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## **Laws and Regulations**

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### **Summary**

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## Regulations and other Acts

Gouvernement du Québec

### **O.C. 108-2019, 13 February 2019**

An Act respecting financial assistance  
for education expenses  
(chapter A-13.3)

#### **Financial assistance for education expenses — Amendment**

Regulation to amend the Regulation respecting financial assistance for education expenses

WHEREAS, under subparagraphs 1, 2, 3.2, 7, 8, 9, 16, 21 and 24 of the first paragraph of section 57 of the Act respecting financial assistance for education expenses (chapter A-13.3), the Government may, by regulation, on the recommendation of the Minister and for each financial assistance program,

— for the purpose of computing the amount of financial assistance which may be paid under a loans and bursaries program, determine the conditions and rules for establishing the contribution of the student and that of the student's parents, sponsor or spouse;

— for the purpose of establishing the contributions mentioned in subparagraph 1, define the student's income and the income of the student's parents, sponsor or spouse, determine the conditions of reduction and exemption which are applicable and prescribe the methods of computing these elements;

— determine, for the loans program, the amount of annual financial resources that may not be exceeded by a person in order to be eligible for a loan, and determine in which cases and on what conditions the amount is increased or reduced;

— for the purpose of computing the amount of financial assistance which may be paid, establish the list of allowable expenses and determine, according to the classification of the educational institution attended, the maximum amounts allocated;

— for the purpose of computing the amount of financial assistance which may be paid, determine the cases where the student is deemed to reside at the place of residence of his or her parents or his or her sponsor and the resulting consequences on the level of certain allowable expenses;

— determine the maximum amounts of loans according to the level of education, the cycle and the classification of the educational institution attended, and determine in which cases and subject to what conditions such amounts are increased or reduced;

— define, for the purposes of sections 24 and 25, “precarious financial situation”, determine the borrower's obligations that are to be assumed by the Minister in such a situation and, for the purposes of section 25, determine the time when repayment of a loan must begin and the terms and conditions applicable to such repayment;

— for the purpose of computing the amount of financial assistance which may be paid, determine the number of months in a year of allocation for which the contributions and allowable expenses are considered;

— determine in which cases and subject to what conditions advance financial assistance may be granted in the form of a loan;

WHEREAS the Government made the Regulation respecting financial assistance for education expenses (chapter A-13.3, r. 1);

WHEREAS it is expedient to amend the Regulation;

WHEREAS, under the first paragraph of section 90 of the Act respecting the Ministère de l'Enseignement supérieur, de la Recherche, de la Science et de la Technologie (chapter M-15.1.0.1), any draft regulation respecting the financial assistance programs established by the Act respecting financial assistance for education expenses must, after consultation with the Minister of Education, Recreation and Sports, be submitted to the Comité consultatif sur l'accessibilité financière aux études for its advice;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting financial assistance for education expenses was published in Part 2 of the *Gazette officielle du Québec* of 29 August 2018 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS the required consultation was held and the Comité consultatif sur l'accessibilité financière aux études gave its advice;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Education and Higher Education:

THAT the Regulation to amend the Regulation respecting financial assistance for education expenses, attached to this Order in Council, be made.

YVES OUELLET,  
*Clerk of the Conseil exécutif*

## Regulation to amend the Regulation respecting financial assistance for education expenses

An Act respecting financial assistance for education expenses  
(chapter A-13.3, s. 57)

**1.** The Regulation respecting financial assistance for education expenses (chapter A-13.3, r. 1) is amended in section 2 by replacing “\$1,142” in the second paragraph by “\$1,151”.

**2.** Section 9 is amended by replacing “\$1,142” in subparagraph 2 of the second paragraph by “\$1,151”.

**3.** Section 17 is amended

- (1) by replacing “\$3,042” in paragraph 1 by “\$3,067”;
- (2) by replacing “\$2,582” in paragraph 2 by “\$2,603”.

**4.** Section 18 is amended by replacing “\$2,582” by “\$2,603”.

**5.** Section 26 is amended

(1) by inserting “or an Aim for Employment benefit” in subparagraph 1 of the first paragraph after “last resort financial assistance”;

(2) by replacing “\$278” in the second paragraph by “\$280”.

**6.** Section 29 is amended by replacing the amounts in subparagraphs 1 to 6 of the fourth paragraph by the following amounts:

- (1) “\$191”;
- (2) “\$191”;
- (3) “\$216”;

(4) “\$412”;

(5) “\$471”;

(6) “\$216”.

**7.** Section 32 is amended

(1) by replacing “\$424” and “\$906” in the first paragraph by “\$427” and “\$913”, respectively;

(2) by replacing “\$190”, “\$234”, “\$672” and “\$234” in the second paragraph by “\$191”, “\$236”, “\$677” and “\$236”, respectively.

**8.** Section 33 is amended

(1) by replacing “\$172” in the first paragraph by “\$173”;

(2) by replacing “\$475” in the second paragraph by “\$479”.

**9.** Section 34 is amended by replacing “\$279” and “\$1,297” in the first paragraph by “\$281” and “\$1,308”, respectively.

**10.** Section 35 is amended by replacing “\$96” in the second paragraph by “\$97”.

**11.** Section 37 is amended by replacing “\$254” in the fifth paragraph by “\$256”.

**12.** Section 40 is amended by replacing “\$74” and “\$592” in the first paragraph by “\$75” and “\$600”, respectively.

**13.** Section 41 is amended by replacing “\$188” by “\$190”.

**14.** Section 50 is amended

(1) by replacing the amounts in subparagraphs 1 to 3 of the first paragraph respectively by the following amounts:

- (1) “\$14,840”;
- (2) “\$14,840”;
- (3) “\$17,935”;

(2) by replacing the amounts in subparagraphs 1 to 3 of the third paragraph respectively by the following amounts:

- (1) “\$3,999”;
- (2) “\$5,061”;
- (3) “\$6,129”.

**15.** Section 51 is amended

(1) by replacing the amounts in subparagraphs 1 to 5 of the first paragraph respectively by the following amounts:

(1) “\$208”;

(2) “\$228”;

(3) “\$316”;

(4) “\$419”;

(5) “\$419”;

(2) by replacing “\$323” in the third paragraph by “\$326”.

**16.** Section 52 is amended by replacing “\$977” by “\$985”.

**17.** Section 74 is amended by replacing “\$254” and “\$126” in the second paragraph by “\$256” and “\$127”, respectively.

**18.** Section 82 is amended by replacing “\$3,042” and “\$2,278” in the third paragraph by “\$3,067” and “\$2,297”, respectively.

**19.** Section 86 is amended

(1) by replacing the amounts in subparagraphs 1 to 3 of the first paragraph respectively by the following amounts:

(1) “\$2.27”;

(2) “\$3.39”;

(3) “\$120.54”;

(2) by replacing “\$11.26” in the second paragraph by “\$11.35”.

**20.** Section 87.1 is amended by replacing “\$385” by “\$388”.

**21.** Section 96 is amended by inserting “or an Aim for Employment benefit” in the second paragraph after “last resort financial assistance”.

**22.** This Regulation applies as of the 2018-2019 year of allocation.

**23.** 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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Gouvernement du Québec

**O.C. 112-2019, 13 February 2019**

Natural Heritage Conservation Act  
(chapter C-61.01)

Permanent status of the Réserve de biodiversité Opasatica, the Regulation respecting that reserve and its conservation plan

WHEREAS, under the first paragraph of section 43 of the Natural Heritage Conservation Act (chapter C-61.01), the Minister of Environment and the Fight Against Climate Change may recommend to the Government that all or part of land set aside under section 27 of the Act be assigned a permanent protection status as biodiversity reserve;

WHEREAS, under the second paragraph of section 43 of the Act, the Minister is to submit at the same time to the Government for its approval the conservation plans for the land;

WHEREAS, by Order in Council 484-2004 dated 19 May 2004, the Government authorized the Minister of the Environment to assign the status of proposed biodiversity reserve to the territory of Opasatica lake and approved the plan of that area and the proposed conservation plan for that area;

WHEREAS, by Minister’s Order dated 17 June 2004 (2004, *G.O.* 2, 2301), the Minister of the Environment assigned the status of proposed Opasatica lake biodiversity reserve to the territory of Opasatica lake for a period of 4 years beginning on 14 July 2004;

WHEREAS, by Order in Council 136-2008 dated 20 February 2008, the Government approved the amendments to the conservation plan of that reserve;

WHEREAS the setting aside of that territory was extended for 4 years under the Order of the Minister of Sustainable Development, Environment and Parks dated 19 June 2008 (2008, *G.O.* 2, 2561) and 8 years under the Order of the Minister of Sustainable Development, Environment and Parks dated 11 May 2012 (2012, *G.O.* 2, 709);

WHEREAS, in accordance with the first paragraph of section 39 of the Natural Heritage Conservation Act, the Minister of Sustainable Development, Environment and Parks entrusted the mandate to hold a public consultation on the proposed Opasatica lake biodiversity reserve to the Bureau d’audiences publiques sur l’environnement and its inquiry and public hearing report was made public on 17 July 2008;

WHEREAS the report deals with the feasibility of enlarging the territory of the proposed Opasatica lake biodiversity reserve and concludes, among other things, that permanent protection status should be assigned to it;

WHEREAS the limits of the proposed Opasatica lake biodiversity reserve were reassessed by the Minister and changed after the public consultation to ensure the protection of a cultural interest site for the Timiskaming First Nation and the addition of mature and less fragmented forest ecosystems of interest, and to rely on natural elements easily visible on the site to facilitate management;

WHEREAS the plan of the proposed Opasatica lake biodiversity reserve and its conservation plan were adjusted based on the changed limits and the technical description corresponding to the new limits has been prepared;

WHEREAS the land included in the territory forms part of the domain of the State and is not part of a reserved area or an agricultural zone established under the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1);

WHEREAS, in accordance with the first paragraph of section 151 of the Act respecting land use planning and development (chapter A-19.1), the Minister of Sustainable Development, the Environment and the Fight Against Climate Change notified an opinion describing the planned intervention to the council of Ville de Rouyn-Noranda and to the council of Municipalité régionale de comté de Témiscamingue;

WHEREAS, in accordance with the first paragraph of section 152 of that Act, the council of Ville de Rouyn-Noranda, by resolution No. 2017-928 dated 27 November 2017, confirmed that the project for the establishment of the Réserve de biodiversité Opasatica complies with the objectives of the land use planning and development plan in force in their territory;

WHEREAS, in accordance with paragraph 2 of section 157 of that Act, the planned intervention is deemed to be in conformity with the land use and development plan of Municipalité régionale de comté de Témiscamingue in force in its territory, where its council did not give an opinion on that conformity within the time prescribed in the first paragraph of section 152 of that Act;

WHEREAS the Commission de toponymie sent to the Minister its approval of the name “Réserve de biodiversité Opasatica” to designate that permanent biodiversity reserve;

WHEREAS, under subparagraph *f* of paragraph 1 of section 46 of the Natural Heritage Conservation Act, in an aquatic reserve and a biodiversity reserve, any activity which the Government may prohibit by regulation is prohibited;

WHEREAS, under subparagraph *g* of paragraph 1 of section 46 of the Act, in an aquatic reserve and a biodiversity reserve, subject to measures in the conservation plan authorizing the activities and specifying the conditions on which they may be carried on, any allocation of a right to occupy land for vacation resort purposes, earthwork, backfilling or construction work and commercial activities are prohibited;

WHEREAS, under paragraph 2 of section 46 of the Act, all other activities, in addition to those prohibited by paragraph 1 of that section, are permitted, subject to the applicable conditions;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), the draft Regulation respecting the Réserve de biodiversité Opasatica was published in Part 2 of the *Gazette officielle du Québec* of 10 May 2017 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 respecting the Réserve de biodiversité Opasatica with amendments, in particular to include the technical description of the territory and to make technical adjustments;

WHEREAS, under paragraph 3 of section 44 of the Natural Heritage Conservation Act, the establishment of a biodiversity reserve and a change in its limits, or its abolishment, is effected by order of the Government, on a proposal by the Minister, subject to the publication of a notice of the decision of the Government to establish a biodiversity reserve in the *Gazette officielle du Québec* with the plan of the area and the conservation plan;

WHEREAS the publication in the *Gazette officielle du Québec* of this Order in Council, of the Regulation respecting the Réserve de biodiversité Opasatica and of its conservation plan constitutes the notice required by that paragraph, including the documents that must accompany it;

WHEREAS, under section 45 of the Natural Heritage Conservation Act, permanent protection status for land, conservation plans and applicable agreements, and amendments or revocations take effect on the date of publication of the order in the *Gazette officielle du Québec* or on any later date specified in the order;

IT IS ORDERED, therefore, on the recommendation of the Minister of Environment and the Fight Against Climate Change:

THAT permanent biodiversity reserve status be assigned to the territory described in the Regulation attached to Schedule I to this Order in Council, under the name “Réserve de biodiversité Opasatica”;

THAT the Regulation respecting the Réserve de biodiversité Opasatica, attached to Schedule I to this Order in Council, be made;

THAT the conservation plan applicable to the Réserve de biodiversité Opasatica, attached to Schedule II to this Order in Council, be approved;

THAT permanent status of the Réserve de biodiversité Opasatica and its conservation plan take effect on the fifteenth day following the date of their publication in the *Gazette officielle du Québec*.

YVES OUELLET,  
*Clerk of the Conseil exécutif*

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## SCHEDULE I

### Regulation respecting the Réserve de biodiversité Opasatica

Natural Heritage Conservation Act  
(chapter C-61.01, s. 43 and s. 46, par. 1, subpars. e, f and g, and par. 2)

1. The Réserve de biodiversité Opasatica is constituted in the territory described in the Schedule.

2. For the purpose of this Regulation

(1) the words or terms “high-water mark”, “littoral zone”, “floodplain”, “lakeshore” and “riverbank” have the same meaning as the meaning given in the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains (chapter Q-2, r. 35);

(2) the term “wetlands and bodies of water” has the same meaning as the meaning given in section 46.0.2 of the Environment Quality Act (chapter Q-2);

(3) the term “forest development activity” has the same meaning as the meaning given in the Sustainable Forest Development Act (chapter A-18.1).

## DIVISION I PROTECTION OF RESOURCES AND THE NATURAL ENVIRONMENT

3. Subject to the prohibition in the second paragraph, no person may introduce any individuals of a native or non-native species of fauna into the biodiversity reserve, including by stocking, unless the person has been authorized by the Minister.

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

Except with the authorization of the Minister, no person may introduce non-native species of flora into the biodiversity reserve.

4. No person may use fertilizers in the biodiversity reserve. Compost for domestic purposes is however permitted if it is used at least 20 metres from a lake or watercourse, measured from the high-water mark.

5. No person may remove from the biodiversity reserve species of flora, small fruits or any other non-timber forest product by mechanical means.

6. No person may in the biodiversity reserve, unless the person has been authorized by the Minister,

(1) intervene in a wetland area, including a marsh, swamp or peat bog;

(2) modify the natural drainage or water regime, including by creating or developing lakes and watercourses;

(3) dig, fill, obstruct or divert a lake or watercourse;

(4) install or erect any construction, infrastructure or new works in in the littoral zone, on the banks or shores or the floodplains of a lake or watercourse; no authorization is however required for minor works — quay or platform, boat shelter — installed for private purposes and may be 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 an activity other than those referred to in paragraphs 1 to 4 likely to directly and substantially affect the biochemical characteristics or quality of wetlands and bodies of water in the biodiversity reserve, including by discharging or dumping residual materials or contaminants into the wetlands or bodies of water;



(6) carry out soil development work or an activity likely to degrade the soil or a geological formation, or to damage the vegetation cover, in particular by stripping, the digging of trenches or excavation work, including any burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose;

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

(8) reconstruct or demolish a structure, infrastructure or works;

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

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

(11) hold a sports event, tournament, rally or any other similar event where

(a) fauna or flora species are taken or are likely to be taken; or

(b) motor vehicles or craft are used.

7. Despite paragraphs 6, 7 and 8 of section 6, if the requirements provided for in the second paragraph are met, no authorization is required to carry out the following work:

(1) the maintenance, repair or improvement of any construction, infrastructure or works, including a camp, a cabin, a road or a trail, including an ancillary facility such as a lookout or stairs;

(2) the construction or installation

(a) of a dependency or a facility ancillary to a trapping camp, a rough shelter, a shelter or a cabin, including a shed, a water withdrawal facility or a discharge and disposal of waste water, grey water and toilet effluents; or

(b) of a trapping camp, a rough shelter, a shelter or a cabin if, on the date of coming into force of this Regulation, such a building was allowed under the right of use or occupancy granted, but was not yet carried out; or

(3) the demolition or reconstruction of a trapping camp, a rough shelter, a shelter or a cabin, including a dependency or a facility ancillary to such a construction, including a shed, a water withdrawal facility or a discharge and disposal of waste water, grey water and toilet effluents.

The carrying out of the work referred to in the first paragraph must comply with the following:

(1) the work involves a construction, infrastructure or works whose presence is allowed in the biodiversity reserve;

(2) the work is carried out within the area of the land or right of way covered by the right of use or occupancy in the biodiversity reserve, whether the right results from a lease, a servitude or another form of title, permit or authorization;

(3) 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 allowed by 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 set under an authorization issued in connection with that construction, works or infrastructure;

(4) the work is carried out in accordance with the prescriptions of any permit or authorization issued for the work or in connection with the construction, infrastructure or works to which they are related, as well as in compliance with the applicable legislative and regulatory measures;

(5) in the case of forest roads, the work must not result in altering or exceeding the existing right of way, enlarging the driving roadway or converting the road into a higher class road.

For the purposes of this section, repair and improvement work includes work to replace or install structures or facilities with a view to complying with the requirements of environmental regulations.

8. No person may bury, incinerate, abandon or dispose of residual materials or snow, except if they are disposed of in waste disposal containers, facilities or sites determined by the Minister or, in other cases, with the authorization of the Minister.

Despite the first paragraph, an outfitter holding a lease for accommodation purposes in the reserve does not need an authorization to use a disposal facility or site, in compliance with the Environment Quality Act (chapter Q-2) and its regulations, if the outfitter was already using the facility or site on the date of coming into force of this Regulation.

## **DIVISION II**

### **RULES OF CONDUCT FOR USERS**

9. No person may enter, carry on an activity or operate a vehicle in a given sector of the biodiversity reserve if the signage erected by the Minister restricts access, traffic or certain activities in the sector 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.

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

## **DIVISION III**

### **ACTIVITIES REQUIRING AN AUTHORIZATION**

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

For the purposes of the first paragraph,

(1) the occupation or use of a site includes

(a) staying or settling on the biodiversity reserve, for instance for vacation purposes;

(b) setting up a camp or shelter; and

(c) installing, burying or abandoning any property in the reserve, including equipment, a device or a vehicle; and

(2) the expression “same site” includes any other site within a radius of 1 kilometre from the site.

Despite the first paragraph, an authorization is not required if a person,

(1) on the date of coming into force of this Regulation, was a party to a lease or had already obtained another form of right or another authorization allowing the person to legally occupy the land under the Act respecting the lands in the domain of the State (chapter T-8.1) or, if applicable, the Act respecting the conservation and development of wildlife (chapter C-61.1), and whose right to occupy the land is renewed or extended on the same conditions, subject to possible changes in fees; or

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

12. No person may carry on forest management activities to meet domestic needs or for the purpose of maintaining biodiversity, unless the person has been authorized by the Minister.

Despite the first paragraph, persons staying or residing in the biodiversity reserve and who collect wood required to make a campfire are not required to obtain the authorization of the Minister.

No such authorization is required if a person collects firewood to meet domestic needs to supply a trapping camp or a rough shelter permitted within the biodiversity reserve in the following cases and on the following conditions:

(1) 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 under the Sustainable Forest Development Act (chapter A-18.1);

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

In addition, no authorization to carry on a forest management activity is required if a person authorized by lease to occupy land within the biodiversity reserve in accordance with this Regulation carries on the forest management activity for the purpose of

(1) clearing, maintaining or creating visual openings, and any other similar removal work permitted under the provisions governing the sale, lease and granting of immovable rights under the Act respecting the lands in the domain of the State (chapter T-8.1), including for access roads, stairs or other trails permitted under those provisions; or

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

If the work referred to in subparagraph 2 of the fourth paragraph is carried on for or under the responsibility of an enterprise providing any of those services, the work requires the prior authorization of the Minister, other than in the case of the exemptions provided for in sections 12 and 14.

13. No person may carry on commercial activities in the biodiversity reserve, except with the authorization of the Minister.

Despite the first paragraph, no authorization is required

(1) if the activity does not involve the taking of fauna or flora resources, or the use of a motor vehicle; or

(2) to carry on commercial activities if, on the date on which protection status as a biodiversity reserve takes effect, the activities were the subject of a right of use of the land for such purpose, whether or not the right results from a lease or another form of title, permit or authorization, within the limits of what the right allows.

