whom the pension plan provided for in Part V.1 of the Courts of Justice Act (chapter T-16) applies, be fixed at the amount by which 30.16% of the annual salary, including any salary that would have been paid to the judge had the judge not benefited from a leave without pay or a leave with deferred pay, exceeds the municipality's rate of contribution and the rate of the contribution paid by the judge into the pension plan provided for in Part V.1 of the Act and, if applicable, the rate of the contribution paid by the judge into the supplementary benefits plan;

THAT the rate of contribution of municipalities to the supplementary benefits plan, in respect of judges of the Municipal Courts to whom the pension plan provided for in Part VI of the Courts of Justice Act applies, be fixed at 15.45% of the annual salary, including any salary that would have been paid to the judge had the judge not benefited from a leave without pay or a leave with deferred pay;

THAT this Order in Council have effect from 1 January 2014.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

3022

M.O., 2013

Order number 2013-14 of the Minister of Transport dated October 9, 2013 to amend the Order of the Minister of Transport dated 22 May 1990 concerning the approval of weigh scales

Highway Safety Code
(chapter C-24.2)

Approval of devices used to determine the axle load and the total loaded mass of a road vehicle or combination of road vehicles;

THE MINISTER OF TRANSPORT,

CONSIDERING section 467 of the Highway Safety Code (chapter C24.2), which provides that the axle load and the total loaded mass of a road vehicle or combination of road vehicles are determined by means of devices designed for that purpose, approved by the Minister of Transport and used in the manner the Minister determines;

ORDERS AS FOLLOWS:

1. The following wheel-load scales are approved:

Make	Model	Serial No.
Haenni	WL-101	35613
Haenni	WL-101	35614
Haenni	WL-101	35615
Haenni	WL-101	35616
Haenni	WL-101	35617
Haenni	WL-101	35618
Haenni	WL-101	35619
Haenni	WL-101	35620
Haenni	WL-101	35665
Haenni	WL-101	35666
Haenni	WL-101	35667
Haenni	WL-101	35668
Haenni	WL-101	35669
Haenni	WL-101	35670
Haenni	WL-101	35671
Haenni	WL-101	35672

2. Schedule V to the Order of the Minister of Transport dated 22 May 1990 concerning the approval of weigh scales (chapter C-24.2, r. 4) is amended by inserting the following wheel-load scales after the Haenni wheel-load scale, model WL101, serial number 32774:

Make	Model	Serial No.
Haenni	WL-101	35613
Haenni	WL-101	35614
Haenni	WL-101	35615
Haenni	WL-101	35616
Haenni	WL-101	35617
Haenni	WL-101	35618
Haenni	WL-101	35619
Haenni	WL-101	35620
Haenni	WL-101	35665
Haenni	WL-101	35666
Haenni	WL-101	35667
Haenni	WL-101	35668
Haenni	WL-101	35669
Haenni	WL-101	35670
Haenni	WL-101	35671
Haenni	WL-101	35672

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

SYLVAIN GAUDREAU,
Minister of Transport

3015

M.O., 2013

**Order of the Minister of Sustainable Development,
Environment, Wildlife and Parks
dated 8 October 2013**

Natural Heritage Conservation Act
(chapter C-61.01)

Assignment of proposed aquatic reserve status to an area of the St. Lawrence estuary surrounding the Manicouagan Peninsula and establishment of the plan of that area and its conservation plan

THE MINISTER OF SUSTAINABLE DEVELOPMENT,
ENVIRONMENT, WILDLIFE AND PARKS,

CONSIDERING the first paragraph of section 27 of the Natural Heritage Conservation Act (chapter 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, prepares the plan of that area, establishes a conservation plan and assigns temporary protection status to the area as a proposed aquatic reserve, biodiversity reserve, ecological reserve or man-made landscape;

CONSIDERING section 28 of the Act under which the setting aside of land under the first paragraph of section 27 is valid for a period of not more than four years, subject to renewals or extensions, which may not be such that the term of the setting aside exceeds six years, however, unless so authorized by the Government;

CONSIDERING Order in Council 645-2013 dated 19 June 2013 by which the Government authorized the Minister of Sustainable Development, Environment, Wildlife and Parks to assign the status of proposed aquatic reserve to an area of the St. Lawrence estuary surrounding the Manicouagan Peninsula, to prepare the plan of that area and to establish the conservation plan of the Réserve aquatique projetée de Manicouagan;

CONSIDERING the ecological value of the land, whose marine and estuarial ecosystems are among the richest and most productive of the marine St. Lawrence;

ORDERS AS FOLLOWS:

The status of proposed aquatic reserve, the plan of that area and its conservation plan being those the copies of which are attached to this Minister's Order, is assigned to an area of the St. Lawrence estuary surrounding the Manicouagan Peninsula;

The status is assigned for a period of four years beginning on the fifteenth day following the date of publication of this Minister's Order in the *Gazette officielle du Québec*.

Québec, 8 October 2013

YVES-FRANÇOIS BLANCHET,
*Minister of Sustainable Development,
Environment, Wildlife and Parks*

QUÉBEC STRATEGY FOR PROTECTED AREAS



Réserve aquatique projetée de Manicouagan

Conservation plan



September 2013

1. Protection status and toponym

The protection status of the territory described below is that of proposed aquatic reserve under the Natural Heritage Conservation Act (chapter C-61.01). The same applies to the permanent protection status planned which is that of "aquatic reserve."

The main objectives of the proposed aquatic reserve are to preserve an estuarine and marine area of great ecological value, develop the natural and cultural heritage, and involve local communities in the site's management.

The provisional toponym is: "Réserve aquatique projetée de Manicouagan". The official toponym will be determined when the territory is given permanent protection status.

2. Plan and description

2.1. Geographic location, boundaries and dimensions

The boundaries and location of Réserve aquatique projetée de Manicouagan are shown on the plan annexed to this document.

The Manicouagan peninsula is located on the north shore of the St. Lawrence marine estuary in the Côte-Nord administrative region between 48° 52' and 49° 12' north latitude and 68° 45' and 68° 05' west longitude. It is located in the Regional County Municipality (RCM) of Manicouagan, to the west of the city of Baie-Comeau.

The proposed aquatic reserve is located on the coastline bordering the municipalities of Ragueneau, Chute-aux-Outardes, Pointe-aux-Outardes and Pointe-Lebel. It also adjoins the territory of the Pessamit Innu community and Pointe à Michel in the municipality of Colombier in the Haute-Côte-Nord RCM.

The proposed aquatic reserve includes the foreshore of the Manicouagan peninsula, adjacent waters to a depth of 300 meters and the first ten meters of the seabed. On the foreshore, it encompasses the west half of the Manicouagan estuary to downstream of the Manic-1 Dam, the Manicouagan flat surrounding the peninsula, all of the Aux Outardes estuary from the Outardes-2 power plant toward downstream, the flat along baie aux Outardes to the rivière Betsiamites and the mouth of the rivière Betsiamites to the Highway 138 bridge. It covers an area of about 712 km².

The proposed aquatic reserve lies within the Manicouagan-Uapishka World Biosphere Reserve.

Areas subject to a right of occupancy to operate the Outardes-2, Manic-1 and McCormick power stations and their respective dams are excluded from the proposed aquatic reserve perimeter.

2.2. Ecological overview

The proposed aquatic reserve encompasses a set of rich and diversified habitats, including the estuaries of three rivers (Manicouagan, Outardes and Betsiamites), salt marshes, sandy flats, eelgrass beds, islands and seabeds.

Salt marshes are among the planet's most productive habitats. The Pointe-aux-Outardes salt marsh, whose area is about 5 km², is the largest of the Côte-Nord, the second largest of the maritime estuary and the fourth largest in Québec. The marshes of the rivière Betsiamites estuary (1 km²) and baie Henri-Grenier estuary at Pointe-Label (0.2 km²), although less extensive, also contribute to the proposed aquatic reserve's productivity, as well as to that of the adjacent marine environment.

The sector also provides a habitat for eelgrass beds totaling an area of over 15 km² spread over three distinct areas: baie aux Outardes, Baie-Saint-Ludger and Pointe-Label. It is the third largest eelgrass bed in the St. Lawrence system, after those of baie de Cascapédia and Isle-Verte.

The sandy flats of the rivière aux Outardes and rivière Manicouagan, which vary in width from 2 to 4 kilometres, support the largest community of soft-shell clams in Québec. In some places, there are more than 40 individuals/m², and the average productivity is about 0.70 kg/m², although it can reach 0.8 kg/m² in some places near Betsiamites (more than 100 individuals/m²).