#### **DIVISION IV** **AUTHORIZATION EXEMPTIONS**

**14.** Despite the preceding provisions, an authorization is not required for an activity or other form of intervention within the biodiversity reserve if urgent action is necessary to prevent harm to the health or safety of persons, or to repair or prevent damage caused by a real or apprehended catastrophe. The person concerned must, however, immediately inform the Minister of the activity or intervention that has taken place.

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

**16.** Despite the preceding provisions, the following activities and interventions carried out by Hydro-Québec (hereinafter the “Société”) or by any other person for Hydro-Québec do not require the prior authorization of the Minister under this Regulation:

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

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

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

For the purposes of this section, the activities and interventions of the Société include but are not restricted to pre-project studies, analysis work or field research, work required to study and monitor the impact of power transmission and distribution line corridors and rights of way, geological or geophysical surveys and survey lines, and the opening and maintenance of roads required for the purpose of access, construction or traffic incidental to the work.

#### **DIVISION V** **FINAL**

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

#### **SCHEDULE**

##### **TECHNICAL DESCRIPTION**

##### **RÉSERVE DE BIODIVERSITÉ OPASATICA** (s. 1)

[Translation of the technical description filed in French only in the office of the Surveyor-General of Québec of the Ministère de l'Énergie et des Ressources naturelles.]

Description of a territory of irregular shape in the townships of Dasserat, Dufay, Monbeillard, Pontleroy, Desandrouins and Montreuil, in the territory of the municipalities of Ville de Rouyn-Noranda and Canton de Nédélec, in the administrative region of Abitibi-Témiscamingue, registration divisions of Rouyn-Noranda. The perimeter of the territory may be described as follows, namely:

Starting from a point situated on the border between Québec and Ontario with the intersection of the southern shore of lac Raventhat is, point 1 (5 324 609 m north, 303 486 m east);

Thence, in an average easterly direction, along the southeastern shore of lac Raven, the southern bank of an unnamed stream, the southwestern shore of an unnamed lake and the southwestern bank of an unnamed stream, which lakes and streams are excluded from the biodiversity reserve and along the northern shore of lac Buies, the eastern bank and shore of unnamed streams and lakes and the eastern bank of rivière Dufay, to the intersection of a line parallel to and at a distance of 150 metres from the northern shore of lac Dufaythat is, point 2 (5 323 419 m north, 307 026 m east);



Thence, in an average southeasterly direction, along a line parallel to and at a distance of 150 metres from the northern shore of lac Dufay, to the intersection of the western bank of an unnamed stream, that is, point 3 (5 322 778 m north, 308 996 m east);

Thence, in an average southeasterly direction, along the western, northern, southern and eastern banks of an unnamed stream to the intersection of a line parallel to and at a distance of 150 metres from the eastern shore of lac Dufay, that is, point 4 (5 322 765 m north, 309 021 m east);

Thence, in an average southerly direction, along a line parallel to and at a distance of 150 metres from the eastern shore of lac Dufay, to the intersection of the northeastern bank of an intermittent watercourse, that is, point 5 (5 320 568 m north, 308 472 m east);

Thence, in an average southeasterly direction, along the northeastern bank of an intermittent watercourse, to point 6 (5 320 426 m north, 308 822 m east);

Thence, easterly following straight line having a bearing of 85°33'43" over a distance of about 68 metres, to the intersection of a passable road, that is, point 7 (5 320 431 m north, 308 890 m east);

Thence, in an average northeasterly direction, along the southeastern right of way of a passable road, to the intersection of a non-passable road, that is, point 8 (5 320 608 m north, 308 990 m east);

Thence, easterly following a straight line having a bearing of 84°24'25" over a distance of about 728 metres to the intersection of the northwestern bank of an unnamed stream, that is, point 9 (5 320 679 m north, 309 715 m east);

Thence, in an average northeasterly direction, along the northwestern bank of an unnamed stream, to the intersection of an unnamed stream, that is, point 10 (5 320 897 m north, 310 032 m east);

Thence, in an average easterly direction, along the northern bank and shore of unnamed streams and lakes, to the intersection of a non-passable road, that is, point 11 (5 320 955 m north, 311 400 m east);

Thence, in an average northeasterly direction, along the southeastern right of way of a non-passable road, to the intersection of a non-passable road, that is, point 12 (5 321 332 m north, 311 858 m east);

Thence, in an average southeasterly direction, along the southwestern right of way of a non-passable road, to the intersection of the northwestern bank of an unnamed stream, that is, point 13 (5 320 842 m north, 312 096 m east);

Thence, in an average northeasterly direction, along the northwestern bank and shore of an unnamed stream, lac Montalais, an unnamed stream, lac Granville, an unnamed stream, an unnamed lake and rivière Granville to the intersection of the southern shore of baie Lamy of lac Opasatica, that is, point 14 (5 328 756 m north, 313 737 m east);

Thence, in an average northeastern direction, along the northwestern shore of baies Lamy and Klock of lac Opasatica and the western shore of baies McCormick and des Groseillers of lac Opasatica, to the intersection of the limit of the front of rang III of canton de Dasserat, that is, point 15 (5 336 926 m north, 317 583 m east);

Thence, easterly following the limit of the front of rang III of canton de Dasserat to the eastern shore of baie des Groseillers of lac Opasatica, that is, point 16 (5 336 926 m north, 317 685 m east);

Thence, in an average southerly direction, along the eastern shore of baies des Groseillers, McCormick, Ollier and Verte of lac Opasatica, to the intersection of the western limit of lot 4 381 461 of the cadastre of Québec, that is, point 17 (5 329 681 m north, 319 188 m east);

Thence, easterly following the southern limit of lots 4 381 461 and 4 382 310 of the cadastre of Québec to the southeastern apex of the said lot 4 382 310, that is, point 18 (5 329 681 m north, 319 306 m east);

Thence, in an average northeasterly direction, along the southeastern right of way of chemin des Amis, that is, the southeastern limit of lots 4 382 310, 4 382 311, 4 382 312 and part of lot 4 382 313 of the cadastre of Québec, which lots are excluded from the described territory, to point 19 (5 330 175 m north, 319 903 m east);

Thence, southeasterly following a straight line having a bearing of 139°41'03" over a distance of about 257 metres to the intersection of the western limit of lot 1 of rang VIII of canton Montbeillard, that is, point 20 (5 329 979 m north, 320 070 m east);

Thence, southeasterly following a straight line having a bearing of 156°48'12" over a distance of about 553 metres to the intersection with the southwest shore of an unnamed lake, that is, point 21 (5 329 471 m north, 320 287 m east);

Thence, in an average southerly direction, along the eastern bank of an unnamed stream and shore of an unnamed lake to the intersection with the eastern bank of an unnamed stream, that is, point 22 (5 329 026 m north, 320 197 m east);

Thence, easterly following a straight line having a bearing of 107°04'38" over a distance of about 305 metres to the intersection of a line parallel to and at a distance of 100 metres from the northern shore of lac Opasatica, point 23 (5 328 936 m north, 320 489 m east);

Thence, in an average easterly direction, along a line parallel to and at a distance of 100 metres from the northern shore of lac Opasatica to the intersection of the western limit of lot 4 644 453 of the cadastre of Québec, that is, point 24 (5 329 193 m north, 321 374 m east);

Thence, southerly following the western limit of lot 4 644 453 of the cadastre of Québec to the intersection of the northwestern shore of baie à l'Original of lac Opasatica, that is, point 25 (5 329 010 m north, 321 375 m east);

Thence, in an average easterly direction, along the northern shore of baie à l'Original of lac Opasatica, to the intersection of the northeastern bank of ruisseau à l'Original, that is, point 26 (5 328 779 m north, 322 799 m east);

Thence, southwesterly following a straight line having a bearing of 211°49'39" over a distance of about 34 metres, to the intersection of the southwestern bank of ruisseau à l'Original, that is, point 27 (5 328 750 m north, 322 781 m east);

Thence, in an average southerly direction, along the eastern shore of baies à l'Original, Île à Bergeron and the northern and northeastern shores of baie Solitaire of lac Opasatica, to the intersection of the eastern bank of rivière Solitaire, that is, point 28 (5 310 202 m north, 322 590 m east);

Thence, westerly following a straight line having a bearing of 257°44'06" over a distance of about 47 metres, to the intersection of the western bank of rivière Solitaire, that is, point 29 (5 310 192 m north, 322 544 m east);

Thence, in an average southwesterly direction, along the southeastern shore of lac Opasatica, to the intersection of the southern bank of ruisseau Bull Rock, that is, point 30 (5 304 192 m north, 316 465 m east);

Thence, in an average westerly direction, along the southern bank of ruisseau Bull Rock and shore of unnamed lakes, to point 31 (5 304 043 m north, 313 069 m east);

Thence, southerly following a straight line having a bearing of 171°58'13" over a distance of 319.34 metres, to point 32 (5 303 727 m north, 313 114 m east);

Thence, southwesterly, following a straight line having a bearing of 210°45'40" over a distance of about 308 metres to the intersection of the eastern bank of an unnamed stream with the northern shore of an unnamed lake, that is, point 33 (5 303 462 m north, 312 956 m east);

Thence, in an average southerly direction, along the eastern shore of unnamed lakes and bank of an unnamed stream, to the intersection of the southern bank of an unnamed stream, that is, point 34 (5 302 946 m north, 312 886 m east);

Thence, southwesterly, following a straight line having a bearing of 232°05'36" over a distance of about 475 metres, to the intersection of the northeastern shore of an unnamed lake, that is, point 35 (5 302 654 m north, 312 511 m east);

Thence, in an average southwesterly direction, along the southeastern shore and bank of unnamed lakes and streams, to point 36 (5 301 912 m north, 312 201 m east);

Thence, southwesterly, following a straight line having a bearing of 228°09'32" over a distance of about 440 metres, to the intersection of the southern bank of an intermittent watercourse, that is, point 37 (5 301 619 m north, 311 873 m east);

Thence, in an average southwesterly direction, along the southwestern bank of an intermittent watercourse, an unnamed stream, a lake and an unnamed stream, to the southwestern bank of an unnamed stream, that is, point 38 (5 301 235 m north, 311 462 m east);

Thence, in an average southwesterly direction, along the southeastern bank of an unnamed stream to the intersection to the southwestern bank of an unnamed stream, that is, point 39 (5 300 717 m north, 311 223 m east);

Thence, westerly, following a straight line having a bearing of 271°21'36" over a distance of about 674 metres, to the intersection of the southeastern bank of an unnamed stream and the eastern shore of lac à la Perchaude, that is, point 40 (5 300 733 m north, 310 549 m east);

Thence, in an average southwesterly direction, along the southeastern shore of lac à la Perchaude and bank of an intermittent watercourse to point 41 (5 300 431 m north, 309 990 m east);

Thence, southwesterly, following a straight line having a bearing of 261°11'48" over a distance of about 264 metres, to the intersection of the southern bank of an intermittent watercourse, that is, point 42 (5 300 391 m north, 309 729 m east);

Thence, in an average northwesterly direction, along the southwestern bank of an intermittent watercourse, ruisseau Touzin and shore of unnamed lakes, to the intersection of the eastern bank of crique de la Loutre, that is, point 43 (5 304 683 m north, 305 955 m east);

Thence, westerly, following a straight line having a bearing of 286°41'13" over a distance of about 23 metres, to the intersection of the western bank of crique de la Loutre, that is, point 44 (5 304 690 m north, 305 933 m east);

Thence, in an average northerly direction, along the western bank of crique de la Loutre, shore of lac à la Loutre and bank of unnamed streams, to the intersection of a passable road, that is, point 45 (5 315 365 m north, 306 913 m east);

Thence, in an average northwesterly direction, along the northeastern right of way of a passable road to the intersection of the southeastern bank of an unnamed stream, that is, point 46 (5 316 251 m north, 304 730 m east);

Thence, in an average southwesterly direction, along the southwestern bank of an unnamed stream, to the intersection of the eastern bank of an unnamed stream, that is, point 47 (5 316 211 m north, 304 652 m east);

Thence, in an average southwesterly direction, along the eastern bank of an unnamed stream, the northern shore of an unnamed lake, so as to exclude the said lake from the biodiversity reserve, the southern bank of an unnamed stream and shore of an unnamed lake and the southwestern bank of an unnamed stream, to the intersection of a passable road, that is, point 48 (5 315 937 m north, 304 314 m east);

Thence, in an average southwesterly direction, along the northwestern right of way of a passable road, to the border between Québec and Ontario, that is, point 49 (5 315 540 m north, 303 485 m east);

Thence, in a general northerly direction, following the border between Québec and Ontario to starting point 1.

Having a total area of 334.33 square kilometres for all of the biodiversity reserve.

A parcel of land having an area of 0.16 square kilometre including private lots 4 644 014, 4 644 666, 4 644 677, 4 644 688, 4 644 699, 4 644 710, 4 644 722, 4 644 733, 4 644 744, 4 644 755, 4 644 766, 4 644 777, 4 644 788, 4 644 799, 4 644 810, 4 644 821 and 4 644 833 and lots corresponding to part of chemin des Chutes

4 644 400, 4 644 334, 4 645 531, 4 645 532, 4 645 533 and 4 645 534 of the cadastre of Québec, registration division of Rouyn-Noranda, and that may be described as follows, are excluded from the biodiversity reserve:

Starting from the point situated at the southwestern apex of lot 4 644 400 of the cadastre of Québec, that is, point 50 (5 313 167 m north, 318 557 m east), being the starting point of the parcel to be described;

Thence, in an average northeastern direction, along the northwestern right of way of chemin des Chutes, that is, the northwestern limit of lots 4 644 400, 4 644 334, 4 645 531, 4 645 532 and 4 645 533 of the cadastre of Québec, to the northern apex of the said lot 4 645 533, that is, point 51 (5 314 027 m north, 319 025 m east);

Thence, in an average northeasterly direction, along the northwestern right of way of chemin des Chutes, that is, part of the northwestern limit of lot 4 645 533 of the cadastre of Québec, to the intersection of a non-passable road, that is, point 52 (5 314 055 m north, 319 085 m east);

Thence, in an average northerly direction, along the western right of way of a non-passable road, to the intersection of a non-passable road, that is, point 53 (5 314 302 m north, 319 014 m east);

Thence, in an average southeasterly direction, along the northeastern right of way of rue des Bouleaux, to the intersection of chemin des Chutes, corresponding to the northern limit of lot 4 645 534 of the cadastre of Québec, that is, point 54 (5 314 229 m north, 319 190 m east);

Thence, in an average easterly direction Est, along the northern right of way of chemin des Chutes, that is, the northern limit of lot 4 645 534 of the cadastre of Québec, to the northeastern apex of the said lot 4 645 534, that is, point 55 (5 314 225 m north, 319 208 m east);

Thence, in an average southerly direction, along the eastern and southern limit of lot 4 645 534 of the cadastre of Québec, to the intersection of the western shore of lac Opasatica, that is, point 56 (5 314 205 m north, 319 203 m east);

Thence, southwesterly, along the northwestern shore of lac Opasatica, to the southern limit of lot 4 644 666 of the cadastre of Québec, that is, point 57 (5 313 173 m north, 318 651 m east);

Thence, westerly, following the southern limit of lot 4 644 666 of the cadastre of Québec, to the southeastern apex of the said lot 4 644 666, that is, point 58 (5 313 161 m north, 318 576 m east);

Thence, westerly, following the southern limit of lot 4 644 400 of the cadastre of Québec, to the south-western apex of the said lot 4 644 400, that is, starting point 50.

The following two islands of lac Opasatica having a total area of 0.01 square kilometre and whose limit is described as follows are also excluded from the biodiversity reserve:

—An unnamed island situated in lac Opasatica whose limit with the shore of the said lake corresponds to the limit of lot 4 381 782 of the cadastre of Québec;

—An unnamed island situated in baie McCormick of lac Opasatica whose limit with the shore of the said lake corresponds to the limit of lots 5 209 469 and 5 209 470 of the cadastre of Québec.

#### Notes:

—The limit of the biodiversity reserve shown on the plan accompanying the technical description was determined from the digital files in the Québec topographic and administrative database (BDTA) at a scale of 1:20,000 of the Ministère de l'Énergie et des Ressources naturelles du Québec, an excerpt of the surveys officialized in the Registre du domaine de l'État effective on 26 April 2017, an excerpt of the Base de données cadastrale du Québec effective on 26 April 2017, digital compilation of surveys produced by the Ministère, the data bank of the forest information system (SIEF) of the said department and the mining right management system (Gestim) of the said department.

—The limit described in this description constitutes a limit only for the purposes of land management relating to the use of the mandate concerned and may not be invoked for border delineation purposes.

—Generally, all the beds of watercourses, rivers, lakes and islands are included in the biodiversity reserve. Only those excluded are mentioned in this technical description.

—The limits defined by the shore of a lake or the bank of a river or stream correspond to the high-water mark.

—The coordinates and areas used in this technical description are approximate. They were graphically determined from the said data used to determine the limit of the biodiversity reserve. They are given in metres in reference to the Québec plane coordinate system (SCOPQ), Modified Transverse Mercator projection (MTM), Time Zone 10 (central meridian 79°30'), North American Datum 1983 (NAD83).

—The measures comply with the International System of Units.

—The limit of the biodiversity reserve is based on the actual layout of the elements described in this document and must be legally interpreted in such a way. It was prepared by the Direction des aires protégées of the Ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques of Québec.

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

—The territory is represented on a plan at a scale of 1:40,000.

—In accordance with the instructions of the Direction des aires protégées of the Ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques of Québec, the information contained in the fundamental documents provided by the mandator, from which this technical description was prepared, is accepted as fact.

The whole as shown on the plan prepared by the undersigned on 24 November 2017 and filed with the office of the Surveyor-General of Québec of the Ministère de l'Énergie et des Ressources naturelles under document number 536698.

Prepared in Québec, on 24 November 2017, under number 11 401 of my minutes.

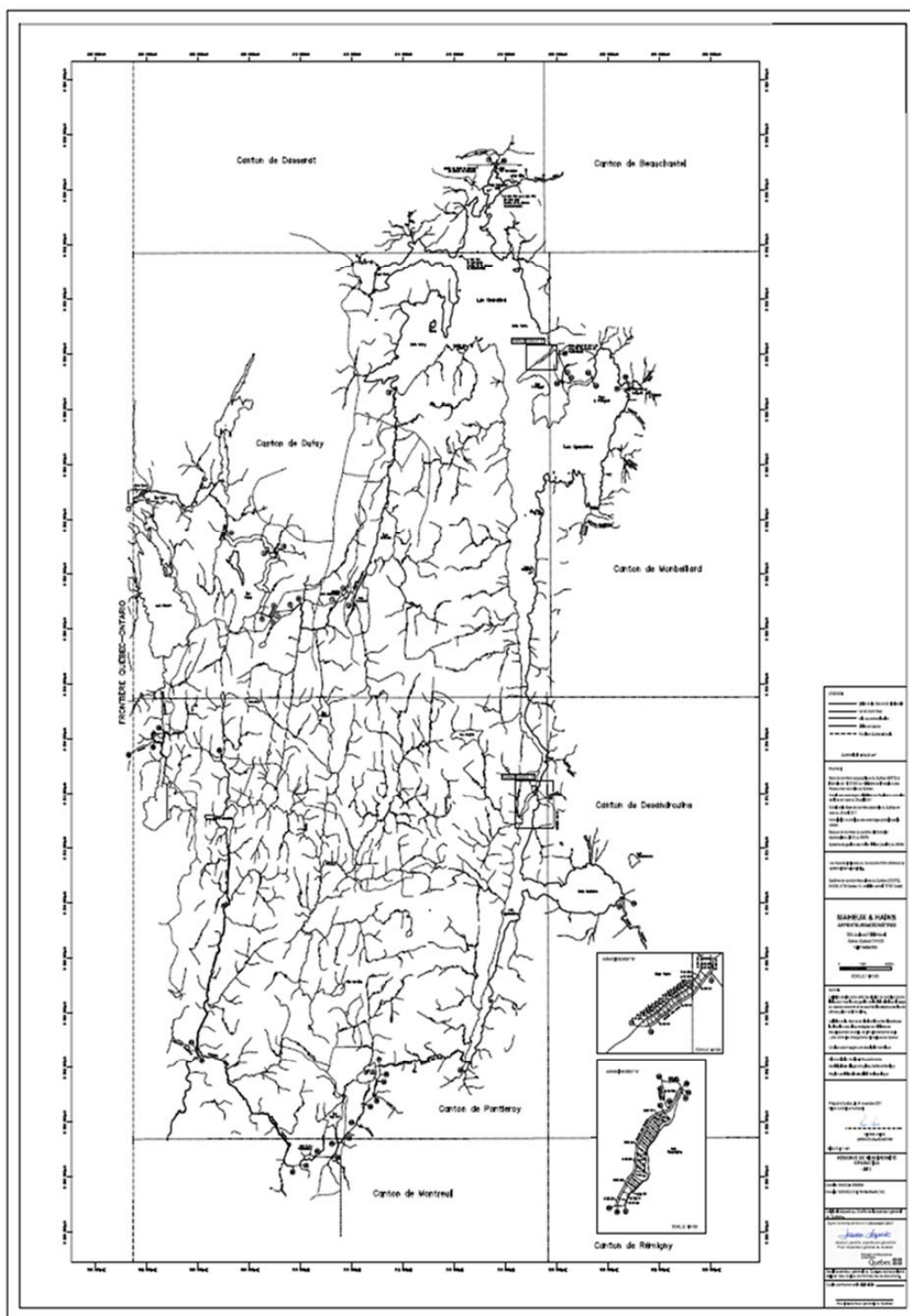
Digitally signed by:

PIERRE HAINS,  
*Land Surveyor*

Ministère du Développement durable,  
de l'Environnement et de la Lutte contre  
les changements climatiques

Direction des aires protégées

MDDELCC record: 5148-06-08(14)





**SCHEDULE II****CONSERVATION PLAN OF THE RÉSERVE DE BIODIVERSITÉ OPASATICA**

Cover page photos: Marc-André Bouchard

Reference to cite:

Gouvernement du Québec. 2018. Conservation Plan, Réserve de biodiversité Opasatica. Québec, Ministère de l'Environnement et de la Lutte contre les changements climatiques, Direction des aires protégées. 32 pages.