The estuaries of the three rivers and the flats contain capelin spawning grounds. Sand eel spawning has also been observed on the Pointe-Paradis flats of the rivière Manicouagan estuary. These species are an important part of the food resources of many birds, fish and marine mammals, including both whales and seals. A rainbow smelt spawning ground is also known to exist in the rivière aux Outardes and there are several others suspected in the region. In addition, there could also be an Atlantic herring spawning ground around the Manicouagan and Outardes estuaries.

The rivière Betsiamites is a salmon river with production potential estimated at 7,500 adult salmon. It is also a major lamprey spawning ground. Its watershed represents a large north shore area for the growth of juvenile American eel. There could potentially be sturgeon spawning grounds in the protected area, because this species was once fished there and landings were at Pointe-aux-Outardes.

The area contains many types of wildlife habitats designated under the Act respecting the conservation and development of wildlife (chapter C-61.1), in this case fifteen “areas where aquatic birds congregate,” including one that partially overlaps the proposed aquatic reserve, three “heronries,” one “muskrat habitat,” and six “islands or peninsulas inhabited by a colony of birds.”

The sector is partially contained in the important bird area (IBA) of Baie-Comeau, which includes the coastline from Pointe-Saint-Gilles, baie des Écorces, baie Comeau and part of baie des Anglais. The Baie-Comeau flats are considered to be of global importance due to the numbers of certain bird species including the black surf scoter, red-breasted merganser, Bonaparte’s gull and glaucous gull which reach the world population threshold of 1% during their stopover in the fall. The site is also of continental importance for gatherings of Barrow’s goldeneyes in the wintering period and black duck during the fall migration. Many of these species are likely to frequent the foreshore of the proposed aquatic reserve. The sector is also an important rest and feeding area for aquatic birds, migrating birds of prey and many species of shorebirds.

In addition to the Barrow’s goldeneyes (a species of special concern in Canada, likely to be designated threatened or vulnerable in Québec), five species of birds at risk have been reported on the outskirts of the peninsula and could frequent the territory of the proposed aquatic reserve. They are the horned grebe (a threatened species in Québec), the harlequin duck (a species of special concern in Canada, likely to be designated threatened or vulnerable in Québec), the peregrine falcon (a threatened species in Canada and vulnerable in Québec), the short-eared owl (a species of special concern in Canada, likely to be designated as threatened or vulnerable in Québec) and the yellow rail (a species of special concern in Canada, likely to be designated as threatened or vulnerable in Québec).

A high density of osprey nests, one of the largest in Canada, is found on the péninsule de Manicouagan. Ospreys frequent the flats of the rivière aux Outardes and rivière Manicouagan to feed.

The mouths of the rivière aux Outardes and rivière Manicouagan are rest and feeding grounds for many migratory birds, including the Canada goose. Salty marshes are favourite stopping places for snow geese. In fact, both these species number in the thousands during migration periods.

The Ragueneau Islands are home to a very large black-crowned night-heron heronry. There are also nearly 1,500 common eider nests which are commercially harvested each year for down. The islands also constitute an important haul-out site for grey seals and harbour seals. Harbour seals reproduce on the flats of the Outardes estuary.

The proposed aquatic reserve contains a wide variety of species of fish and invertebrates, including soft-shell clam, snow crab, northern shrimp, Greenland halibut and waved whelk. Capelin, sandlance, smelt, lumpfish and Atlantic herring are among some of the species of fish that spawn there. Most of the 13 species of marine mammals that frequent the St. Lawrence estuary are also observed there. In addition, over 400 benthic species have been inventoried, illustrating the extent and variety of the area's marine biodiversity. Sea-run brook trout are also found in the estuaries of the three rivers, as well as Atlantic tomcod in the rivière Manicouagan estuary.

The territory is frequented on a seasonal basis by several species designated under the Canadian Species at Risk Act (S.C. 2002, c. 29) and the Québec Act respecting threatened or vulnerable species (chapter E-12.01). This is particularly the case of the beluga of the St. Lawrence (a threatened species in Canada and Québec), blue whale (endangered species in Canada and likely to be designated as threatened or vulnerable in Québec) and the fin whale (a species of special concern in Canada and likely to be designated as threatened or vulnerable in Québec). There are also other species that are considered to be at risk by the Committee on the status of endangered wildlife in Canada (COSEWIC), including the striped bass (extirpated), Atlantic cod (threatened), harbour porpoise (special concern) and American eel (special concern).