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## Introduction

In 2004, the Gouvernement du Québec moved to protect Lac Opasatica and a portion of the land located to the west of the lake.

The legal and provisional status of proposed biodiversity reserve was officially granted to this territory in July 2004 under section 27 of the *Natural Heritage Conservation Act* (chapter C-61.01). The proposed biodiversity reserve was given the temporary name of Réserve de biodiversité projetée du Lac Opasatica.

On February 22, 2007 the Minister of Sustainable Development, Environment and Parks (MDDEP) mandated the Bureau d'audiences publiques sur l'environnement (BAPE) to hold a public consultation on the proposed protected areas of Lac Opasatica, Lac des Quinze, Forêt Piché-Lemoine and Réservoir Decelles. This mandate was given to the BAPE in accordance with section 39 of the *Natural Heritage Conservation Act*, which provides for a public consultation process before permanent protection status is recommended to the Gouvernement du Québec for a territory reserved for the creation of a new protected area. The BAPE's mandate began on March 8, 2007 and concluded on August 8 of the same year. The consultation was held in April and May 2007 in Val-d'Or, Rouyn-Noranda, Angliers, Lac-Simon and Winneway. The BAPE's inquiry and public hearing report (No. 244) was submitted to the Minister of the MDDEP on August 8, 2007 (BAPE, 2007). In its report, the commission recommended giving permanent protection status to Réserve de biodiversité projetée du Lac Opasatica (Réserve de biodiversité Opasatica).

By giving permanent protected status to Réserve de biodiversité Opasatica, the Gouvernement du Québec ensures the definitive protection of representative samples of the biological diversity of the Abitibi lowlands natural province; more specifically, of representative ecosystems of the

Lac Témiscamingue lowlands natural region; and more precisely still, of the Lac Roger plain physiographic complex. The reserve joins a network of representative and exceptional protected areas that protect the various types of ecosystems across Québec.

This biodiversity reserve was selected in large part for Lac Opasatica, and for its extensive area of organic soil on rock. The territory is also noteworthy for its diversity of plant communities, including stands of black spruce, white birch and jack pine. The reserve contains four exceptional forest ecosystems, along with a wildlife habitat on Lac Opasatica's Île Ronde where there is a large heronry.

Lastly, sixteen sites of interest for Québec's archeological heritage have been found in the reserve. The concentration of archeological sites of interest has led to the designation of three archeological areas within the reserve. They are located around Lac Buies, near Baie à Beaupré, and on the shore of Lac Opasatica, more precisely the west shore south of Baie Lamy.

## 1. The territory of Réserve de biodiversité Opasatica

### 1.1 Official toponym

Réserve de biodiversité Opasatica: the name reflects the presence of Lac Opasatica. As has been known since the early 20<sup>th</sup> century, "Opasatica" is of Algonquin origin, a fusion of "obié" or "opa", meaning "narrowed", and "satika", meaning "where there are aspens". The resulting compound means lake surrounded by poplars, poplar narrows, or lake enclosed by aspens (Commission de toponymie du Québec, 1996).

### 1.2 Geographical location, boundaries and dimensions

The location and boundaries of Réserve de biodiversité Opasatica appear on the map in Appendix 1.

**Location:** Réserve de biodiversité Opasatica is located, in large part, on the territory of the city of Rouyn-Noranda, in the administrative region of Abitibi-Témiscamingue, and extends between 47°50'35" and 48°10'15" north latitude and between 79°15'28" and 79°31'46" west longitude. About 12% of the reserve is in the township municipality of Nédélec, in the MRC de Témiscamingue. The reserve lies about 25 km southwest of downtown Rouyn-Noranda and abuts the Québec-Ontario border. It can be accessed from highways 117 and 101, which pass respectively to the north and east of the reserve. It is served by a network of forest roads that enter the territory from the north via highway 117 and from the southwest via highway 101.

**Area and boundaries:** The initial area of the proposed reserve when it was set aside in 2004 was 245 km<sup>2</sup>. Following the public hearings, different expansion proposals were presented to the MELCC. In its analysis report No. 244, the BAPE recommended evaluating the possibility of expanding the proposed reserve to include the areas of interest presented, before granting permanent protection status (BAPE, 2007).

In its present form, the total area of the reserve is 334.4 km<sup>2</sup>. The final boundaries were defined on the basis of natural or anthropic elements that are easily identified on the ground, such as watercourses, lakes, forest roads and the edges of bogs. For sections along the shores of Lac Opasatica, watercourses and other bodies of water, the real boundary is the natural high-water mark. The legal boundaries of the reserve are defined in the technical description and the survey map prepared by land surveyor Pierre Hains with the following minutes 11401 (November 24, 2017) and filed in the surveying archives of the Surveyor General of Québec (Greffé de l'arpenteur général du Québec),

Ministère de l'Énergie et des Ressources naturelles under document number 536698.

### 1.3 Ecological portrait

Réserve de biodiversité Opasatica is part of the Abitibi lowlands natural province. It protects representative ecosystems in the Lac Témiscamingue lowlands natural region and belongs to the Lac Roger plain physiographic complex. Among the elements described below, those of the greatest ecological interest are mapped in Appendix 2.

#### 1.3.1 Representative elements

**Geology:** The biodiversity reserve is in Superior geological province, where the foundation rock is Archean (over 2.5 billion years old). The substratum is primarily intrusive igneous rock, i.e. granites. The western portion, near Lac Hébert, consists of sedimentary rocks in the form of conglomerate. The northern part consists of ultramafic volcanic rocks and metamorphosed metasedimentary rock in the form of paragneiss.

**Geomorphology:** When the Laurentide ice sheet melted, around 8500 years ago, it covered the bedrock with a thick layer of poorly drained glaciolacustrine sediments (silt and clay). Erosion by the waves of glacial lake Barlow-Ojibway stripped away the silt covering the tops of the highest mounds (Veillette, 2000).

Today the landscape is a plain punctuated with mounds and residual hillocks, gently sloping to the north.

Apart from outcrops here and there, the bedrock is covered by glaciolacustrine deposits or occasionally a thin layer of till. The relief is shallow, with an elevation ranging from 265 to 390 metres (average 300 metres).

A plant survey conducted in 2011 by FloraQuebeca noted two eskers on the territory of the reserve (FloraQuebeca, 2012). One is in the northwest portion and forms a small peninsula in Lac Dufay. The second esker lies along the eastern boundary of the reserve, near Passage à Paulson, and has a passable road running throughout its length (see map in Appendix 1 for the location of Passage à Paulson).

Réserve de biodiversité Opasatica is composed of four distinct ecological units, as defined by their landforms and surface deposits: Lac Opasatica, the northern terrestrial part of the reserve, the plateau south of it, and the western part of the reserve.

Due to its large size, Lac Opasatica constitutes a physical entity all on its own. As for the northern terrestrial part of the reserve, it is a glaciolacustrine plain composed of clay and silt, punctuated with hillocks of till. A few hollows are filled with organic deposits, forming shallow ombrotrophic bogs on till, and shallow wooded minerotrophic bogs on clay and silt. This unit is crossed by a ridge about 25 metres high running in an east-northeast/west-southwest direction. The ridge is a diabase dike created by differential erosion. Along its base are thin colluvial deposits on rock, colluvium being material that accumulates at the base of a steep slope.

South of the previous unit, a plateau rises 40 to 50 metres above the plain. The plateau has a large number of rocky outcrops with thin till. On its eastern side the plateau ends with an abrupt slope toward Lac Opasatica, where the soil consists of clay and silt. Hollows are filled with organic deposits, forming shallow ombrotrophic bogs on till and shallow wooded minerotrophic bogs on clay and silt.

According to the ecological reference framework of Québec (Li and Ducruc, 1999), the western part of the reserve is a complex of till hillocks of variable thickness, with rocky outcrops emerging from glaciolacustrine lowlands of clay and silt. A few hollows are filled with organic deposits forming bogs. To the south of Lac Hébert there are two areas of ice-contact fluvioglacial deposits composed of sand and gravel. The island in Lac Dufay consists of ice-contact fluvioglacial sand. Two areas of thin colluvium on rock are found to the west of Lac Hébert.

**Hydrography:** The biodiversity reserve is in the Rivière des Outaouais watershed. More precisely, the section to the west of Lac Opasatica is part of the Rivière Blanche sub-watershed. Lac Opasatica itself, together with the glaciolacustrine plain unit and the plateau unit, is in the Rivière Barrière sub-watershed.

Lac Opasatica is nearly 33 kilometres long, with a surface area of 48 km<sup>2</sup>. In its northern part it is 6 kilometres wide and has large bays, some of which are named, including Klock, Lamy, Verte and À l'Original. In its southern extremity the lake is very narrow, less than a kilometre wide at Baie Solitaire. At this location the lake empties into Rivière Solitaire, which in turn feeds Lac Rémigny. This long and narrow lake occupies a fault zone in the bedrock and has a maximum depth of over 60 metres.

There are nine other named lakes in the reserve, the largest ones being lakes Hébert, Dufay, Montalais and Granville, along with Lac Bull Rock and Petit Lac Bull Rock. Aquatic environments account for about 20% of the area of the reserve.

**Climate:** The territory of Réserve de biodiversité Opasatica is subject to a mild continental subarctic climate, subhumid with a long growing season. Average temperatures range from 1.9°C

to 4.5°C. The average annual precipitation ranges from 800 mm to 1359 mm, and the average growing season is from 180 to 209 days.

The reserve is in the balsam fir-yellow birch bioclimatic domain, which extends in a band from west to central Québec between 47° and 48° north latitude. Mesic sites are occupied by mixed stands of yellow birch and conifers, including balsam fir, white spruce and cedar. Sugar maples are at the northern limit of their range here. Forest fires and epidemics of spruce budworm are the two main factors of forest dynamics. The abundance of yellow birch and pines diminishes from west to east, resulting in two subdomains. The reserve is in the western one, where yellow birch-balsam fir stands are omnipresent on mesic sites.

**Forests:** As mentioned earlier, the reserve is noteworthy for its four exceptional forest ecosystems:

- The Baie-à-l'Original rare forest (a black ash-red ash stand);
- The Lac-Opasatica old forest (a balsam fir-white birch-cedar stand);
- The Baie-à-Beaupré old forest (a black spruce-white pine-cedar stand);
- The Rivière-Granville old forest (a balsam fir-white birch-cedar stand).

Forest covers about 70% of the territory. It is composed primarily of mixed forests (49%) and coniferous forests (44%), the remaining 7% being deciduous. The principal woodlands are black spruce stands and shade-intolerant hardwoods, especially white birch. Jack pine stands dominate the plateau in the southeast. There is a concentration of eastern white cedar stands in the northern portion around Lac Opasatica and around lakes Hébert and Dufay. While 43% of the forest cover consists of medium age stands (40-80 years), and 36% of young stands (0-40 years),

the remaining 21% consists of mature and old stands. Those of medium age are primarily concentrated on the plateau to the southeast, while the more scattered mature stands are mostly found in the northern portion, on the glaciolacustrine plain, or more precisely in the exceptional forest ecosystems (the Rivière-Granville and Lac-Opasatica old forests) and their peripheral areas, and in the western part of the reserve, some being near lakes Dufay and Hébert, the others being to the southwest, in the area surrounding two biological refuges.

In the glaciolacustrine plain ecological unit, in the northern part of the reserve, colonies of white birch and black spruce occupy the hillocks of till. In contrast, the silty-clay plain is populated by mixed forests and stands of regenerating hardwoods. The exceptional forest ecosystems of the Rivière-Granville and Lac-Opasatica old forests are in this ecological unit. Also present are cedar stands on the shores of Baie Lamy. Though most of the forests are young (10-15 years), this unit contains a good number of the reserve's old forests.

The southeast plateau is mostly populated by stands of jack pine, with stands of white birch and trembling aspen in steeper areas. These shade-intolerant hardwoods also grow on the eastern slope toward Lac Opasatica and in areas of lower elevation. Medium age stands (50-70 years) comprise 95% of the plant cover here. Stands of jack pine occupy areas of rocky outcrops, while stands of black spruce are chiefly found in areas of rocky outcrops, but also in the northern part of this unit.

The complex of till hillocks, rocky outcrops and slopes in the western ecological unit features colonies of white birch and black spruce. There is also a white pine-red pine stand with the characteristics of a rare forest. Cedar stands

occupy the area between lakes Hébert and Dufay. There are also isolated stands of yellow birch, white pine, balsam fir and tamarack. The forests are mostly young, and though the total area of old stands is relatively large, they are small and scattered, not in forest massifs.

**Flora:** In 2011 a survey targeting specific parts of the reserve was conducted by FloraQuebeca. The survey identified 335 vascular species, including 23 species of interest, as well as 1 species of lichen, 3 species of mushroom and 1 species of bryophyte (FloraQuebeca, 2012). No comprehensive plant inventory has been done for the entire territory of the reserve. However, Baldwin (1958) and Rousseau (1974) studied the vascular flora of the clay belt of northeastern Ontario and northwestern Québec, where the reserve is located. Chiefly characterized by boreal vegetation, the clay belt covers most of Abitibi and northern Témiscamingue. The few surveys done after Baldwin's study indicate that the region is home to around 1000 vascular species, while its non-vascular species include 125 lichens, 30 liverworts and 159 mosses. No survey has been done for the region's mushrooms and algae.

**Fauna:** No inventory has been done for wildlife in the reserve. However, species mentioned in the literature as being characteristic of the balsam fir-yellow birch and balsam fir-white birch forests of western Québec include the following: snowshoe hare, black bear, red squirrel, Canadian beaver, muskrat, American porcupine, red fox, patched fox, American marten, weasel, fisher, American mink, coyote, wolf, river otter, Canadian lynx, moose, white-tailed deer, and seven species of bat, three of which are endangered. According to the literature, some fifty species of mammals could inhabit western Abitibi-Témiscamingue, and thus the territory of Réserve de biodiversité Opasatica.

At the same time, bird surveys indicate that the species frequenting the reserve are characteristic of the balsam fir stands, mixed forests and continuous boreal forests of western Québec. The reserve provides a habitat for around 109 bird species, including one that is vulnerable and two that are likely to be designated threatened or vulnerable. The bird survey was done by the Société du loisir ornithologique de l'Abitibi (SLOA). As mentioned earlier, Île Ronde has been designated as a wildlife habitat (heronry) and is protected by the provisions of the *Act respecting the conservation and development of wildlife* (chapter C-61.1). There are about 40 active nests in the heronry (2002 census).

Of the 24 species of fish found by the Ministère des Forêts, de la Faune et des Parcs (MFFP) in Lac Opasatica, the most important are walleye, northern pike, yellow perch, whitefish and smallmouth bass. Other species noted include brown bullhead, white sucker, emerald shiner, spottail shiner, burbot, trout-perch, sauger and slimy sculpin. There are walleye spawning beds in lakes Hébert and Dufay. Some of the area's streams are home to brook trout.

Among the herpetofauna (which include snakes, turtles, amphibians and salamanders), 22 species have been observed in Abitibi-Témiscamingue. Some could inhabit the lakes and watercourses of Réserve de biodiversité de la Moraine-d'Harricana (MRNF, 2007).

### 1.3.2 Outstanding elements

According to the Centre de données sur le patrimoine naturel du Québec (2014), no plant species that is threatened or vulnerable or likely to be so designated has been observed in the reserve. They could however be present. It should be noted that one threatened species and seven plant species likely to be designated

threatened or vulnerable have been found on the territory of Rouyn-Noranda. However, the plant survey conducted in 2011 by FloraQuebeca for certain parts of the reserve led to the discovery of six new species (for the region or Abitibi), two species whose presence represents an extension of their range, ten species that are rare in Abitibi, a new occurrence in the reserve for one species, and five species worthy of mention (FloraQuebec, 2012).

The bald eagle, considered vulnerable in Québec, frequents the northern part of the reserve. Again according to the Centre de données sur le patrimoine naturel du Québec (CDPNQ), there were five observations of three species at risk: the anatum peregrine falcon (a vulnerable species), southern bog lemming and short-eared owl. The last two are species likely to be designated threatened or vulnerable that were observed in the vicinity of the biodiversity reserve and could well frequent it.

The Ministère des Forêts, de la Faune et des Parcs has accorded exceptional forest ecosystem (EFE) status to three old forests and one rare forest in the reserve. They are: two stands of balsam fir-white birch-cedar, one black spruce-white pine-cedar stand and one black ash-red ash stand. The first EFE, with an area of 117 hectares, is to the west of Lac Opasatica, while the second, of 113 hectares, is on the eastern slope of the Rivière Granville valley. As for the black spruce-white pine-cedar stand, which covers 39 hectares, it is on the eastern shore of Lac Opasatica, where a rocky point protrudes into the lake between Baie Verte and Baie à Beaupré. Lastly, the rare black ash-red ash stand occupies 26 hectares on the west side of Baie à Beaupré. (See map in Appendix 1 for the location of bays in Lac Opasatica.)

The black spruce-white pine-cedar stand contains multiple micro-habitats favourable to acidophilic plant communities that are uncommon in the region. The plants that have been found include cave-dwelling species, one uncommon species (marginal wood fern) and a very rare species located at the northern limit of its range (bulblet bladder-fern). The old forest of Lac Opasatica is home to several species of interest in the undergrowth and on the rocky sides of outcrops, including large specimens of bristly black currant.

The greatest diversity of plants in the reserve is on the five rocky points of the peninsula west of Baie à l'Original. There are two aquatic species at the northern limit of their range (Nuttall's waterweed and spinose-spore quillwort), three species of orchid including one in abundance (lesser purple fringed orchid), numerous chanterelles, a hawthorn uncommon in Abitibi, a few colonies of marsh arrow-grass, and a fine population of American reedgrass.

Also worth nothing is the presence of fluvio-glacial materials on the main island of Lac Dufay and along the lake's north shore. Clay deposits are far more abundant in the southern part of the reserve, with a rich variety of plant life and large meadows.

It should also be mentioned that in the area to the northeast, adjacent to the reserve, there is a white-tailed deer yard.

Finally, there are sixteen sites of interest for Québec's archeological heritage. Their strategic position on the water route between the St. Lawrence and Hudson's Bay gave them an important role in Amerindian history. All contain remains of prehistoric Amerindian occupations, and some, the remains of Euro-Québec occupations. One site is about 4300 years old,

while another is among the rare archeological sites in Québec where rock paintings have been found. All the sites are well preserved, but they are very fragile because of their low depth in the soil. Any disturbance of the surface could result in their partial or total destruction. It should be noted that the reserve's archeological potential may be much greater than is known at present. Corporation Archéo-08 has conducted a number of archeological digs in the reserve, especially on the shores of Lac Opasatica. Begun in 1987, their work is still underway and has been conducted in close collaboration with the Ministère de la Culture et des Communications.

#### **1.4 Land occupation and uses**

The principal occupations and uses exercised in Réserve de biodiversité Opasatica are shown in Appendix 3.

One hundred and seven (107) land rights were granted within the boundaries of the reserve before it was set aside as a proposed biodiversity reserve. There are also 101 leases for temporary forest shelters (hunting camps), three resort leases (cottages) and three rights for activities complementary or accessory to a recreational trail for non-profit community use. These last are located along a network of multifunctional trails (cross-country skiing, snowshoeing, hiking) in the Passage à Paulson area.

Additionally, a snowmobile trail running north-south and marked by a snowmobile club crosses the western part of the reserve, along Lac Hébert.

Electrical transmission lines also cross the reserve. Their right of way is 12 metres wide.

The biodiversity reserve overlaps eleven trapping grounds in fur-bearing animal management units 04 and 02-B. The trappers responsible for them have not built any trapping camps in the reserve.

The following species have been harvested: weasel, beaver, coyote, squirrel, otter, Canadian lynx, American marten, fisher, muskrat, raccoon, patched fox (a cross between red fox and silver fox), red fox and mink.

Hunting is practised in the reserve; in fact, the harvest numbers for moose and black bear are twice the regional average (Ministère des Ressources naturelles et de la Faune, 2006). Due to the abundance of secondary trails to hunting camps, the natural environments surveyed in 2011 by FloraQuebeca were found to be quite fragmented. Many trails disturb the natural water flow in wetlands and encourage the propagation of invasive plant species.

With a depth of up to 60 metres, Lac Opasatica attracts a large number of boaters. The proximity of Rouyn-Noranda has led to cottage development along the east shore of Lac Opasatica. Forest roads leading in from highway 117 also provide access to lakes Pontleroy and Bull Rock. Every summer since 2008, monthly water quality monitoring has been carried out by local citizens, for Lac Opasatica and four of its headwater lakes (Évain, Fortune, King of the North and Mud). The results for conventional parameters suggest that the waters of Lac Opasatica are of good quality and not deteriorating. Monitoring for more toxic substances in the fish and surface waters of the Lac Opasatica watershed was done by a team from the Ministère de l'Environnement from the late 1970s to the early 1980s, and by the MDDEP on an occasional basis from 2009 to 2011. The results showed that toxic substances in the waters of the Lac Opasatica watershed, including metals, dioxins/furans and PCBs, are present but in negligible concentrations. Though slightly higher in the flesh of predatory fish caught from Lac Opasatica (walleye, sauger and northern



pike), concentrations of the same substances were below critical levels (MDDELCC, 2014, Guide de consommation du poisson de pêche sportive en eau douce).

## **2. Conservation and development of Réserve de biodiversité Opasatica**

This section presents conservation and development guidelines, together with objectives specific to Réserve de biodiversité Opasatica.

### **2.1 Protection of biodiversity**

To maintain the viability of ecological processes, management of the reserve should give priority to protecting the ecosystems present and the species that depend on them. This includes allowing the many ecosystems that have been disturbed to recover their dynamics and natural characteristics.

Existing occupations and uses that are compatible with the reserve's protection objectives will be maintained. Activities should be managed to ensure that they have as little impact as possible, and no long-term impact on biodiversity.

#### Specific objectives:

- ***Promote the resilience of disturbed forest ecosystems***

The total area of sections that were logged in the ten to fifteen years before the creation of the reserve is quite small. More in the past, a large proportion of the territory of the reserve was logged. That land is regenerating however, and is already populated with young and medium-age forests. The disturbed forest ecosystems should thus be able to recover their natural characteristics. The absence of any form of logging will facilitate that resilience. These environments have good productivity and will be

able to re-establish themselves in the coming decades, with no need for active management measures such as planting and restoration.

- ***Ensure the protection of intact forest ecosystems***

The forest ecosystems of the southern half of the reserve are relatively undisturbed. Most of the forests are of medium age. The jack pine stands on the plateau, where there are thin and very well drained deposits, are of particular interest. The soils supporting this ecosystem must also be well protected, especially those consisting of organic soil on rock. Any further fragmentation of the forest cover must be avoided. As for the mature and old forests, they should be given particular protection, avoiding impacts of any kind and thus any new fragmentation, intervention or development.

- ***Protect the lake ecosystems and riparian environments of Lac Opasatica***

There are over 500 cottages and residences around Lac Opasatica, most being on the east shore. Vacation activities can have impacts on aquatic and riparian environments, especially when sanitation facilities are ineffective, when banks are cleared too close to the water, or when boating activity is such that unstable or deforested banks are eroded by wave action.

The MELCC will ensure that lake and riparian ecosystems are well protected and that Lac Opasatica continues to have good quality water. Since most of the shoreline dwellings are outside of the boundaries of the reserve, the MELCC will pursue this objective by building awareness about good practices (with regard to logging, shoreline development, maintenance of sanitary facilities, and the use and maintenance of motor boats), and by ensuring the application of existing



and future standards for the protection of water bodies. The collaboration of shoreline residents outside the reserve in contributing to the protection of Lac Opasatica will be very important. To that end, cottagers and other users of the water bodies and riparian environments should be given the information needed to apply good practices, to equip them to participate in protection. The MELCC will develop communication tools to enable shoreline residents to be stakeholders in the protection of their living environment. The city of Rouyn-Noranda will be the principal partner in pursuing this objective.

On the subject of motor boat travel, there will be no new restrictions on navigation in Lac Opasatica. Regarding motorized water sports, the MELCC intends to encourage users to adopt better practices (speed reduction, appropriate motor choice, respect for fragile sites, proper maintenance of equipment, etc.). Appropriate documentation prepared by the MELCC will present good practices that users could adopt to minimize their impact on Lac Opasatica and its shoreline.

## **2.2 Knowledge acquisition and environmental monitoring**

Knowledge acquisition, besides being crucial to the achievement of objectives specific to natural heritage protection, will make it possible to monitor the natural environment. The knowledge acquired could also be used in developing activities for nature discovery, education and public awareness. It will facilitate the analysis of development projects, and ensure that management partners have a common understanding of the issues.

Ecological knowledge, especially about the support capacity of natural environments, and about the impact of recreational and tourist

activities on ecosystems, must also be developed. This will be done to properly assess the wealth of the reserve's resources, to obtain representative data, and to develop the tools needed for good management, to ensure that the biodiversity specific to the reserve is conserved.

### Specific objective:

- ***Perform targeted inventories and subsequent monitoring***

The MELCC will target certain needs related to knowledge building on biodiversity. For example, in summer 2011 a plant survey was done in parts of the reserve by FloraQuebeca. A list of terrestrial wildlife species that frequent the reserve could be created with the help of regional partners in the wildlife field. The same applies to fish species in Lac Opasatica. Other topics could be pursued, such as the resumption of regular water quality monitoring in Lac Opasatica. The subjects of surveys or research to prioritize will be determined later, and will be related to various existing or anticipated ecological problems.

## **2.3 Integrated and participative management**

The characteristics of the reserve and its adjacent areas, in particular the eastern shore of Lac Opasatica, make imperative the adoption of a management approach based on stakeholder participation. This will facilitate the harmonious management of recreational activities while protecting the natural heritage.

### Specific objective:

- ***Establish participative and collaborative management***

Inasmuch as part of what the reserve protects is a large lake, half of whose shoreline is privately owned and outside the protected area, the MELCC faces a challenge in integrated management. Another management challenge is the fact that the reserve adjoins an MRC, the city

of Rouyn-Noranda and two municipalities. To provide adequate protection to Lac Opasatica and the terrestrial ecosystems of the biodiversity reserve, the MELCC must engage the participation of the lake's users and residents, the holders of land rights, and the city of Rouyn-Noranda, the township municipality of Nédélec, and the MRC de Témiscamingue. The Algonquin community of Timiskaming will also be an important partner in managing the reserve.

The MELCC will encourage the creation of a conservation committee where issues related to protection of the reserve and the use of Lac Opasatica could be discussed by stakeholders, as well as measures to take in response. An action plan will be prepared by the MELCC in collaboration with management partners. Among other things, the plan will determine actions to be taken, the means advocated, actors chosen to perform those actions, performance horizons, and a mechanism for evaluating results.

### 3. Zoning

Réserve de biodiversité Opasatica occupies a territory adjacent to a vacation area that is excluded from the boundaries of the reserve. In the Passage à Paulson area, an enclave of private cottage lots is also excluded from the reserve. Furthermore, the biodiversity reserve is close to Rouyn-Noranda, so human pressure on the natural environment will need to be considered in the management of activities. Based on the ecosystems present, the occupation and use of the territory, the current state of the natural environment, and the reserve's protection and management objectives, the reserve has been divided into four zones. All four have a protection level and the same activity framework, but protection measures and development possibilities will reflect the specific features of each zone.

A map of the zones is provided in Appendix 4. This zoning, and the particular characteristics of

each zone, will be taken into account in the MELCC's management of the reserve and when evaluating authorization requests for activities and improvements.

The four zones are:

- Zone I: Lac Opasatica
- Zone II: Silty clay plain
- Zone III: Southern plateau
- Zone IV: Hillock complex

#### ***Zone I: Lac Opasatica***

This zone consists of Lac Opasatica, its shores and a few areas of lowland associated with the lake and topographically isolated from the other zones. Zone I covers around 56 km<sup>2</sup>, or about 17% of the territory of the reserve. Just outside the boundaries of the reserve, the significant human presence on the eastern shore of Lac Opasatica must be taken into consideration in the management of this zone.

Zone I can be considered a "humanized" zone, one in which the state of the natural environment is intimately linked to the presence and activities of humans. Maintenance of the zone's ecological integrity, and improvement of its natural character, will depend on interactions between the natural environment, neighbouring residents and cottagers, and users of the lake. A partnership between the MELCC, the city of Rouyn-Noranda and the people living around Lac Opasatica should make it possible to determine and implement appropriate conservation measures while respecting rights for occupation and use.

The conservation objective for Zone I is to maintain a balance between, on the one hand, the pressure exerted by human activities and impacts from the periphery, and on the other hand, the lake's capacity to maintain good water quality along with viable aquatic and riparian ecosystems.

Particular attention must also be paid to the conservation of the three protected areas in this zone: the heronry on Île Ronde and the two exceptional forest ecosystems.

### **Zone II: Silty clay plain**

This zone of 54 km<sup>2</sup>, covering about 16% of the territory of the reserve, corresponds to the great glaciolacustrine plain of clay and silt deposits, which is scattered with till hillocks and bog-filled hollows. A diabase dike left by differential erosion traverses the zone.

With the exception of its two exceptional forest ecosystems and their immediate surroundings, Zone II has undergone extensive logging in recent decades. The regenerating forest cover is slowly fighting back. Accordingly, the objective for this zone is to promote the resilience of its young forest cover. Any intervention that would cause further fragmentation and disturbance must be restricted. Luckily, the zone can only be accessed by a single forest road, or by water, reducing the risk of traffic and disturbances increasing.

Nonetheless, one of the main problems affecting this zone is that in winter, people cross Lac Opasatica by snowmobile and cut firewood for their homes and cottages. Yet no permits for firewood cutting have been granted by the MFFP in the territory of the reserve, so this activity is illegal, under both the *Natural Heritage Conservation Act* (chapter C-61.01) and the *Sustainable Forest Development Act* (chapter A-18.1).

Stumps of mature trees have been noted at the edge of one exceptional forest ecosystem. The measures to be taken to solve this problem must involve the collaboration of local actors and a common approach by the MELCC, the MFFP and the city of Rouyn-Noranda.

Due to logging done in the past, the human footprint is such that Zone II can be considered a "natural developed" zone. Management must

therefore be guided by a focus on the resilience of forest ecosystems and the need to keep further disturbance or fragmentation to a minimum. The goal pursued will be to increase the naturalness of the zone.

Zone II has about 97 linear km of roads and trails, for a fragmentation index of 1.8 km of road per km<sup>2</sup>, which is high according to Quigley *et al.* (2001). With 25 temporary shelters (hunting camps), the zone has a relatively low occupation rate of one occupation per 2 km<sup>2</sup>.

Particular protection from disturbance will be given to the two exceptional forest ecosystems along with the areas surrounding them.

### **Zone III: Southern plateau**

This zone of 81 km<sup>2</sup>, covering about 24% of the reserve, is the least disturbed part. Though mostly composed of medium age stands, the forest cover is relatively undisturbed, except for a few small sections that were logged just before the area was set aside as a proposed biodiversity reserve.

With 26 linear km of roads and trails, Zone III has a relatively low fragmentation index (Quigley *et al.* 2001), 0.3 linear km per km<sup>2</sup>. There are twenty leases for temporary shelters and three leases for activities complementary or accessory to a recreational trail for non-profit community use. The occupation rate is low at one occupation per 3.5 km<sup>2</sup>.

Covered with thin till, the southern plateau has numerous rocky outcrops with sparse vegetation. It includes the area of steep slopes leading down to the western shore of Lac Opasatica.

Due to its high level of naturalness, Zone III can be considered a "natural" zone, in which the natural character of ecosystems must be preserved. Zone III should be managed as the anchor of the reserve's protection.

**Zone IV: Hillock complex**

This zone occupies the entire western portion of the reserve. It takes the form of a complex of hillocks rising above the clay lowlands. The zone covers 144 km<sup>2</sup>, or about 43% of the reserve.

Zone IV is characterized by numerous recent cutblocks (logged sites) dating from a few years before the creation of the reserve. The cutblocks are interspersed with areas that escaped harvesting, where there are mature and old forests and indeed three biological refuges.

As with Zone II, Zone IV can be considered a “natural developed” zone and will need to be managed with a focus on the resilience of disturbed forest ecosystems. The fragmentation rate of the forest cover is similar to that of Zone II.

It will be particularly important to consolidate the residual blocks of old forest, which are present here in greater proportion than in the rest of the reserve. Elements that fragment the territory (forest roads and their rights of way) will be renaturalized if no longer used as access routes.

There are about 184 linear km of roads and trails in this zone, giving it a fragmentation index of 1.3 km per km<sup>2</sup>, which is relatively high (Quigley *et al.* 2001). The road network reflects the presence of areas where logging was done before the creation of the reserve. There are 54 leases for temporary shelters and 2 resort leases, giving an occupation rate of one occupation per 2.6 km<sup>2</sup>, which is relatively low.

At Lac Dufay, the MFFP is conducting scientific research on the walleye population. Such research is compatible with the reserve's conservation guidelines and can thus continue.

**4. Activity framework applicable to  
Réserve de biodiversité Opasatica**

The purpose of the reserve is to protect natural environments and their components. For this reason, activities that could have a significant impact on ecosystems and biodiversity, especially of an industrial nature, are prohibited. Less harmful activities and occupations, such as those involving recreation, wildlife, ecotourism or education, are however permitted in this type of protected area.

In sum, the biodiversity reserve should be considered as a territory dedicated to protecting the natural environment, to nature discovery and to recreation.

**4.1 Activity framework established by the  
Natural Heritage Conservation Act**

Activities carried out within the biodiversity reserve are primarily governed by the provisions of the *Natural Heritage Conservation Act* (chapter C-61.01).

Under the Act, the activities prohibited in an area with the status of biodiversity reserve are primarily the following:

- mining and gas or oil extraction;
- forest management within the meaning of section 4 of the *Sustainable Forest Development Act* (chapter A-18.1);
- the exploitation of hydraulic resources and any production of energy on a commercial or industrial basis.

Though fundamental to protecting the territory and its ecosystems, the above prohibitions do not cover all of the standards considered desirable to ensure the proper management of the reserve and the conservation of its natural environment. The *Natural Heritage Conservation Act* allows the Regulation to detail the legal framework applicable on the territory of a biodiversity reserve.

#### 4.2 Activity framework established by the Regulation respecting the Réserve de biodiversité Opasatica

The provisions contained in Regulation respecting the Réserve de biodiversité Opasatica set out additional prohibitions beyond those already stipulated in the *Natural Heritage Conservation Act* (chapter C-61.01). They also provide a framework for certain permitted activities, to ensure the protection of the natural environment in accordance with the principles of conservation and other management objectives of the reserve. Certain activities are therefore subject to prior authorization by the Minister.

The measures presented in Regulation concern new interventions in particular, and generally do not affect activities that are already being practised or facilities that are already present. Many existing uses are thus preserved.

In listing the activities requiring authorization, Regulation does not identify which ones would be considered incompatible with the vocation of the reserve and could therefore be refused authorization. Basic information about the compatibility or incompatibility of each type of activity is provided in the document *Activity Framework for Biodiversity Reserves and Aquatic Reserves*, which available on the website of the MELCC at

[http://www.mddelcc.gouv.qc.ca/biodiversite/aires\\_protegees/regime-activites/regime-activite-reserve-bio-aqua-en.pdf](http://www.mddelcc.gouv.qc.ca/biodiversite/aires_protegees/regime-activites/regime-activite-reserve-bio-aqua-en.pdf).

Note that certain activities are exempted from the requirement to obtain authorization. These exemptions are also presented in Regulation.

#### 5. Activities governed by other laws

Certain activities that could potentially be practised in the biodiversity reserve are also governed by other applicable legislative and regulatory provisions, and some require a permit or authorization or the payment of certain fees.

Certain activities could be prohibited or limited under other laws or regulations applicable on the territory of the reserve.

In the territory of Réserve de biodiversité Opasatica, a particular legal framework may govern permitted activities under the following categories:

- **Protection of the environment:** measures stipulated by the *Environment Quality Act* (chapter Q-2) and its regulations;
- **Archeological research and discoveries:** measures stipulated by the *Cultural Heritage Act* (chapter P-9.002);
- **Exploitation and conservation of wildlife resources:** measures stipulated by the *Act respecting the conservation and development of wildlife* (chapter C-61.1) and its regulations, including provisions related to threatened or vulnerable wildlife species, outfitters and beaver reserves, and measures in the applicable federal laws and regulations, including the legislation and regulations on fisheries;
- **Plant species designated as threatened or vulnerable:** measures prohibiting the harvesting of such species under the *Act respecting threatened or vulnerable species* (chapter E-12.01);
- **Access and property rights related to the domain of the State:** measures stipulated by the *Act respecting the lands in the domain of the State* (chapter T-8.1) and by the *Watercourses Act* (chapter R-13);
- **Issuance and oversight of forest development permits** (harvesting of firewood for domestic purposes, wildlife development, recreational development); and **delivery of authorizations** (forest roads): measures stipulated by the *Sustainable Forest Development Act* (chapter A-18.1);

- **Travel:** measures stipulated by the *Act respecting the lands in the domain of the State* and by the regulations on motor vehicle travel in fragile environments, under the *Environment Quality Act*;
- **Construction and development standards:** regulatory measures adopted by local and regional municipal authorities in accordance with the applicable laws.

## 6. Management

### 6.1 Responsibilities of the Minister of Environment and the Fight against Climate Change

The Minister of Environment and the Fight against Climate Change is responsible for the management of the reserve. Among other things, the Minister sees to the application of the *Natural Heritage Conservation Act* (chapter C-61.01) and the Regulation respecting the Réserve de biodiversité Opasatica. In managing the reserve, the MELCC enjoys the collaboration and participation of other government representatives that have specific responsibilities in or adjacent to the territory.

### 6.2 Monitoring

As mentioned in section 2, “Conservation and development of Réserve de biodiversité Opasatica”, measures will be taken toward monitoring the status of the natural environment, in collaboration with the following local and regional partners: municipal stakeholders, partners in the areas of environment, recreation and education, and the occupants and users of the territory (cottagers, hunters, fishers, trappers, etc.).

### 6.3 Participation of stakeholders

As mentioned in section 2, “Conservation and development of Réserve de biodiversité Opasatica”, the MELCC will seek the

collaboration and participation of stakeholders in managing the reserve. Its intention is to draw up an action plan to guide management in protecting and enhancing the territory and its resources. The MELCC will prepare the plan in collaboration with the regional actors concerned. A participation and consultation mechanism for local stakeholders will be worked out by the MELCC on the basis of local and regional territorial realities.