2.3. Land occupation and uses

The banks of the proposed aquatic reserve are occupied by residences, resorts and several municipal infrastructure facilities.

Commercial rainbow smelt fishery licence holders operate in the territory covered by the proposed protected area. Although commercial smelt fishing remains closed for an unspecified period of time, licences still exist.

Aquatic birds as well as grey and harp seals are hunted for sport in the proposed aquatic reserve.

There is sport fishing in the river estuaries, especially the Manicouagan and Outardes estuaries. In winter, the main activity in the sector is sport fishing for rainbow smelt, particularly at the mouth of the rivières Manicouagan, aux Outardes, Betsiamites and aux Rosiers. Fishing for food, social or ceremonial reasons is conducted by the Pessamit Innu community. Harvested species include Atlantic salmon, American plaice, Arctic cod, capelin, Atlantic herring, snow crab, soft-shell clam and waved whelk. Several launching ramps have been constructed in various municipalities as well as in the territory of the Pessamit Innu community (Betsiamites locality).

The principal tourism and recreational activities in the coastal areas are associated with the Parc Nature de Pointe-aux-Outardes, the Camp Saint-Paul in Les Buissons, the quai de Ragueneau and the Parc de la Rive campsite in Baie-Saint-Ludger, the De la Mer campsite in Pointe-Lebel and the Argile Eau Mer, Inc. company in Pointe-aux-Outardes. A kite surfing festival, "Kitefest," is held annually at the Parc Nature de Pointe-aux-Outardes. The activity has significant benefits for the Côte-Nord region, both economically and socially.

Other activities in the sector are hiking, nature observation and ornithology. Some activities are more specifically related to the marine environment. They include recreational boating, sea kayaking, personal water craft activities, harvesting soft-shell clams and mussels, and swimming. Harvesting soft-shell clams is one of the most important commercial and recreational activities between March and December.

Research on clam collection is being carried out on the flats of the peninsula. The project is expected to continue over the coming years.

The Ministère de la Culture et des Communications inventory has identified 40 archaeological sites on the territory of the proposed aquatic reserve, including one in the marine environment. Most are prehistoric Amerindian sites dating from the archaic period (7,000 to 3,000 B.P.) or the Woodland period (3,000-500 B.P.). Around ten of them are concentrated between the Outardes-2 power plant and the dyke east of its reservoir. Fourteen other sites are located between the rivière Ragueneau and rivière aux Rosiers and seven others near the Papinachois site. Furthermore, there is still very high archaeological potential for the land and marine areas. It could lead to the discovery of a number of other sites.

Several sites with bank erosion issues have been identified within the proposed aquatic reserve. They threaten the integrity of some residences and Route 138 in the short or medium term. Rockfill work has been done on the banks in the municipality of Ragueneau over a stretch of 8.9 km. The work began in 2008 and will continue until 2014-2015. Moreover, memoranda of understanding to combat coastal erosion have been signed in the municipalities of Chute-aux-Outardes, Pointe-aux-Outardes and Pointe-Lebel.

3. Activities framework

§ 1. Introduction

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

This Division prohibits activities in addition to those prohibited by 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 aquatic reserve. Accordingly, certain activities require the prior authorization of the Minister. The permitted and prohibited activities considered for the period that follows the assignment of permanent status by the Government are the same with the necessary adjustments to take into account the application of sections 46 and 47 of the Act.

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

- mining, and gas or petroleum development;
- forest development activities within the meaning of section 4 of the Sustainable Forest Development Act (chapter A-18.1); and
- the development of hydraulic resources and any production of energy on a commercial or industrial basis.

§ 2. Prohibitions, prior authorizations and other conditions governing certain 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 into the reserve, including by stocking, unless the person has been authorized by the Minister.

No person may stock a watercourse or body of water in the proposed aquatic reserve for aquaculture, commercial fishing or any other commercial purpose, unless the person has been authorized by the Minister.

No person may establish in the proposed reserve a non-native species of flora, unless the person has been authorized by the Minister.

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

The high-water mark means the high-water mark defined in the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains, made by Order in Council 468-2005 dated 18 May 2005 and amended by Order in Council 709-2008 dated 25 June 2008.