Management of the biodiversity reserve will respect the following conservation principles:

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

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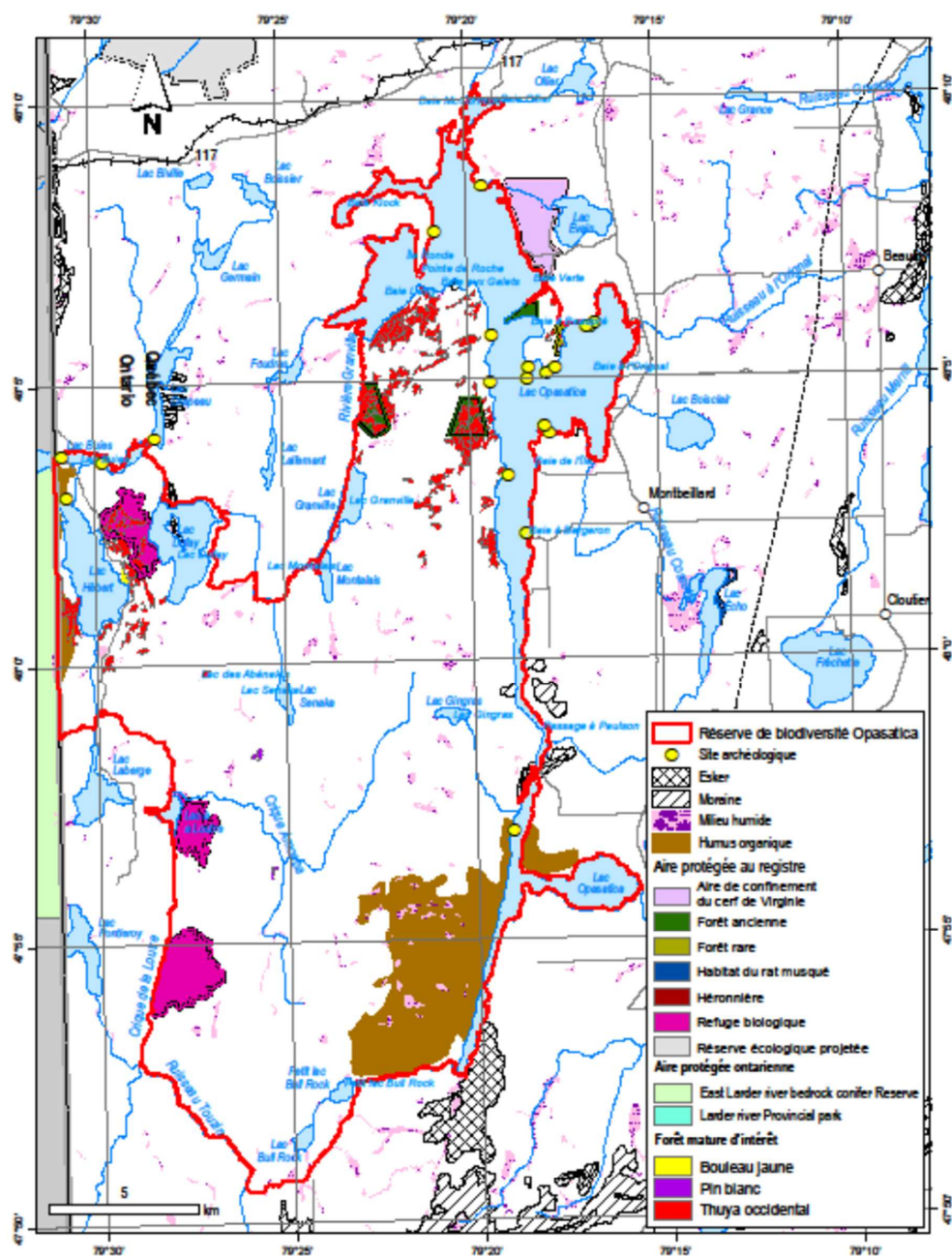


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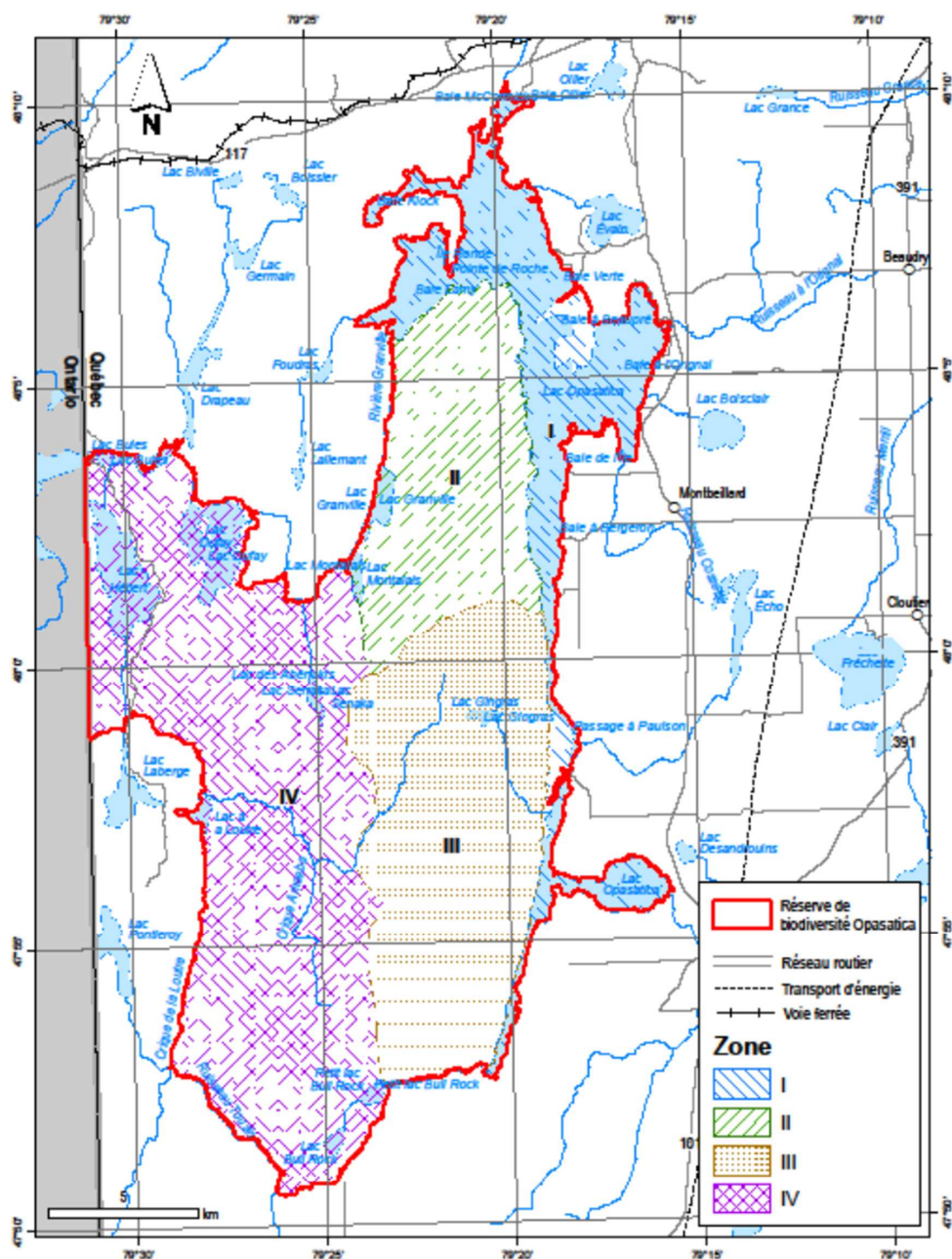
## Appendix 2 — Réserve de biodiversité Opasatica: Elements of ecological interest







## Appendix 4 — Réserve de biodiversité Opasatica: Zoning



Gouvernement du Québec

## O.C. 113-2019, 13 February 2019

Natural Heritage Conservation Act  
(chapter C-61.01)

Permanent status of the Réserve de biodiversité Kakinawigak, the Regulation respecting that reserve and its conservation plan

WHEREAS, under the first paragraph of section 43 of the Natural Heritage Conservation Act (chapter C-61.01), the Minister of Environment and the Fight Against Climate Change may recommend to the Government that all or part of land set aside under section 27 of the Act be assigned a permanent protection status as biodiversity reserve;

WHEREAS, under the second paragraph of section 43 of the Act, the Minister is to submit at the same time to the Government for its approval the conservation plans for the land;

WHEREAS, by Order in Council 484-2004 dated 19 May 2004, the Government authorized the Minister of the Environment to assign the status of proposed biodiversity reserve to the territory of Des Quinze lake and approved the plan of that area and the proposed conservation plan for that area;

WHEREAS, by Minister's Order dated 17 June 2004 (2004, *G.O.* 2, 2301), the Minister of the Environment assigned the status of proposed biodiversity reserve to the territory of Des Quinze lake for a period of 4 years beginning on 14 July 2004;

WHEREAS, by Order in Council 136-2008 dated 20 February 2008, the Government approved the amendments to the conservation plan of that reserve;

WHEREAS the setting aside of that territory was extended for 4 years under the Order of the Minister of Sustainable Development, Environment and Parks dated 19 June 2008 (2008, *G.O.* 2, 2561) and 8 years under the Order of the Minister of Sustainable Development, Environment and Parks dated 11 May 2012 (2012, *G.O.* 2, 709);

WHEREAS, in accordance with the first paragraph of section 39 of the Natural Heritage Conservation Act, the Minister of Sustainable Development, Environment and Parks entrusted the mandate to hold a public consultation on the proposed Des Quinze lake biodiversity reserve to the Bureau d'audiences publiques sur l'environnement and its inquiry and public hearing report was made public on 17 July 2008;

WHEREAS the report deals with the feasibility of enlarging the territory of the proposed Des Quinze lake biodiversity reserve and concludes, among other things, that permanent protection status should be assigned to it;

WHEREAS the limits of the proposed Des Quinze lake biodiversity reserve were reassessed by the Minister and changed after the public consultation to ensure increased protection to mature deciduous stands, and to rely on natural elements easily visible on the site to facilitate management;

WHEREAS the plan of the proposed Des Quinze lake biodiversity reserve and its conservation plan were adjusted based on the changed limits and the technical description corresponding to the new limits has been prepared;

WHEREAS the land included in the territory forms part of the domain of the State and is not part of a reserved area or an agricultural zone established under the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1);

WHEREAS, in accordance with the first paragraph of section 151 of the Act respecting land use planning and development (chapter A-19.1), the Minister of Sustainable Development, the Environment and the Fight Against Climate Change notified an opinion describing the planned intervention to the council of Municipalité régionale de comté de Témiscamingue;

WHEREAS, in accordance with paragraph 2 of section 157 of that Act, the planned intervention is deemed to be in conformity with the land use and development plan of Municipalité régionale de comté de Témiscamingue in force in its territory, where its council did not give an opinion on that conformity within the time prescribed in the first paragraph of section 152 of that Act;

WHEREAS the Commission de toponymie sent to the Minister its approval of the name "Réserve de biodiversité Kakinawigak" to designate that permanent biodiversity reserve;

WHEREAS, under subparagraph *f* of paragraph 1 of section 46 of the Natural Heritage Conservation Act, in an aquatic reserve and a biodiversity reserve, any activity which the Government may prohibit by regulation is prohibited;

WHEREAS, under subparagraph *g* of paragraph 1 of section 46 of the Act, in an aquatic reserve and a biodiversity reserve, subject to measures in the conservation plan authorizing the activities and specifying the conditions on which they may be carried on, any allocation of a right

to occupy land for vacation resort purposes, earthwork, backfilling or construction work and commercial activities are prohibited;

WHEREAS, under paragraph 2 of section 46 of the Act, all other activities are permitted, in addition to those prohibited by paragraph 1 of that section, subject to the applicable conditions;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), the draft Regulation respecting the Réserve de biodiversité Kakinawigak was published in Part 2 of the *Gazette officielle du Québec* of 10 May 2017 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 respecting the Réserve de biodiversité Kakinawigak with amendments, in particular to include the technical description of the territory and to make technical adjustments;

WHEREAS, under paragraph 3 of section 44 of the Natural Heritage Conservation Act, the establishment of a biodiversity reserve and a change in its limits, or its abolishment, is effected by order of the Government, on a proposal by the Minister, subject to the publication of a notice of the decision of the Government to establish a biodiversity reserve in the *Gazette officielle du Québec* with the plan of the area and the conservation plan;

WHEREAS the publication in the *Gazette officielle du Québec* of this Order in Council, of the Regulation respecting the Réserve de biodiversité Kakinawigak and of its conservation plan constitutes the notice required by that paragraph, including the documents that must accompany it;

WHEREAS, under section 45 of the Natural Heritage Conservation Act, permanent protection status for land, conservation plans and applicable agreements, and amendments or revocations take effect on the date of publication of the order in the *Gazette officielle du Québec* or on any later date specified in the order;

IT IS ORDERED, therefore, on the recommendation of the Minister of Environment and the Fight Against Climate Change:

THAT permanent biodiversity reserve status be assigned to the territory described in the Regulation attached to Schedule I to this Order in Council, under the name “Réserve de biodiversité Kakinawigak”;

THAT the Regulation respecting the Réserve de biodiversité Kakinawigak, attached to Schedule I to this Order in Council, be made;

THAT the conservation plan applicable to the Réserve de biodiversité Kakinawigak, attached to Schedule II to this Order in Council, be approved;

THAT permanent status of the Réserve de biodiversité Kakinawigak and its conservation plan take effect on the fifteenth day following the date of their publication in the *Gazette officielle du Québec*.

YVES OUELLET,  
*Clerk of the Conseil exécutif*

## SCHEDULE I

### Regulation respecting the Réserve de biodiversité Kakinawigak

Natural Heritage Conservation Act  
(chapter C-61.01, s. 43 and s. 46, par. 1, subpars. e, f and g, and par. 2)

1. The Réserve de biodiversité Kakinawigak is constituted in the territory described in the Schedule.

2. For the purpose of this Regulation

(1) the words or terms “high-water mark”, “littoral zone”, “floodplain”, “lakeshore” and “riverbank” have the same meaning as the meaning given in the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains (chapter Q-2, r. 35);

(2) the term “wetlands and bodies of water” has the same meaning as the meaning given in section 46.0.2 of the Environment Quality Act (chapter Q-2);

(3) the term “forest development activity” has the same meaning as the meaning given in the Sustainable Forest Development Act (chapter A-18.1).

## DIVISION I

### PROTECTION OF RESOURCES AND THE NATURAL ENVIRONMENT

3. Subject to the prohibition in the second paragraph, no person may introduce any individuals of a native or non-native species of fauna into the biodiversity reserve, including by stocking, unless the person has been authorized by the Minister.



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

Except with the authorization of the Minister, no person may introduce non-native species of flora into the biodiversity reserve.

4. No person may use fertilizers in the biodiversity reserve. Compost for domestic purposes is however permitted if it is used at least 20 metres from a lake or watercourse, measured from the high-water mark.

5. No person may remove from the biodiversity reserve species of flora, small fruits or any other non-timber forest product by mechanical means.

6. No person may in the biodiversity reserve, unless the person has been authorized by the Minister,

(1) intervene in a wetland area, including a marsh, swamp or peat bog;

(2) modify the natural drainage or water regime, including by creating or developing lakes and watercourses;

(3) dig, fill, obstruct or divert a lake or watercourse;

(4) install or erect any construction, infrastructure or new works in the littoral zone, on the banks or shores or the floodplains of a lake or watercourse; no authorization is however required for minor works — quay or platform, boat shelter — installed for private purposes and may be 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 an activity other than those referred to in paragraphs 1 to 4 likely to directly and substantially affect the biochemical characteristics or quality of wetlands and bodies of water in the biodiversity reserve, including by discharging or dumping residual materials or contaminants into the wetlands or bodies of water;

(6) carry out soil development work or an activity likely to degrade the soil or a geological formation, or to damage the vegetation cover, in particular by stripping, the digging of trenches or excavation work, including any burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose;

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

(8) reconstruct or demolish a structure, infrastructure or works;

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

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

(11) hold a sports event, tournament, rally or any other similar event where

(a) fauna or flora species are taken or are likely to be taken; or

(b) motor vehicles or craft are used.

7. Despite paragraphs 6, 7 and 8 of section 6, if the requirements provided for in the second paragraph are met, no authorization is required to carry out the following work:

(1) the maintenance, repair or improvement of any construction, infrastructure or works, including a camp, a cabin, a road or a trail, including an ancillary facility such as a lookout or stairs;

(2) the construction or installation

(a) of a dependency or a facility ancillary to a trapping camp, a rough shelter, a shelter or a cabin, including a shed, a water withdrawal facility or a discharge and disposal of waste water, grey water and toilet effluents; or

(b) of a trapping camp, a rough shelter, a shelter or a cabin if, on the date of coming into force of this Regulation, such a building was allowed under the right of use or occupancy granted, but was not yet carried out; or

(3) the demolition or reconstruction of a trapping camp, a rough shelter, a shelter or a cabin, including a dependency or a facility ancillary to such a construction, including a shed, a water withdrawal facility or a discharge and disposal of waste water, grey water and toilet effluents.

The carrying out of the work referred to in the first paragraph must comply with the following:

(1) the work involves a construction, infrastructure or works whose presence is allowed in the territory of the biodiversity reserve;

(2) the work is carried out within the area of the land or right of way covered by the right of use or occupancy in the biodiversity reserve, whether the right results from a lease, a servitude or another form of title, permit or authorization;

(3) 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 allowed by 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 set under an authorization issued in connection with that construction, works or infrastructure;

(4) the work is carried out in accordance with the prescriptions of any permit or authorization issued for the work or in connection with the construction, infrastructure or works to which they are related, as well as in compliance with the applicable legislative and regulatory measures;

(5) in the case of forest roads, the work must not result in altering or exceeding the existing right of way, enlarging the driving roadway or converting the road into a higher class road.

For the purposes of this section, repair and improvement work includes work to replace or install structures or facilities with a view to complying with the requirements of environmental regulations.

**8.** No person may bury, incinerate, abandon or dispose of residual materials or snow, except if they are disposed of in waste disposal containers, facilities or sites determined by the Minister or, in other cases, with the authorization of the Minister.

Despite the first paragraph, an outfitter holding a lease for accommodation purposes in the reserve does not need an authorization to use a disposal facility or site, in compliance with the Environment Quality Act (chapter Q-2) and its regulations, if the outfitter was already using the facility or site on the date of coming into force of this Regulation.

## **DIVISION II**

### **RULES OF CONDUCT FOR USERS**

**9.** No person may enter, carry on an activity or operate a vehicle in a given sector of the biodiversity reserve if the signage erected by the Minister restricts access, traffic or certain activities in the sector 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.

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

## **DIVISION III**

### **ACTIVITIES REQUIRING AN AUTHORIZATION**

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

For the purposes of the first paragraph,

(1) the occupation or use of a site includes

(a) staying or settling in the biodiversity reserve, for instance for vacation purposes;

(b) setting up a camp or shelter; and

(c) installing, burying or abandoning any property in the reserve, including equipment, a device or a vehicle; and

(2) the expression “same site” includes any other site within a radius of 1 kilometre from the site.

Despite the first paragraph, an authorization is not required if a person,

(1) on the date of coming into force of this Regulation, was a party to a lease or had already obtained another form of right or another authorization allowing the person to legally occupy the land under the Act respecting the lands in the domain of the State (chapter T-8.1) or, if applicable, the Act respecting the conservation and development of wildlife (chapter C-61.1), and whose right to occupy the land is renewed or extended on the same conditions, subject to possible changes in fees; or

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

**12.** No person may carry on forest management activities to meet domestic needs or for the purpose of maintaining biodiversity, unless the person has been authorized by the Minister.

Despite the first paragraph, persons staying or residing in the biodiversity reserve and who collect wood required to make a campfire are not required to obtain the authorization of the Minister.

No such authorization is required if a person collects firewood to meet domestic needs to supply a trapping camp or a rough shelter permitted within the reserve in the following cases and on the following conditions:

(1) 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 under the Sustainable Forest Development Act (chapter A 18.1);

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

In addition, no authorization to carry on a forest management activity is required if a person authorized by lease to occupy land within the biodiversity reserve in accordance with this Regulation carries on the forest management activity for the purpose of

(1) clearing, maintaining or creating visual openings, and any other similar removal work permitted under the provisions governing the sale, lease and granting of immovable rights under the Act respecting the lands in the domain of the State (chapter T-8.1), including for access roads, stairs or other trails permitted under those provisions; or

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

If the work referred to in subparagraph 2 of the fourth paragraph is carried on for or under the responsibility of an enterprise providing any of those services, the work requires the prior authorization of the Minister, other than in the case of the exemptions provided for in sections 14 and 16.

**13.** No person may carry on commercial activities in the biodiversity reserve, except with the authorization of the Minister.

Despite the first paragraph, no authorization is required

(1) if the activity does not involve the taking of fauna or flora resources, or the use of a motor vehicle; or

(2) to carry on commercial activities if, on the date on which protection status as a biodiversity reserve takes effect, the activities were the subject of a right of use of the land for such purpose, whether or not the right results from a lease or another form of title, permit or authorization, within the limits of what the right allows.

#### **DIVISION IV** **AUTHORIZATION EXEMPTIONS**

**14.** Despite the preceding provisions, an authorization is not required for an activity or other form of intervention within the biodiversity reserve if urgent action is necessary to prevent harm to the health or safety of

persons, or to repair or prevent damage caused by a real or apprehended catastrophe. The person concerned must, however, immediately inform the Minister of the activity or intervention that has taken place.

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

**16.** Despite the preceding provisions, the following activities and interventions carried out by Hydro-Québec (hereinafter the “Société”) or by any other person for Hydro-Québec do not require the prior authorization of the Minister under this Regulation:

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

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

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

For the purposes of this section, the activities and interventions of the Société include but are not restricted to pre-project studies, analysis work or field research, work required to study and monitor the impact of power transmission and distribution line corridors and rights of way, geological or geophysical surveys and survey lines, and the opening and maintenance of roads required for the purpose of access, construction or traffic incidental to the work.