3.3. No person may, unless the person has been authorized by the Minister,

- (1) intervene in a wetland area, including a marsh, swamp or bog;
- (2) modify the natural drainage or water regime of the proposed aquatic reserve, 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 (chapter R-13, r.1);
- (5) carry on any activity other than those referred to in the preceding paragraphs that is likely to degrade the bed, banks or shores of a body of water or watercourse or directly and substantially affect the quality or biochemical characteristics of aquatic or riparian environments or wetland areas in the proposed aquatic reserve, including by discharging or dumping waste or pollutants into the watercourse or body of water;
- (6) carry out soil development work, including any burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose including recreational and tourism purposes such as trail development;
- (7) install or erect any structure, infrastructure or new works;
- (8) reconstruct or demolish an existing structure, infrastructure or works;
- (9) carry on an activity that is likely to severely degrade the soil or a geological formation or damage the vegetation cover, such as stripping, the digging of trenches or excavation work;
- (10) use a pesticide, although no authorization is required for the use of personal insect repellent;
- (11) carry on educational activities 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 aquatic 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.

3.4. Despite subparagraphs 6, 7, 8 and 9 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 and the Ministère de la Culture et des Communications has been consulted about the impact of the work on the archaeological heritage.

(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 aquatic reserve;

(b) the work is carried out within the area of land or right of way subject to the right to use or occupy the land in the 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 (chapter 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.

§2.2 Rules of conduct for users

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

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 aquatic reserve, no person may

- (1) cause any excessive noise;
- (2) behave in a manner that unduly disturbs other users or interferes with their enjoyment of the premises; 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 aquatic 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 aquatic reserve if the signage erected by the Minister restricts access, traffic or certain activities in order to protect the public from a danger or to avoid placing the fauna, flora or other components of the natural environment at risk, unless the person has been authorized by the Minister.

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 aquatic reserve.

§2.3 Activities requiring an authorization

3.11. No person may occupy or use the same site in the proposed aquatic reserve for a period of more than 90 days in the same year, unless the person has been authorized by the Minister.

- (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 date on which the protection status as a proposed reserve takes effect, was a party to a lease or had already obtained another form of 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, 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 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 date on which the protection status as a proposed reserve takes effect, pursuant to the Act respecting the lands in the domain of the State.

3.12. No person may carry on commercial activities within the proposed aquatic reserve, unless the person has been authorized by the Minister.

Despite the first paragraph, no authorization is required to continue carrying on commercial activities that, on the date on which the protection status as a proposed aquatic reserve takes effect, are subject to the right to use the land for that purpose, whether the right results from a lease or other form of title, permit or authorization, within the limits permitted by that right.

§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 exemption applies in particular to the carrying out of work and the maintenance of works aimed at stabilizing banks and shores to counter erosion or prevent landslides. 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 aquatic reserve are exempted from obtaining an authorization.

3.15. Despite the preceding provisions, the following activities and interventions 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 aquatic reserve to complete a project for which express authorization had previously been given by the Government and the Minister, or only by the Minister, in accordance with the Environment Quality Act (chapter 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; and
- (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.

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 proposed aquatic 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 access roads, construction or equipment movement incidental to the work.

4. Activities governed by other laws

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

A special legal framework can provide cohesion concerning permitted activities within the reserve in connection with the following matters:

- Environmental protection: measures set out in particular in the Environment Quality Act (chapter Q-2) and its regulations;