#### **DIVISION V** **FINAL**

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

**SCHEDULE****TECHNICAL DESCRIPTION****RÉSERVE DE BIODIVERSITÉ KAKINWAWIGAK  
(s. 1)**

[Translation of the technical description filed in French only in the office of the Surveyor-General of Québec of the Ministère de l'Énergie et des Ressources naturelles.]

Description of a territory of irregular shape in the townships of Rémigny, Beaumesnil, Villars, Bauneville and Latulipe, in the territory of Municipalité du Village d'Angliers, de Moffet et de Rémigny, in the administrative region of Abitibi-Témiscamingue, registration divisions of Témiscamingue and Rouyn-Noranda. The perimeter of the territory may be described as follows, namely:

**PARCEL A**

Starting from a point situated at the intersection of the northwestern right of way of the Hydro-Québec power transmission line 36.576 metres (120 feet) in width, and the northeastern shore of lac des Quinze, that is, point 1 (5 275 969 m north, 329 023 m east);

Thence, in an average northerly direction along the eastern shore of lac des Quinze and the northern shore of a lake, bank of a stream and shore of another unnamed lake to point 2 (5 284 702 m north, 330 862 m east);

Thence, northerly, following a straight line having a bearing of 7°45'00" over a distance of about 17 metres, to the intersection with the southern right of way of an unnamed road, that is, point, 3 (5 284 719 m north, 330 864 m east);

Thence, in an average easterly direction, along the southern right of way of an unnamed road to the intersection of another unnamed road, that is, point 4 (5 284 693 m north, 332 114 m east);

Thence, in an average northeasterly direction, along the southeastern right of way of an unnamed road, to the intersection of another unnamed road, that is, point 5 (5 285 040 m north, 332 399 m east);

Thence, in an average easterly direction, along the southern right of way of an unnamed road, to the intersection with the western bank of an unnamed stream, that is, point 6 (5 285 031 m north, 333 642 m east);

Thence, in an average northerly direction, following the western bank of that unnamed stream to the intersection with the southern shore of an unnamed lake, that is, point 7 (5 285 037 m north, 333 641 m east);

Thence, in an average northeastern direction, along the western shore of an unnamed lake and the northwestern bank of an unnamed stream, to point 8 (5 285 546 m north, 334 028 m east);

Thence, northeasterly, following a straight line having a bearing of 46°21'11" over a distance of about 180 metres to the intersection with the northwestern bank of an unnamed stream that is, point 9 (5 285 670 m north, 334 158 m east);

Thence, in an average easterly direction, along the northern bank of an unnamed stream, to the intersection of the northern bank of the unnamed stream with the western shore of lac des Guêpes, point 10 (5 285 721 m north, 334 431 m east);

Thence, in an average northeasterly direction, along the northwestern shore of lac des Guêpes, to point 11 (5 286 028 m north, 334 691 m east);

Thence, easterly, following a straight line having a bearing of 112°26'40" over a distance of about 30 metres to the intersection with the southeastern shore of lac des Guêpes that is, point 12 (5 286 016 m north, 334 719 m east);

Thence, in an average southwesterly direction, along the southeastern shore of lac des Guêpes, to the intersection of the northern bank of an unnamed stream that is, point 13 (5 285 733 m north, 334 583 m east);

Thence, in an average easterly direction, along the northern bank of an unnamed stream and shore of unnamed lakes, to the intersection of an unnamed road that is, point 14 (5 285 971 m north, 338 145 m east);

Thence, in an average northerly direction, along the eastern right of way of an unnamed road, to the intersection of another unnamed road that is, point 15 (5 286 086 north, 338 099 m east);

Thence, in an average easterly direction, along the southern right of way of an unnamed road, to point 16 (5 286 140 m north, 338 333 m east);

Thence, northeasterly, following a straight line having a bearing of 63°35'32" over a distance of about 30 metres to the intersection with the southeastern shore of an unnamed lake that is, point 17 (5 286 154 m north, 338 360 m east);

Thence, in an average easterly direction, along the southern shore of an unnamed lake, excluded from the biodiversity reserve, to point 18 (5 286 174 m north, 338 411 m east);

Thence, northeasterly, following a straight line having a bearing of 51°20'26" over a distance of about 6 metres to the intersection with the southern right of way of an unnamed road that is, point 19 (5 286 178 m north, 338 416 m east);

Thence, in an average northeasterly direction, along the southern and eastern right of way of an unnamed road, to the intersection of another unnamed road that is, point 20 (5 286 663 m north, 339 096 m east);

Thence, in an average easterly direction, along the southern right of way of an unnamed road, to the intersection of another unnamed road, that is, point 21 (5 286 599 m north, 339 466 m east);

Thence, in an average easterly direction, along the southern and eastern right of way of an unnamed road, to the intersection of another unnamed road, that is, point 22 (5 286 812 m north, 340 861 m east);

Thence, in an average easterly direction, along the southern right of way of an unnamed road, to the intersection of another unnamed road, that is, point 23 (5 286 608 m north, 342 686 m east);

Thence, in an average southerly direction, along the western right of way of an unnamed road, to the intersection of an unnamed stream, that is, point 24 (5 286 458 m north, 342 630 m east);

Thence, in an average easterly direction, along the northeastern bank of an unnamed stream and shore of an unnamed lake and the northwestern bank of another unnamed stream, to the intersection of another unnamed stream, that is, point 25 (5 286 327 m north, 343 095 m east);

Thence, in an average easterly direction, along the northeastern bank of an unnamed stream, to point 26 (5 284 282 m north, 344 947 m east);

Thence, easterly, following a straight line having a bearing of 81°13'31" over a distance of about 93 metres to the intersection with the southwestern right of way of an unnamed road, that is, point 27 (5 284 296 m north, 345 038 m east);

Thence, in an average easterly direction, along the southern right of way of an unnamed road, to point 28 (5 284 302 m north, 345 695 m east);

Thence, easterly, following a straight line having a bearing of 81°13'33" over a distance of about 28 metres to the intersection with the northwestern bank of an unnamed stream, that is, point 29 (5 284 306 m north, 345 723 m east);

Thence, in an average southeasterly direction, along the northern bank of an unnamed stream and the southwestern shore of lac Beaudry, excluded from the biodiversity reserve, to the intersection of the northern right of way of the Hydro-Québec power transmission line 36.576 metres (120 feet) in width, that is, point 30 (5 283 026 m north, 347 564 m east);

Thence, in an average westerly direction, along the northern right of way of the Hydro-Québec power transmission line 36.576 metres (120 feet) in width, to the intersection of an unnamed road, that is, point 31 (5 281 937 m north, 341 466 m east);

Thence, in an average northwesterly direction, along the northeastern right of way of an unnamed road, to the intersection of an unnamed stream, that is, point 32 (5 282 123 m north, 341 135 m east);

Thence, in an average westerly direction, along the southeasterly bank of an unnamed stream, excluded from the biodiversity reserve, the southeastern shore of an unnamed lake, excluded from the biodiversity reserve and the northern bank of another unnamed stream, excluded from the biodiversity reserve, to point 33 (5 282 571 m north, 339 880 m east);

Thence, northerly following a straight line having a bearing of 342°05'47" over a distance of about 989 metres to the intersection with the southeastern bank of an unnamed stream, that is, point 34 (5 283 512 m north, 339 576 m east);

Thence, in an average southerly direction, along the southeastern banks and shores of unnamed streams and lakes, the southwestern shore of an unnamed lake, excluded from the biodiversity reserve, and the southwestern bank of an unnamed stream, excluded from the biodiversity reserve, to the intersection of the northern right of way of the Hydro-Québec power transmission line 36.576 metres (120 feet) in width, that is, point 35 (5 281 539 m north, 339 978 m east);

Thence, in an average westerly direction, along the northern right of way of the Hydro-Québec power transmission line 36.576 metres (120 feet) in width, to point 36 (5 278 835 m north, 330 684 m east);

Thence, in an average southwesterly direction, along the northwestern right of way of the Hydro-Québec power transmission line 36.576 metres (120 feet) in width, to starting point 1.

Having an area of 76.36 square kilometres.



**PARCEL B**

Starting from point 30 (5 283 026 m north, 347 564 m east) of parcel A described above, easterly, following a straight line having a bearing of 83°56'41" over a distance of about 71 metres, to the intersection of the southeastern shore of lac Beaudry, that is, point 37 (5 283 033 m north, 347 634 m east), being the starting point of the parcel to be described;

Thence, in an average northeasterly direction, along the southeastern shore of lac Beaudry, to the intersection of an unnamed stream, that is, point 38 (5 285 891 m north, 348 854 m east);

Thence, in an average southerly direction along the southwestern banks and shores of unnamed streams and lakes, the western banks and shores of unnamed streams and lakes and the northwestern banks and shores of unnamed streams and lakes, which streams and lakes are excluded from the biodiversity reserve, to point 39 (5 284 117 m north, 349 238 m east);

Thence, southwesterly, following a straight line having a bearing of 208°22'38" over a distance of about 608 metres, to the intersection of an unnamed stream, that is, point 40 (5 283 582 m north, 348 949 m east);

Thence, southerly, following a straight line having a bearing of 167°45'59" over a distance of about 409 metres, to the intersection with the northern right of way of the Hydro-Québec power transmission line 36.576 metres (120 feet) in width, that is, point 41 (5 283 182 m north, 349 036 m east);

Thence, in an average westerly direction, along the northern right of way of the Hydro-Québec power transmission line 36.576 metres (120 feet) in width, to starting point 37.

Having an area of 3.52 square kilometres.

**PARCEL C**

Starting from point 1 (5 275 969 m north, 329 023 m east) of parcel A described above, easterly, following a straight line having a bearing of 103°42'20" over a distance of about 38 metres, to the intersection of the southeastern right of way of the Hydro-Québec power transmission line, that is, point 42 (5 275 960 m north, 329 060 m east), being the starting point of the parcel to be described;

Thence, in an average northeasterly direction, along the southeastern right of way of the Hydro-Québec power transmission line 36.576 metres (120 feet) in width, to point 43 (5 278 804 m north, 330 708 m east);

Thence, in an average easterly direction, along the southern right of way of the Hydro-Québec power transmission line 36.576 metres (120 feet) in width, to point 44 (5 280 973 m north, 338 185 m east);

Thence, southwesterly, following a straight line having a bearing of 204°28'57" over a distance of about 33 metres, to the intersection with the southeastern bank of an unnamed stream, that is, point 45 (5 280 943 m north, 338 171 m east);

Thence, in an average southwesterly direction, along the southeastern banks of streams, shore of an unnamed lake, to the intersection of an unnamed road, that is, point 46 (5 279 775 m north, 336 050 m east);

Thence, in an average easterly direction, along the southern right of way of an unnamed road, to the intersection of another unnamed road, that is, point 47 (5 279 792 m north, 336 158 m east);

Thence, in an average southwesterly direction, along the northwestern right of way of an unnamed road, to the intersection of another unnamed road, that is, point 48 (5 279 286 m north, 335 899 m east);

Thence, in an average southerly direction, along the western right of way of the same unnamed road, to the intersection of another unnamed road, that is, point 49 (5 278 407 m north, 335 889 m east);

Thence, in an average southerly direction, along the western right of way of the same unnamed road, to the intersection of another unnamed road, that is, point 50 (5 278 037 m north, 335 800 m east);

Thence, in an average southerly direction, along the western right of way of the same unnamed road, to the intersection of another unnamed road, that is, point 51 (5 277 643 m north, 335 775 m east);

Thence, in an average southeasterly direction, along the southwestern right of way of the same unnamed road, to the intersection of another unnamed road, that is, point 52 (5 277 169 m north, 336 488 m east);

Thence, in an average southerly direction, along the western right of way of the same unnamed road, to the intersection of another unnamed road, that is, point 53 (5 276 813 m north, 336 556 m east);

Thence, in an average southeasterly direction, along the southwestern right of way of the same unnamed road, to the intersection of another unnamed road, that is, point 54 (5 276 660 m north, 336 684 m east);

Thence, in an average easterly direction, along the southwestern right of way of the same unnamed road, to the intersection of an unnamed stream, that is, point 55 (5 276 528 m north, 337 176 m east);

Thence, in an average southerly direction along the southwestern bank of an unnamed stream, the southern banks and shores of unnamed streams and lakes and the western banks and shores of unnamed streams and lakes, which streams and lakes are excluded from the biodiversity reserve, to the intersection of the northern shore of an unnamed lake, that is, point 56 (5 274 460 m north, 337 907 m east);

Thence, in an average southeasterly direction, along the southwestern shore of a lake and bank of an unnamed stream excluded from the biodiversity reserve, to point 57 (5 274 117 m north, 338 200 m east);

Thence, easterly, following a straight line having a bearing of 109°18'00" over a distance of about 272 metres, to the intersection with the southwestern right of way of an unnamed road, that is, point 58 (5 274 027 m north, 338 457 m east);

Thence, in an average southerly direction along the western right of way of an unnamed road, to the intersection of an unnamed stream, that is, point 59 (5 273 033 m north, 338 882 m east);

Thence, in an average easterly direction, along the southeastern bank of an unnamed stream and the southwestern bank and shore of unnamed streams and lakes, which streams and lakes are excluded from the biodiversity reserve, to the intersection of another unnamed stream, that is, point 60 (5 272 898 m north, 339 299 m east);

Thence, in an average northeasterly direction, along the southeastern bank and shore of unnamed streams and lakes, which streams and lakes are excluded from the biodiversity reserve, to point 61 (5 273 955 m north, 341 414 m east);

Thence, easterly, following a straight line having a bearing of 110°17'46" over a distance of about 516 metres, to the intersection with the southern bank of an unnamed stream, that is, point 62 (5 273 776 m north, 341 898 m east);

Thence, in an average easterly direction, along the southern bank of an unnamed stream excluded from the biodiversity reserve, to the intersection of the western shore of lac Gaboury, that is, point 63 (5 273 722 m north, 342 767 m east);

Thence, in an average southwesterly direction, along the western shore of lac Gaboury, lac Langelier and bank of petite rivière Roger and the northern, eastern and south-western shore of lac des Quinze, which lakes and river and lot 5 593 530 are excluded from the biodiversity reserve, to the intersection of an unnamed river, that is, point 64 (5 270 989 m north, 336 473 m east);

Thence, in an average northeasterly direction, along the southeastern bank of an unnamed river, excluded from the biodiversity reserve, to the intersection of an unnamed stream, that is, point 65 (5 272 673 m north, 337 360 m east);

Thence, in an average southwesterly direction, along the northwestern bank of an unnamed river, to the intersection of the shore of lac des Quinze, that is, point 66 (5 271 024 m north, 336 383 m east);

Thence, in an average westerly direction, along the northern shore of the lac des Quinze, to the intersection of the southeastern bank of an unnamed river, that is, point 67 (5 271 621 m north, 333 955 m east);

Thence, in an average northeasterly direction, along the southeastern bank of an unnamed river to the intersection of ruisseau Misery, that is, point 68 (5 272 003 m north, 334 311 m east);

Thence, in an average southwestern direction, along the northwestern bank of an unnamed river to the intersection on the northern shore of lac des Quinze, that is, point 69 (5 271 674 m north, 333 864 m east);

Thence, in an average northwestern direction, along the shore of the lac des Quinze, so as to exclude lots 5 593 486 and 5 593 531 of the cadastre of Québec of the biodiversity reserve, to starting point 42.

Having an area of 126.32 square kilometres.

#### **PARCEL D**

Starting from point 31 (5 281 937 m north, 341 466 m east) of parcel A described above, easterly, following a straight line having a bearing of 110°32'28" over a distance of about 72 metres, to the intersection of the southern right of way of the Hydro-Québec power transmission line, that is, point 70 (5 281 911 m north, 341 534 m east), being the starting point of the parcel to be described;

Thence, in an average easterly direction, along the southern right of way of the Hydro-Québec power transmission line 36.576 metres (120 feet) in width, to the intersection of the western shore of Lac Beaudry, excluded from the biodiversity reserve, that is, point 71 (5 282 991 m north, 347 580 m east);



Thence, in an average easterly direction, along the southern shore of lac Beaudry, to the intersection of the southeastern right of way of the Hydro-Québec power transmission line, that is, point 72 (5 282 997 m north, 347 638 m east);

Thence, in an average easterly direction, along the southern right of way of the Hydro-Québec power transmission line 36.576 metres (120 feet) in width, to point 73 (5 283 146 m north, 349 044 m east);

Thence, southerly, following a straight line having a bearing of 167°45'58" over a distance of about 417 metres, to the intersection with the northeastern bank of an unnamed stream, that is, point 74 (5 282 738 m north, 349 132 m east);

Thence, in an average southerly direction along the eastern bank of an unnamed stream, to point 75 (5 282 473 m north, 349 212 m east);

Thence, southerly, following a straight line having a bearing of 184°17'50" over a distance of about 1081 metres, to the intersection with the northeastern shore of an unnamed lake, that is, point 76 (5 281 395 m north, 349 131 m east);

Thence, in an average southeasterly direction, along the northeastern shore of a lake and bank of an unnamed stream, to the intersection of another unnamed lake, that is, point 77 (5 281 261 m north, 349 367 m east);

Thence, in an average southerly direction, along the southwestern shore of an unnamed lake and the northwestern bank of an unnamed stream excluded from the biodiversity reserve, to point 78 (5 280 988 m north, 349 369 m east);

Thence, southerly following a straight line having a bearing of 195°15'37" over a distance of about 25 metres to the intersection with the southeastern bank of an unnamed stream, that is, point 79 (5 280 964 m north, 349 362 m east);

Thence, in an average southwestern direction, along the southeastern of an unnamed stream and shore of an unnamed lake, to the intersection of the shore of the said unnamed lake and bank of another unnamed stream, that is, point 80 (5 280 749 m north, 349 155 m east);

Thence, in an average southwesterly direction, along the southeastern bank of an unnamed stream to point 81 (5 280 360 m north, 348 797 m east);

Thence, southerly following a straight line having a bearing of 190°23'39" over a distance of about 172 metres to the intersection with the northwestern bank of an unnamed stream, that is, point 82 (5 280 191 m north, 348 766 m east);

Thence, in an average southerly direction along the western bank and shore of unnamed streams and lakes excluded for the biodiversity reserve, to the intersection with the northern right of way of an unnamed road, that is, point 83 (5 278 890 m north, 348 472 m east);

Thence, in an average westerly direction, along the northern right of way 20 metres wide from the centre of an unnamed road, to the intersection of another unnamed road, that is, point 84 (5 279 569 m north, 344 872 m east);

Thence, northwesterly, following a straight line having a bearing of 334°58'52" over a distance of about 17 metres to the intersection with the northwestern bank of rivière Roger, that is, point 85 (5 279 584 m north, 344 865 m east);

Thence, in an average southwesterly direction, along the northwestern bank of rivière Roger excluded from the biodiversity reserve to the intersection of an unnamed stream, that is, point 86 (5 279 460 m north, 344 705 m east);

Thence, in an average northwesterly direction, along the northern and northeastern banks and shores of unnamed streams and lakes excluded from the biodiversity reserve to the intersection of an unnamed road, that is, point 87 (5 281 243 m north, 342 955 m east);

Thence, in an average northwesterly direction, along the northeastern right of way of an unnamed road, to the intersection of another unnamed road, that is, point 88 (5 281 648 m north, 342 650 m east);

De là in an average westerly direction, along the northeastern right of way of an unnamed road, to starting point 70.

Having an area of 23.99 square kilometres.

#### **PARCEL E**

Starting from point 63 (5 273 722 m north, 342 767 m east) of parcel C described above, southeasterly, following a straight line having a bearing of 120°53'34" over a distance of about 1936 metres, to the intersection of the eastern shore of lac Gaboury, that is, point 89 (5 272 727 m north, 344 430 m east) being the starting point of the parcel to be described;

Thence, in an average easterly direction, along the northern bank and shore of unnamed streams and lakes, to the intersection of the southwestern shore of an unnamed lake, that is, point 90 (5 272 608 m north, 345 029 m east);

Thence, in an average easterly direction, along the southern shore and bank of unnamed lakes and streams, which streams and lakes are excluded from the biodiversity reserve, to the intersection of the southwestern shore of an unnamed lake, that is, point 91 (5 272 688 m north, 345 731 m east);

Thence, southerly following a straight line having a bearing of 191°58'28" over a distance of about 34 metres, to the intersection with the southern right of way of an unnamed road, that is, point 92 (5 272 655 m north, 345 724 m east);

Thence, in an average easterly direction, along the southern right of way of an unnamed road, to the intersection of an unnamed stream, that is, point 93 (5 273 097 m north, 347 899 m east);

Thence, in an average easterly direction, along the southern bank and shore of unnamed streams and lakes, which streams and lakes are excluded from the biodiversity reserve, to the intersection of the shore of lac des Quinze, that is, point 94 (5 273 155 m north, 348 837 m east);

Thence, in an average westerly direction, along the shore of lac des Quinze, baie des Quenouilles, petite rivière Roger, lac Langelier and lac Gaboury, excluded from the biodiversity reserve, to starting point 89.