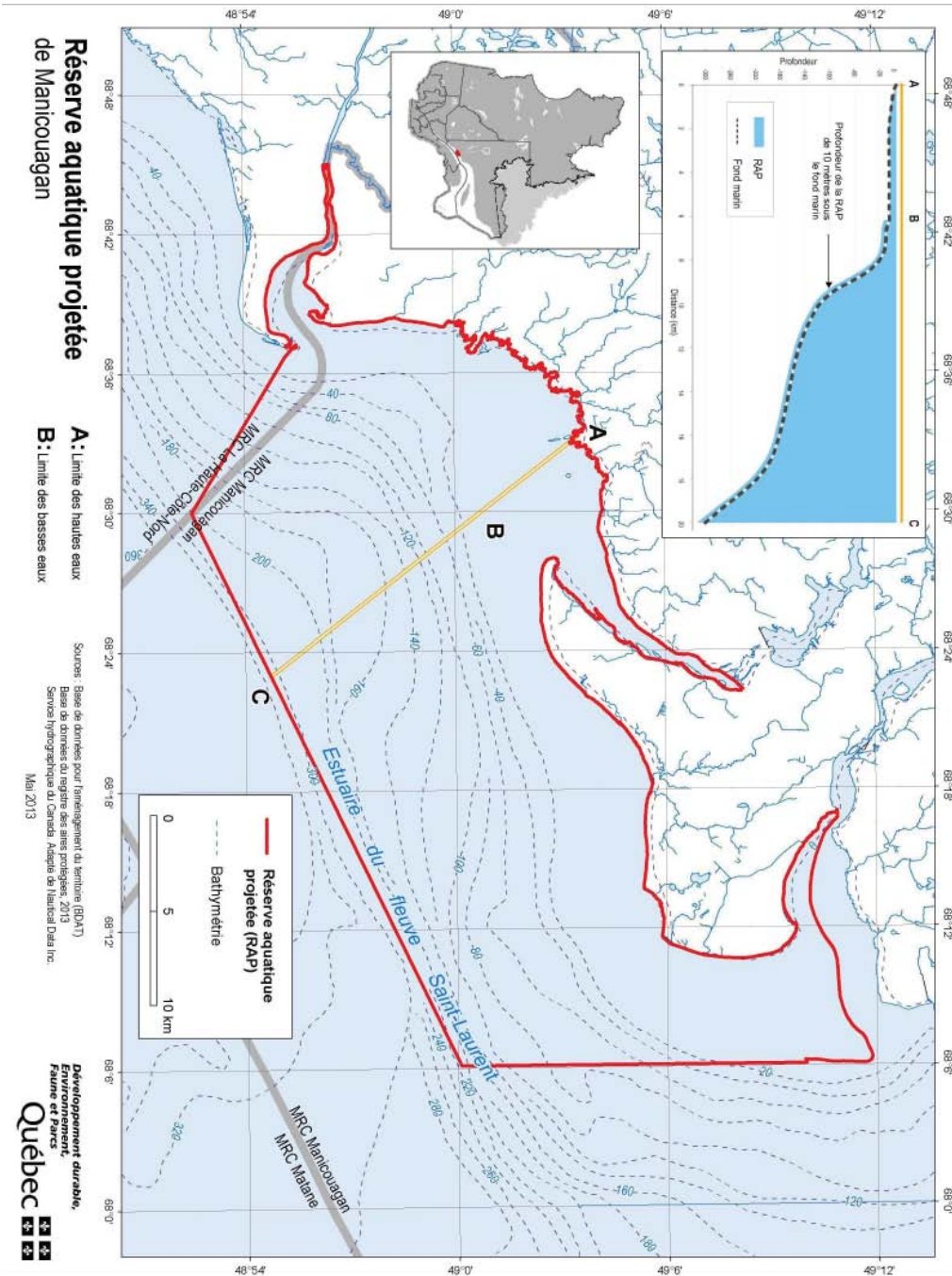
- Species of flora designated as threatened or vulnerable: measures set out in the Act respecting threatened or vulnerable species (chapter E-12.01) prohibiting the removal of such species;
- Development and conservation of wildlife resources: measures set out in the Act respecting the conservation and development of wildlife and its regulations (chapter 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;
- Archeological research and finds: measures set out in particular in the Cultural Heritage Act (chapter P-9.002), including obtaining a permit beforehand for any archaeological research, obtaining a notice with respect to the impacts of carrying out some work, and immediately informing the Minister of the discovery of an archaeological property or site;
- Access and land rights related to the domain of the State: measures set out in the Act respecting the lands in the domain of the State (chapter T-8.1) and in the Watercourses Act (chapter R-13);
- Operation of vehicles: measures set out in particular in the Act respecting the lands in the domain of the State and in the regulation on motor vehicle traffic in certain fragile environments enacted pursuant to the Environment Quality Act;
- Construction and layout standards: regulatory measures adopted by regional and local municipal authorities under the Acts applicable to them.

5. Responsibilities of the Minister of Sustainable Development, Environment, Wildlife and Parks

The conservation and management of Réserve aquatique projetée de Manicouagan are the responsibility of the Minister of Sustainable Development, Environment, Wildlife 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. 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. No additional conservation measure is planned at this point. Regarding zoning, the conservation objectives for the temporary protection period are the same for the entire area, the proposed reserve being only one conservation area.