Having an area of 11.96 square kilometres.

The following 6 islands of lac des Quinze whose limit with the said lake must be established at the geodesic elevation of 263.94 m are also included in the biodiversity reserve:

— Île Morris

Except and withdrawn from the right of way of the Hydro-Québec power transmission line 36.576 metres (120 feet) in width  
Coordinate: 5 275 076 m north, 328 464 m east  
Area: 0.65 square kilometres

— Unnamed island "A"

Coordinate: 5 270 109 m north, 331 219 m east  
Area: 0.04 square kilometres

— Unnamed island "B"

Coordinate: 5 263 959 m north, 336 726 m east  
Area: 0.09 square kilometres

— Île du Foyer

Coordinate: 5 262 824 m north, 337 022 m east  
Area: 0.07 square kilometres

— Unnamed island "C"

Coordinate: 5 262 441 m north, 336 846 m east  
Area: 0.02 square kilometre

— Unnamed island "D"

Coordinate: 5 262 379 m north, 337 129 m east  
Area: 0.01 square kilometre

Having a total area of 243.04 square kilometres for all of the biodiversity reserve.

Notes:

— The limit of the biodiversity reserve shown on the plan accompanying the technical description was determined from the digital files in the Québec topographic and administrative database (BDTA) at a scale of 1:20,000 of the Ministère de l'Énergie et des Ressources naturelles du Québec, an excerpt of the surveys officialized in the Registre du domaine de l'État effective on 2 May 2017 and an excerpt of the Base de données cadastrale du Québec effective on 2 May 2017.

— The right of way of 36.576 metres (120 feet) in width, of the power transmission line, Rapide-des-îles/Rapides VII corresponding to availability No. 29-T (Right #583770) in favour of Hydro-Québec.

— Generally, all the beds of watercourses, rivers and lakes are included in the biodiversity reserve. Only those excluded are mentioned in this technical description.

— The limits defined by the shore of a lake or the bank of a river or stream correspond to the high-water mark, except the limits along the shore of lac des Quinze that must be established at the geodesic elevation of 263.94 m.

— The coordinates and areas used in this technical description are approximate. They were graphically determined from the said data used to determine the limit of the biodiversity reserve. They are given in metres in reference to the Québec plane coordinate system (SCOPQ), Modified Transverse Mercator projection (MTM), Time Zone 10 (central meridian 79°30'), North American Datum 1983 (NAD83).

— The measures comply with the International System of Units.

— The limit of the biodiversity reserve is based on the actual layout of the elements described in this document and must be legally interpreted in such a way. It

was prepared by the Direction des aires protégées of the Ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques of Québec.

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

—The territory is represented on a plan at a scale of 1:40,000.

—In accordance with the instructions of the Direction des aires protégées, the information contained in the fundamental documents provided by the mandator, from which this technical description was prepared, is accepted as fact.

The whole as shown on the plan prepared by the undersigned on 8 February 2018 and filed with the office of the Surveyor-General of Québec of the Ministère de l'Énergie et des Ressources naturelles under document number 536697.

Prepared in Québec, on 23 October 2017, under number 11 327 of my minutes.

Digitally signed by:

PIERRE HAINS,  
*Land Surveyor*

Ministère du Développement durable, de  
l'Environnement et de la Lutte contre les changements  
climatiques

Direction des aires protégées

MDDELCC record: 5148-06-08(13)



**SCHEDULE II****CONSERVATION PLAN OF THE RÉSERVE DE BIODIVERSITÉ KAKINWAWIGAK**

# Réserve de biodiversité Kakinwawigak



CONSERVATION PLAN

Québec 

Cover page photos: Marc-André Bouchard

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## Introduction

In 2004, the Gouvernement du Québec moved to protect an area of land located to the east of Lac des Quinze.

The territory was officially accorded the legal provisional status of proposed biodiversity reserve in July 2004, under section 27 of the *Natural Heritage Conservation Act* (chapter C-61.01). The proposed reserve was given the temporary name of Réserve de biodiversité projetée du Lac des Quinze.

On February 22, 2007 the Minister of Sustainable Development, Environment and Parks (MDDEP) mandated the Bureau d'audiences publiques sur l'environnement (BAPE) to hold a public consultation on the proposed protected areas of Lac Opasatica, Lac des Quinze, Forêt Piché-Lemoine and Réservoir Decelles. This mandate was entrusted to the BAPE pursuant to section 39 of the *Natural Heritage Conservation Act*, which provides for a public consultation process before a proposal is made to the Government on permanent protection status for land set aside as a proposed protected area. The BAPE's mandate started on March 8, 2007 and concluded on August 8 of the same year. The consultation was held in April and May 2007 in Val-d'Or, Rouyn-Noranda, Angliers, Lac-Simon and Winneway. The BAPE's inquiry and public hearing report (No. 244) was submitted to the Minister of the MDDEP on August 8, 2007 (BAPE, 2007). In its report, the commission recommended giving permanent protection status to Réserve de biodiversité projetée du Lac des Quinze, which is now Réserve de biodiversité Kakinwawigak.

By giving permanent protected status to Réserve de biodiversité Kakinwawigak, the Gouvernement du Québec ensures the definitive protection of the following: representative samples of the biological diversity of the Abitibi lowlands natural province; more specifically, of representative ecosystems in the Lac Témiscamingue lowlands natural region; and more precisely still, of the Lac Roger plain physiographic complex (MDDELCC, 2014a). The new reserve joins a network of representative and exceptional protected areas by which the various types of ecosystems across Québec are protected.

This reserve was chosen particularly for its complex of mounds covered with stands of yellow birch and mature maple. The area is also of note for the diversity of its plant communities, including yellow birch, white birch, eastern white cedar, sugar maple, balsam fir, trembling aspen, jack pine, tamarack, black spruce and white pine.

## 1. The territory of Réserve de biodiversité Kakinwawigak

### 1.1 Official toponym

Réserve de biodiversité Kakinwawigak: the name refers to the former presence of the Long Point First Nation, which inhabited the southern point of what is now the biodiversity reserve, and whose name corresponds to the point of land that extends into Lac des Quinze. The term “*kakinwawigak*” means “*long point*” in Algonquin.

### 1.2 Geographical location, boundaries and dimensions

The location and boundaries of Réserve de biodiversité Kakinwawigak are illustrated in Appendix 1.

**Location:** Réserve de biodiversité Kakinawigak is located in Abitibi-Témiscamingue region, in the MRC de Témiscamingue, between 47°30'25" and 47°43'15" north latitude and between 78°54'9" and 79°11'00" west longitude. It extends over three municipalities: Angliers, Rémigny and Moffet. The reserve is about 35 km northwest of Ville-Marie and about 25 km from the village of Winneway, where the Long Point First Nation has settled. It is accessible by highways 101 and 391, and by following Chemin de la Baie-du-Tigre to Rémigny. The reserve is also served by a network of forest roads that can be accessed through its northern portion.

**Area and boundaries:** The initial area of the proposed reserve, when it was set aside as such in 2004, was 159 km<sup>2</sup>. Following the public hearings, different expansion proposals were presented to the MELCC. In its analysis report (No. 244), the BAPE recommended evaluating the possibility of expanding the proposed reserve to include the areas of interest presented, before granting permanent protection status (BAPE, 2007).

The final boundaries were defined on the basis of natural or anthropic elements that are easily identified on the ground, such as watercourses, lakes, forest roads and the edges of bogs. For sections along the banks of watercourses and water bodies, the real boundary is the natural high-water mark. For the section along the shores of Lac des Quinze, which is a hydroelectric reservoir, the boundary corresponds to the level of 263.94 metres. Six islands in Lac des Quinze that are mostly above that level are also part of the biodiversity reserve.

The northern part of the reserve is crossed in an east-west direction by a 120 kV electrical transmission line, circuit 1339 Rapides des îles / Rapides-7. This transmission line and its right of way, which averages about 37 metres across, are excluded from the biodiversity reserve. The excluded land corresponds to an easement granted to société Hydro-Québec, as recorded in the Registre du domaine de l'État.

After the above modifications, Réserve de biodiversité Kakinawigak now covers an area of 243.1 km<sup>2</sup>. The legal boundaries of the reserve are defined in the technical description and the survey map prepared by land surveyor Pierre Hains with the following minutes 11327 (October 23, 2017) and filed in the surveying archives of the Surveyor General of Québec (Greffé de l'arpenteur général du Québec), Ministère de l'Énergie et des Ressources naturelles, under document number 536697.

### 1.3 Ecological portrait

Réserve de biodiversité Kakinawigak is part of the Abitibi lowlands natural province. It protects representative ecosystems in the Lac Témiscamingue lowlands natural region (MDDELCC, 2014a) and belongs to the Lac Roger plain physiographic complex, which is characterized by the elements described below. Those of the greatest ecological interest are mapped in Appendix 2.

#### 1.3.1 Representative elements

**Geology:** The biodiversity reserve is in Superior geological province, where the foundation rock is Archean (over 2.5 billion years old). The

substratum is primarily intrusive igneous rock, i.e. granitoids, with granite in the northern part. At the eastern end, near lakes Beaudry and Gérin-Lajoie, the bedrock is metamorphosed metasedimentary rock in the form of paragneiss.

**Geomorphology:** When the Laurentide ice sheet melted, around 8500 years ago, it covered the bedrock with a thick layer of poorly drained glaciolacustrine sediments (silt and clay). Erosion by the waves of glacial lake Barlow-Ojibway stripped the silt from the tops of the highest mounds (Veillette, 2000).

Today the landscape is a plain punctuated with mounds and residual hillocks, gently sloping to the north.

Apart from outcrops here and there, the bedrock is covered by glaciolacustrine deposits or occasionally a thin layer of till. The relief is shallow, with an elevation of 218 to 373 metres (average 284 metres).

Two eskers cross the reserve along a northeast-southwest heading. One is on the point of land where Lac à Donat is located. The other passes to the east and south of Lac du Vieux-Leblanc, continuing to the southern tip of the reserve.

Réserve de biodiversité Kakinwawigak is composed of three distinct ecological units, in terms of landforms and surface deposits.

With an area of 110 km<sup>2</sup>, the largest ecological unit occupies the entire western part of the reserve, and consists of glaciolacustrine silty clay lowlands scattered with hillocks and knolls of thin till, with rocky outcrops. One of the eskers is

found here, its sand and gravel deposits adding diversity. Hollows are filled with organic deposits in the form of peat bogs.

The second ecological unit, located in the southern part of the reserve, is more heterogeneous and covers 55 km<sup>2</sup>. Its two parts are on either side of Petite Rivière Roger. The relief and topography are varied, with mounds of thin till and rocky outcrops, an esker with deposits of sand and gravel, and glaciolacustrine lowlands composed of sand and gravel in some places, clay and silt in others. A few hollows are filled with organic deposits in the form of bogs.

The last ecological unit, of 77 km<sup>2</sup>, occupies the northern part of the reserve and consists of a complex of till mounds, with rocky outcrops and bogs in the valley bottoms. Though more homogeneous, its forest cover makes it the main element of interest in the reserve.

**Hydrography:** The biodiversity reserve is in the watershed of Rivière des Outaouais, which skirts the reserve where it becomes Lac des Quinze. The several sub-watersheds in the reserve empty directly into Lac des Quinze (Rivière des Outaouais).

There are five named lakes in Réserve de biodiversité Kakinwawigak. By order of decreasing size, they are: Lac Gérin-Lajoie (1.54 km<sup>2</sup>), Lac des Guêpes (1.34 km<sup>2</sup>), Lac du Vieux-Leblanc (0.31 km<sup>2</sup>), Lac Roger (0.17 km<sup>2</sup>) and Lac à Donat (0.09 km<sup>2</sup>). The total area of these lakes and the 350 or so other water bodies and watercourses in the reserve comes to about 4.9 km<sup>2</sup>, or 2% of the reserve's territory.

**Climate:** The territory of the reserve is subject to a mild continental subarctic climate, subhumid with a long growing season. Average temperatures range from 1.9°C to 4.5°C. The average annual precipitation ranges from 800 mm to 1359 mm, and the average growing season is from 180 to 209 days.

The reserve is in the balsam fir-yellow birch bioclimatic domain, which extends in a band from west to central Québec between 47° and 48° north latitude. Mesic sites are occupied by mixed stands of yellow birch and conifers, including balsam fir, white spruce and eastern white cedar. Sugar maples are at the northern limit of their range. Forest fires and epidemics of spruce budworm are the two main factors of forest dynamics here. The abundance of yellow birch and pines diminishes from west to east, resulting in two subdomains. The reserve is in the western one, where stands of yellow birch-balsam fir are omnipresent on mesic sites.

**Forests:** Forest occupies about 215 km<sup>2</sup> of the reserve, representing some 88% of the territory. The forest cover consists of 70% mixed forests. Coniferous stands account for 25% of the forest cover, while deciduous stands are only 5%. The principal elements are stands of black spruce and balsam fir. These primarily occupy the ecological unit of silty clay lowlands, sharing the territory (depending on the degree of disturbance) with stands of white birch and poplar. Yellow birch stands are also abundant, particularly on the complex of till mounds in the northern part, and on the mounds and hillocks of the southern part. The yellow birch stands in both areas share the territory with stands of sugar maple.

The topographic and geomorphological diversity of Réserve de biodiversité Kakinawigak has given rise to forest diversity. Thus, besides the forest stands common to the ecosystems mentioned above, there are other stands such as white or red pine on steep slopes and sandy habitats, cedar on rock walls and rocky outcrops where the soil is thin or absent, jack pine on sandy soils, and tamarack in very poorly drained places and around bogs.

The forest cover is characterized by a balanced distribution of age classes among forest stands. Young regenerating stands, mostly due to logging, account for 36% of the forest cover, while those of medium age (40-80 years) represent about 20%. Mature and old forests are in the majority, accounting for nearly 40% of the forest cover. The ecological unit covering the centre and west of the reserve, the silty clay lowlands, primarily contains young and medium-age stands. The ecological unit in the south, and the complex of till mounds to the north, are mostly covered by mature and old forest.

At this latitude and in terms of climate and the physical components of the ecosystem (topography, surface deposits), the territory is particularly well suited to the development of yellow birch-balsam fir stands. However, some parts of the silty clay lowlands are favourable to balsam fir-black spruce stands and balsam fir-black spruce-sphagnum moss stands. The characteristics of other sectors are ideal for the development of black spruce-moss or black spruce-heath stands, or to black spruce-sphagnum moss stands. Some of the riparian environments offer conditions suited to the

presence of balsam fir-eastern white cedar, while the tops of certain mounds are more suited to birch-fir-sugar maple stands and maple-yellow birch stands.

**Flora:** No comprehensive plant inventory has been done on the territory of Réserve de biodiversité Kakinawigak. However, Baldwin (1958) and Rousseau (1974) studied the vascular flora of the clay belt of northeastern Ontario and northwestern Québec, where the reserve is located. Primarily characterized by boreal vegetation, the clay belt covers most of Abitibi and northern Témiscamingue. The few inventories conducted after Baldwin's study, indicate that the region is home to about 1000 vascular species, 125 species of lichen, 30 species of liverwort, and 159 species of moss. However, no inventory has been done of the region's mushrooms and algae.

**Fauna:** No inventory has been done for wildlife in the reserve. However, species mentioned in the literature as being characteristic of balsam fir-yellow birch forests include the following: snowshoe hare, black bear, red squirrel, Canadian beaver, muskrat, American porcupine, red fox, patched fox, American marten, weasel, fisher, American mink, coyote, wolf, river otter, Canadian lynx, moose, white-tailed deer, and seven species of bat, three of which are endangered. According to the literature, some fifty species of mammals could inhabit western Abitibi-Témiscamingue, and thus the territory of Réserve de biodiversité Kakinawigak.

The few lakes, rivers and brooks in the reserve are generally small, and have not been surveyed for fish species.

With regard to birds, the Ministère des Forêts, de la Faune et des Parcs has identified over 150 species in the area, most of which are likely to be found in the biodiversity reserve.

Among the herpetofauna (which include snakes, turtles, amphibians and salamanders), 22 species have been observed in Abitibi-Témiscamingue. Some could inhabit the lakes and watercourses of Réserve de biodiversité Kakinawigak (MRNF, 2007).

### 1.3.2 Outstanding elements

According to the Centre de données sur le patrimoine naturel du Québec (2014a), no plant species that is threatened or vulnerable or likely to be so designated has been observed in the reserve. They could however be present. On the other hand, numerous plant species that are threatened, vulnerable or likely to be so designated have been found near Lac Témiscamingue. Some of them could therefore be present in the biodiversity reserve.

Again according to the CDPNQ (2014a), a number of wildlife species that are threatened, vulnerable or likely to be so designated, such as the chimney swift, sedge wren, bald eagle, silver-haired bat, eastern red bat, hoary bat and rock vole, have been observed just outside the reserve. Most of them could frequent the reserve to feed or reproduce.

The presence of sugar maple stands is of particular interest, since they are among the most northern in Québec. Additionally, woodland areas with old forests and mature deciduous forests are the major feature of this reserve. A more comprehensive inventory could enrich our limited knowledge of the vegetation, while potentially revealing other outstanding elements.

Also found in Réserve de biodiversité Kakinwawigak are two areas that have all the characteristics of biological refuges. One surrounds Lac Roger, while the other is to the northwest of Lac Gérin-Lajoie. Also, according to the CDPNQ (2014b), several areas near the biodiversity reserve enjoy a degree of protection. These include the aquatic bird staging areas of Lac des Quinze, Baie Barrière, Baie du Tigre and Ruisseau Mc Farland; the heronry of Lac des Quinze, with 42 active nests across from Pointe du Fish Creek; the muskrat habitats of Rivière des Quinze (Baie Sèche area) and of Lac des Quinze (Baie du Tigre area); and lastly, a biological refuge on the shores of Lac Beaumesnil, north of the reserve.

Also found in the southeastern part of the reserve is the old village of the Long Point First Nation. It was once the site of a Hudson's Bay Company trading post and an Oblate mission founded in 1884. There is still an Algonquin cemetery there, with the remains of a small chapel built in 1891 (MRC de Témiscamingue, 2006).

It is also interesting to note that there is an area of archeological potential at the southern tip of the reserve, on the shores of Lac des Quinze. The presence of archeological sites in the reserve has

yet to be confirmed. The archeological potential of the area could be significant, since the biodiversity reserve includes the site of the old village of Long Point First Nation.

#### **1.4 Land occupation and uses**

The principal occupations and uses exercised in Réserve de biodiversité Kakinwawigak are shown in Appendix 3.

There are 72 registered land rights on the territory of the reserve, including six resort leases, one lease for accommodation purposes held by an outfitter with non-exclusive rights, and 65 leases for temporary shelters (hunting shelters).

The biodiversity reserve straddles eleven traplines in fur-bearing animal management unit 08. A single trapping camp has been built on the southern point of the reserve, opposite Squelette and Du Foyer islands. According to the MRNF (2006), catches recorded in 2002-2005 included weasel, American beaver, coyote, red squirrel, river otter, Canadian lynx, American marten, fisher, muskrat, raccoon, patched fox, red fox and American mink. The same source states that trapping pressure on these species was average at the time.

The entire territory of the reserve is in hunting zone 13, where sports hunting is practised. The annual harvest data for large game only concerns moose and black bear. The MFFP has examined hunting pressure on the territory of the reserve from 2011 to 2014. Over this period, the harvest was 83 moose (1.27 moose per 10 km<sup>2</sup>) and 12 black bears. This indicates an annual average of 21 moose and 3 black bears, and a density of 0.86 moose and 0.12 black bear per 10 km<sup>2</sup>.

Compared to the average for hunting zone 13 (0.5 moose and 0.19 black bear per 10 km<sup>2</sup>), the hunting pressure on moose in the reserve is considered well above average, while the pressure on black bear is lower than average (MFFP, 2015).

In 2006 the Ministère des Ressources naturelles et de la Faune had little data about sport fishing pressure on the territory of the reserve, but considered it to be low (MRNF, 2006).

The MRNF had no data in 2006 about the species and quantities taken by the Algonquin communities of Timiskaming and Long Point, nor on their activities and places for wildlife harvesting (MRNF, 2006).

It should also be mentioned that a canoe route on Lac des Quinze follows the southern and southwestern boundaries of the reserve. The route allows for temporary wilderness camping along the shore in this part of the reserve.

The area is noteworthy for having few buildings and very few trails or forest roads. Parts of the reserve cannot even be accessed by land. There are plans to upgrade the roads shown in Appendix 3.

## **2. Conservation and development of Réserve de biodiversité Kakinwawigak**

This section presents conservation and development guidelines, together with objectives specific to Réserve de biodiversité Kakinwawigak.

### **2.1 Protection of biodiversity**

To maintain the viability of ecological processes, management of the reserve should give priority to protecting the ecosystems present and the species that depend on them. This includes allowing ecosystems that have been disturbed by logging, especially on silty clay lowlands, to recover their dynamics and natural characteristics.