Appendix

Plan of the Réserve aquatique projetée de Manicouagan



M.O. 2013**Order of the Minister of Sustainable Development,
Environment, Wildlife and Parks dated
8 October 2013**

An Act respecting the conservation
and development of wildlife
(chapter C-61.1)

Regulation to amend the regulation respecting fishing
and hunting areas

THE MINISTER OF SUSTAINABLE DEVELOPMENT,
ENVIRONMENT, WILDLIFE AND PARKS,

CONSIDERING the first paragraph of section 84.1 of
the Act respecting the conservation and development of
wildlife (chapter C-61.1), which provides that the Minister
may, among other things, divide Québec into hunting and
fishing areas;

CONSIDERING the making of the Regulation respecting
fishing and hunting areas (chapter C-61.1, r. 34);

CONSIDERING that, in accordance with sections 10
and 11 of the Regulations Act, the Regulation to amend
the Regulation respecting fishing and hunting areas was
published in Part 2 of the *Gazette officielle du Québec*
of 3 July 2013 with a notice that it could be made on the
expiry of 45 days following that publication;

CONSIDERING that it is expedient to make the
Regulation;

ORDERS AS FOLLOWS:

The Regulation to amend the Regulation respecting
fishing and hunting areas, attached to this Order in
Council, is hereby made.

Québec, 8 October 2013

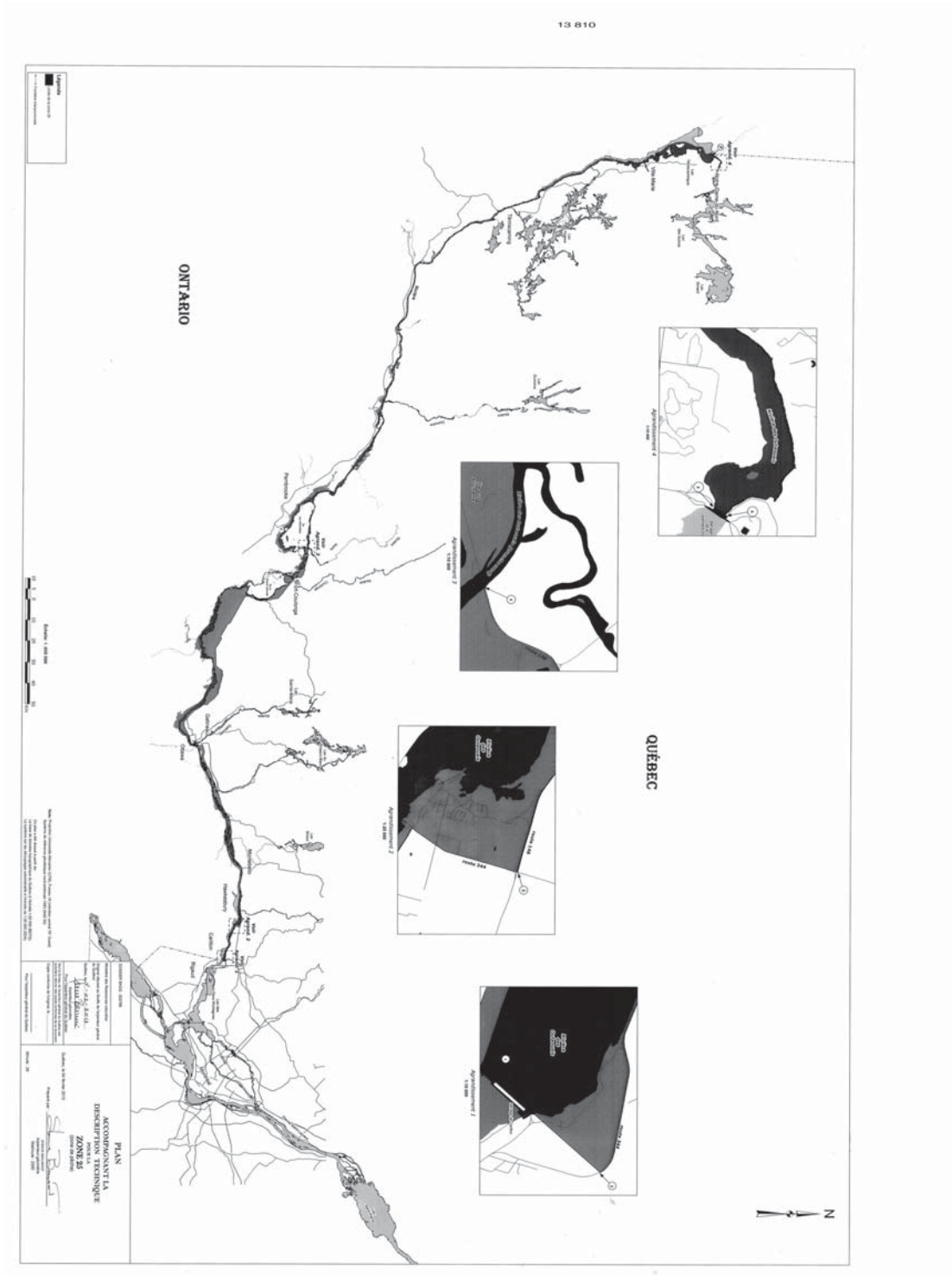
YVES-FRANÇOIS BLANCHET,
*Minister of Sustainable Development,
Environment, Wildlife and Parks*

**Regulation to amend the Regulation
respecting fishing and hunting areas**

An Act respecting the conservation
and development of wildlife
(chapter C-61.1, s. 162)

1. The Regulation respecting fishing and hunting
areas (chapter C-61.1, r. 34) is amended by replacing
Schedule XXV by the Schedule attached hereto.

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



Index

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

	Page	Comments
Approval of devices used to determine the axle load and the total loaded mass of a road vehicle or combination of road vehicles (Highway Safety code, chapter C-24.2)	3093	N
Assignment of proposed aquatic reserve status to an area of the St. Lawrence estuary surrounding the Manicouagan Peninsula and establishment of the plan of that area and its conservation plan. (Natural Heritage Conservaton Act, chapter C-61.01)	3094	N
Conservation and development of wildlife, An Act respecting the... — Fishing and hunting areas (chapter C-61.1)	3109	M
Courts of Justice Act — Rates of contribution of municipalities to the pension plans provided for in Parts V.1 and VI of the Courts of Justice Act in respect of judges of the Municipal Courts to whom the plans apply (chapter T-16)	3091	N
Courts of Justice Act — Rates of contribution of municipalities to the supplementary benefits plans in respect of judges of the Municipal Courts to whom the pension plan provided for in Part V.1 or VI of the Courts of Justice Act applies (chapter T-16)	3092	N
Fishing and hunting areas. (An Act respecting the conservation and development of wildlife, chapter C-61.1)	3109	M
Health Protection Act — Safety and welfare of cats and dogs (chapter P-42)	3079	M
Highway Safety code — Approval of devices used to determine the axle load and the total loaded mass of a road vehicle or combination of road vehicles (chapter C-24.2)	3093	N
Natural Heritage Conservaton Act — Assignment of proposed aquatic reserve status to an area of the St. Lawrence estuary surrounding the Manicouagan Peninsula and establishment of the plan of that area and its conservation plan (chapter C-61.01)	3094	N
Papiers White Birch — Certain pension plans (Supplemental Pension Plan Act, chapter R-15.1)	3089	N
Parc national du Mont-Saint-Bruno — Establishment (Parks Act, chapter P-9)	3083	M
Parks Act — Parc national du Mont-Saint-Bruno — Establishment (chapter P-9)	3083	M
Parks Act — Parks (chapter P-9)	3087	M
Parks (Parks Act, chapter P-9)	3087	M

Rates of contribution of municipalities to the pension plans provided for in Parts V.1 and VI of the Courts of Justice Act in respect of judges of the Municipal Courts to whom the plans apply (Courts of Justice Act, chapter T-16)	3091	N
Rates of contribution of municipalities to the supplementary benefits plans in respect of judges of the Municipal Courts to whom the pension plan provided for in Part V.1 or VI of the Courts of Justice Act applies (Courts of Justice Act, chapter T-16)	3092	N
Safety and welfare of cats and dogs (Health Protection Act, chapter P-42)	3079	M
Supplemental Pension Plan Act — Papiers White Birch — Certain pension plans . . . (chapter R-15.1)	3089	N