Since the existing occupations and uses are few in number, and compatible with the reserve's protection objectives, they will be maintained. Activities should be managed to ensure that they have as little impact as possible, and no long-term impact on biodiversity.

#### Specific objectives:

- ***Promote the resilience of disturbed forest ecosystems***

The areas that were logged over the ten to fifteen years prior to the creation of the reserve are concentrated in the silty clay lowlands and at the foot of till mounds in the northern part. Other areas have also been logged, but more in the past. However, regeneration is underway in those areas, where there are already young to medium-age stands, especially black spruce and shade-intolerant hardwoods.

The disturbed forest ecosystems should thus be able to recover their natural characteristics. The absence of any form of logging will facilitate that resilience. These environments have good productivity and will be able to re-establish themselves over the next few decades, with no



need for active management measures such as planting and restoration.

- ***Ensure the protection of mature and old forests***

The forest ecosystems on till mounds and hillocks, whether in the north, south or west, have been little disturbed and are mostly composed of mature to old forests. Stands of so-called noble hardwoods, such as yellow birch-sugar maple and maple-yellow birch, are of particular interest. It is rare to find such forest ecosystems preserved at this latitude. Any further fragmentation of the forest cover must therefore be avoided, except for unobtrusive development (such as hiking trails) to facilitate enjoyment of these natural environments.

## **2.2 Knowledge acquisition and environmental monitoring**

Knowledge acquisition, besides being crucial to the achievement of objectives specific to natural heritage protection, will make it possible to monitor the natural environment. The knowledge acquired could also be used in developing activities for nature discovery, education and public awareness. It will facilitate the analysis of development projects, and ensure that management partners have a common understanding of the issues.

Ecological knowledge, especially about the support capacity of natural environments, and about the impact of recreational and tourist activities on ecosystems, must also be developed. This will be done to properly assess the wealth of the reserve's resources, to obtain representative data, and to develop the tools

needed for good management, to ensure that the biodiversity specific to the reserve is conserved.

### Specific objective:

- ***Perform targeted inventories and subsequent monitoring***

The MELCC will target certain needs related to knowledge building on biodiversity. For example, a plant inventory must be done. A list of fish species in the lakes, and of the reserve's terrestrial wildlife, could be created with the help of regional partners in the wildlife field. More knowledge is needed about the various species (flora and fauna) associated with the ecosystems of old noble hardwood forests, such as the stands of sugar maple at the northern limit of their range. Other inventories or scientific research, whether on existing or anticipated ecological problems, could be conducted later.

## **2.3 Integrated and participative management**

The characteristics of the reserve and its adjacent areas, in particular the presence of Lac des Quinze, a well used waterway giving access to the reserve, make imperative the adoption of a management approach based on stakeholder participation. This will facilitate the harmonious management of recreational activities while protecting the natural heritage.

### Specific objective:

- ***Establish participative and collaborative management***

Although Réserve de biodiversité Kakinwawigak is little used and almost unoccupied, the MELCC should engage the participation of users and the holders of land rights (outfitter with non-exclusive

rights, cottagers, hunters and trappers), the municipalities of Rémigny, Angliers and Moffet, and the regional county municipality of Témiscamingue, in managing the reserve. The Long Point First Nation will be an important partner in managing the reserve, since the latter contains the remnants of their past occupation and its members continue to practise activities there.

The MELCC will encourage the creation of a conservation committee where stakeholders can discuss protection issues and the measures to take in response. An action plan will be prepared by the MELCC in collaboration with management partners. Among other things, the plan will determine actions to be taken, the means advocated, actors chosen to perform those actions, performance horizons, and a mechanism for evaluating results.

### 3. Zoning

Réserve de biodiversité Kakinawwigak is partly bordered by a hydroelectric reservoir, Lac des Quinze. Management of the territory will need to reflect the reserve's accessibility from that waterway. Based on the ecosystems present, the current state of the natural environment, the reserve's protection and management objectives, and to a lesser extent considerations of land use and occupation, the reserve has been divided into three zones, even though it is relatively homogeneous. All three have a protection level and the same activity framework. However, protection measures and development possibilities will reflect the specific features of each zone. All three have specific elements of ecological interest, or that must be preserved, such as old hardwood forests, remnants of Aboriginal occupation, or a variety of wetlands.

A map of the zones is provided in Appendix 4. This zoning, and the particular characteristics of each zone, will be taken into account in the MELCC's management of the reserve and when evaluating authorization requests for activities and improvements.

The three zones are:

- Zone I: Silty clay lowlands
- Zone II: Southern point
- Zone III: Massif of noble hardwoods

#### ***Zone I: Silty clay lowlands***

This zone is a plain of glaciolacustrine origin whose fine deposits of clay and silt accumulated at the bottom of Lac Barlow-Ojibway during the last deglaciation. Zone I covers around 110 km<sup>2</sup>, or about 45% of the territory of the reserve.

Zone I can be considered a "natural" zone, despite the fact that its disturbance level and human footprint are somewhat greater than in the other two zones. With its flat topography and fine deposits, the area is productive from a forestry point of view, and easy to log. Such environments are favourable to stands of conifers like balsam fir and black spruce. Naturally present in the reserve, these species were logged in the last decade of the 20<sup>th</sup> century, and traces of that activity remain. The zone also features a mosaic of wetlands, some quite large, limiting the amount of timber that could be harvested. In sum, the zone is relatively undisturbed and rich in wetlands and forest diversity (in terms of both age and species).

Human presence has been scattered and periodic. While there is limited overland access, the zone is easily entered via Lac des Quinze.

There are 41 buildings, mostly hunting camps, but the occupation rate is relatively low, at one building per 2.7 km<sup>2</sup>. Additionally, there are about 136 linear km of forest roads and trails. The zone's fragmentation index is 1.24 linear km per km<sup>2</sup>, which is high according to Quigley *et al.* (2001).

The conservation objective for Zone I is to maintain its ecological integrity and improve or restore the natural character of its ecosystems, especially where logging has been done. Active management measures such as planting or restoration will not be needed. As for the trails and forest roads, they will have to be studied to identify which ones are essential for access to buildings and which ones could be renaturalized.

#### **Zone II: Southern point**

Covering 55 km<sup>2</sup>, this zone represents about 23% of the biodiversity reserve. The landscape is different from that of Zone I, with a tiered elevation presenting knolls, then hillocks, then mounds of till. The maximum vertical drop (i.e. of the tallest mounds) is about 100 metres. The low relief consists of glaciolacustrine deposits of clay and silt, occasionally sands and gravels. An esker rises above the lowlands here. The mounds and hillocks of thin till, with rocky outcrops here and there, are the dominating feature. The higher portion is largely covered by old forests, including stands of yellow birch, maple, white pine and cedar. The zone's diverse environments have produced a diversity of forest ecosystems, so there are also stands of balsam fir, black spruce and jack pine.

Unlike the others, Zone II is nearly devoid of trails and forest roads. In this respect it can be considered a "natural" zone. There are just

13 linear km of trails and forest roads. The fragmentation index is 0.24 linear km per km<sup>2</sup>, which is low (Quigley *et al.*, 2001). Land occupation consists of 13 hunting camps and 2 cottages, or one building per 3.7 km<sup>2</sup>.

The objective for this zone is to conserve its natural and relatively unfragmented character, and to allow its woodland landscapes to continue evolving naturally.

Zone II contains the Longue-Pointe site, a former Algonquin village that is of historical and cultural interest. It is important to note that the village site is at Baie Paulson, not the place identified as "Longue-Pointe" on the topographic maps (see map in Appendix 1). According to the literature, in 1884 the village had a Hudson's Bay Company trading post and an Oblate mission (MRC de Témiscamingue, 2006). The site now contains an Amerindian cemetery and the remains of a small chapel built in 1891. The Algonquins of Longue-Pointe were moved to Lac Simard in 1950.

In view of the site's cultural and historical interest, it must be preserved, and if appropriate, developed in collaboration with the Long Point First Nation and in harmony with their values.

#### **Zone III: Massif of noble hardwood forests**

This zone of 77 km<sup>2</sup> represents about 32% of the biodiversity reserve. It is characterized by a relief of till mounds (deposits of glacial origin), wetlands in the valley bottoms, and rocky outcrops. This zone is the domain of the yellow birch. The summits and slopes are relatively undisturbed, covered with mature stands and old hardwood forests, primarily yellow birch-balsam fir, as well as yellow birch-sugar maple and maple-yellow birch. Disturbance from logging in the past is

found more on the plateaus and low areas, where there are now stands of white birch and conifers (black spruce and balsam fir stands). There is a fairly well developed network of forest roads.

Being the main access to the reserve and an area where there has been logging activity, Zone III has a high fragmentation index (Quigley *et al.* 2001). It has about 117 linear km of forest roads and trails, giving a fragmentation index of 1.5 linear km per km<sup>2</sup>. There are 15 hunting camps and one cottage, for a total of 16 buildings. The occupation rate is just one building per 4.8 km<sup>2</sup>, which is very low.

The main conservation objective for Zone III is to maintain the characteristics of its mature and old forests and to promote the resilience of stands that were logged in the years prior to the reserve's creation. No new development will be allowed, except of the kind that would enhance the reserve's educational and ecotourism dimensions (e.g. hiking trails, shelters, interpretive panels). However, upgrading will be done on certain forest roads, as shown in Appendix 4.

As with the other two zones, Zone III corresponds to a "natural" zone. As such, it will be managed in a similar fashion with respect to development, fragmentation and promoting the resilience of ecosystems.

#### **4. Activity framework applicable to Réserve de biodiversité Kakinwawigak**

The purpose of the reserve is to protect natural environments and their components. For this reason, activities that could have a significant impact on ecosystems and biodiversity, especially of an industrial nature, are prohibited.

Less harmful activities and occupations, such as those involving recreation, wildlife, ecotourism or education, are however permitted in this type of protected area.

In sum, the biodiversity reserve should be considered as a territory dedicated to protecting the natural environment, to nature discovery and to recreation.

#### **4.1 Activity framework established by the Natural Heritage Conservation Act**

Activities carried out within the biodiversity reserve are primarily governed by the provisions of the *Natural Heritage Conservation Act* (chapter C-61.01).

Under the Act, the activities prohibited in an area with the status of biodiversity reserve are primarily the following:

- mining and gas or oil extraction;
- forest management within the meaning of section 4 of the *Sustainable Forest Development Act* (chapter A-18.1);
- the exploitation of hydraulic resources and any production of energy on a commercial or industrial basis.

Though fundamental to protecting the territory and its ecosystems, the above prohibitions do not cover all of the standards considered desirable to ensure the proper management of the reserve and the conservation of its natural environment. The *Natural Heritage Conservation Act* allows the Regulation to detail the legal framework applicable on the territory of a biodiversity reserve.

#### 4.2 Activity framework established by the Regulation respecting the Réserve de biodiversité Kakinawawigak

The provisions contained in Regulation respecting the Réserve de biodiversité Kakinawawigak set out additional prohibitions beyond those already stipulated in the *Natural Heritage Conservation Act* (chapter C-61.01). They also provide a framework for certain permitted activities, to ensure the protection of the natural environment in accordance with the principles of conservation and other management objectives of the reserve. Certain activities are therefore subject to prior authorization by the Minister.

The measures presented in Regulation concern new interventions in particular, and generally do not affect activities that are already being practised or facilities that are already present. Many existing uses are thus preserved.

In listing the activities requiring authorization, Regulation does not identify which ones would be considered incompatible with the vocation of the reserve and could therefore be refused authorization. Basic information about the compatibility or incompatibility of each type of activity is provided in the document *Activity Framework for Biodiversity Reserves and Aquatic Reserves*, which available on the website of the MELCC at

[http://www.mddelcc.gouv.qc.ca/biodiversite/aires\\_protegees/regime-activites/regime-activite-reserve-bio-aqua-en.pdf](http://www.mddelcc.gouv.qc.ca/biodiversite/aires_protegees/regime-activites/regime-activite-reserve-bio-aqua-en.pdf).

Note that certain activities are exempted from the requirement to obtain authorization. These exemptions are also presented in Regulation.

#### 5. Activities governed by other laws

Certain activities that could potentially be practised in the biodiversity reserve are also governed by other applicable legislative and regulatory provisions, and some require a permit or authorization or the payment of certain fees. Certain activities could be prohibited or limited under other laws or regulations applicable on the territory of the reserve.

In the territory of Réserve de biodiversité Kakinawawigak, a particular legal framework may govern permitted activities under the following categories:

- **Protection of the environment:** measures stipulated by the *Environment Quality Act* (chapter Q-2) and its regulations;
- **Archeological research and discoveries:** measures stipulated by the *Cultural Heritage Act* (chapter P-9.002);
- **Exploitation and conservation of wildlife resources:** measures stipulated by the *Act respecting the conservation and development of wildlife* (chapter C-61.1) and its regulations, including provisions related to threatened or vulnerable wildlife species, outfitters and beaver reserves, and measures in the applicable federal laws and regulations, including the legislation and regulations on fisheries;
- **Plant species designated as threatened or vulnerable:** measures prohibiting the harvesting of such species under the *Act respecting threatened or vulnerable species* (chapter E-12.01);

- **Access and property rights related to the domain of the State:** measures stipulated by the *Act respecting the lands in the domain of the State* (chapter T-8.1) and by the *Watercourses Act* (chapter R-13);
- **Issuance and oversight of forest development permits** (harvesting of firewood for domestic purposes, wildlife development, recreational development); and **delivery of authorizations** (forest roads): measures stipulated by the *Sustainable Forest Development Act* (chapter A-18.1);
- **Travel:** measures stipulated by the *Act respecting the lands in the domain of the State* and by the regulations on motor vehicle travel in fragile environments, under the *Environment Quality Act*;
- **Construction and development standards:** regulatory measures adopted by local and regional municipal authorities in accordance with the applicable laws.

## 6. Management

### 6.1 Responsibilities of the Minister of Environment and the Fight against Climate Change

The Minister of Environment and the Fight against Climate Change is responsible for the management of the reserve. Among other things, the Minister sees to the application of the *Natural Heritage Conservation Act* (chapter C-61.01) and the Regulation respecting the Réserve de biodiversité Kakinwawigak. In managing the reserve, the MELCC enjoys the collaboration and participation of other government representatives

that have specific responsibilities in or adjacent to the territory.

### 6.2 Monitoring

As mentioned in section 2, “Conservation and development of Réserve de biodiversité Kakinwawigak”, measures will be taken toward monitoring the status of the natural environment, in collaboration with the following local and regional partners: municipal stakeholders, partners in the areas of environment, recreation and education, and residents, cottagers, hunters, fishers, trappers, etc.

### 6.3 Participation of stakeholders

As mentioned in section 2, “Conservation and development of Réserve de biodiversité Kakinwawigak”, the MELCC will seek the collaboration and participation of stakeholders in managing the reserve. Its intention is to draw up an action plan to guide management in protecting and enhancing the territory and its resources. The MELCC will prepare the plan in collaboration with the regional actors concerned. A participation and consultation mechanism for local stakeholders will be worked out by the MELCC on the basis of local and regional territorial realities.

Management of the biodiversity reserve will respect the following conservation principles:

- maintain natural ecosystem dynamics;
- restore or facilitate the restoration of damaged ecosystems;
- respect the support capacity of ecosystems;



- maintain non-industrial harvesting activities, without encouraging their development;
- gather and disseminate knowledge about the natural and cultural heritage;
- participate in the management of adjacent areas to ensure harmonization with the conservation objectives pursued within the biodiversity reserve.

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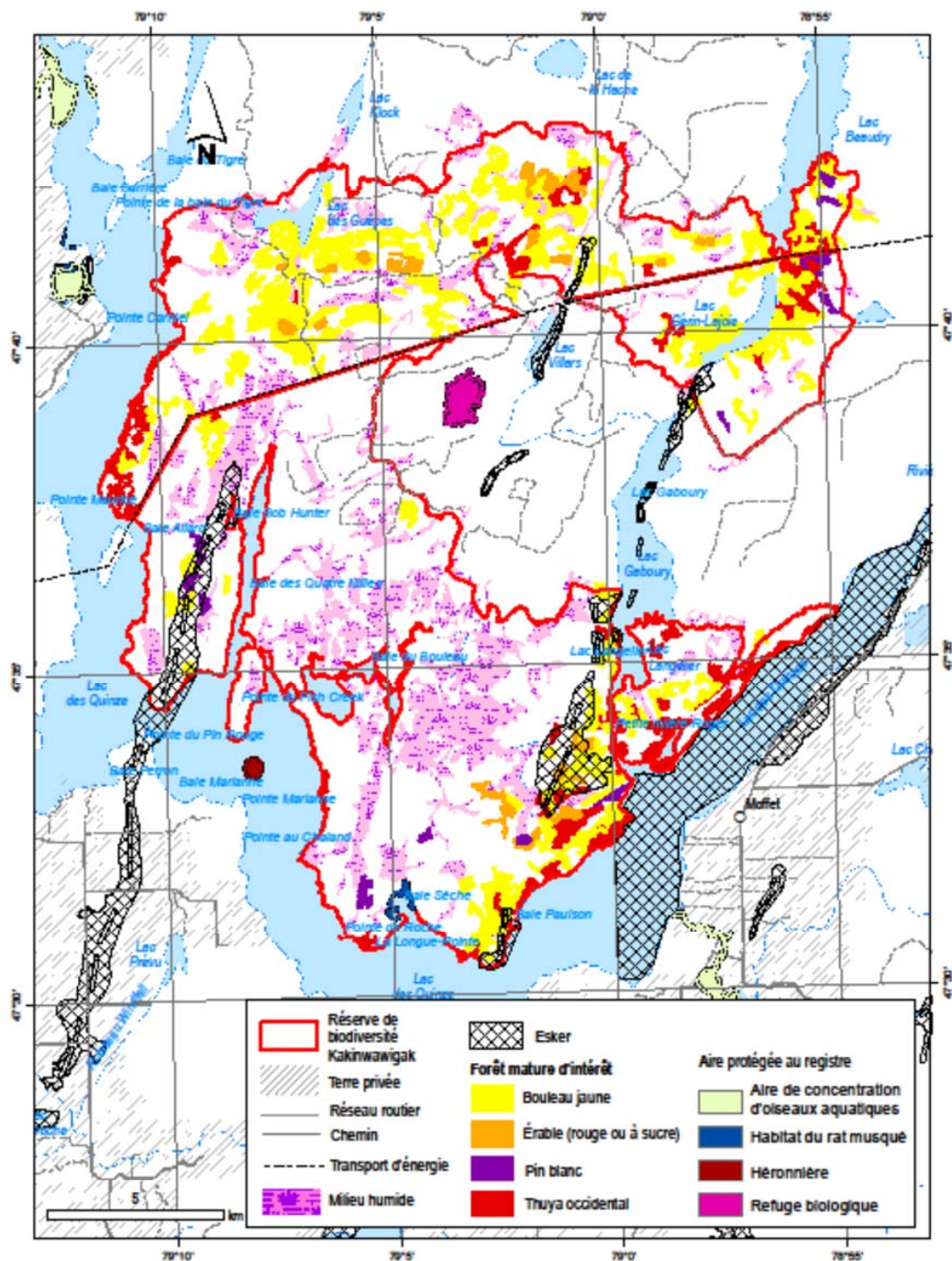
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## Appendix 2 — Réserve de biodiversité Kakinwawigak: Elements of ecological interest









Gouvernement du Québec

## **O.C. 114-2019, 13 February 2019**

Natural Heritage Conservation Act  
(chapter C-61.01)

Permanent status of the Réserve de biodiversité de la Moraine-d'Harricana, the Regulation respecting that reserve and its conservation plan

WHEREAS, under the first paragraph of section 43 of the Natural Heritage Conservation Act (chapter C-61.01), the Minister of Environment and the Fight Against Climate Change may recommend to the Government that all or part of land set aside under section 27 of the Act be assigned a permanent protection status as biodiversity reserve;

WHEREAS, under the second paragraph of section 43 of the Act, the Minister is to submit at the same time to the Government for its approval the conservation plans for the land;

WHEREAS, by Order in Council 484-2004 dated 19 May 2004, the Government authorized the Minister of the Environment to assign the status of proposed biodiversity reserve to the territories of the Decelles reservoir and the Piché-Lemoine forest and approved the plan of those areas and the proposed conservation plans for those areas;

WHEREAS, by Minister's Order dated 17 June 2004 (2004, *G.O.* 2, 2301), the Minister of the Environment assigned the status of proposed biodiversity reserve to the territories of the Decelles reservoir biodiversity reserve and the Piché-Lemoine forest, for a period of 4 years beginning on 14 July 2004;

WHEREAS, by Order in Council 136-2008 dated 20 February 2008, the Government approved the amendments to the conservation plans of those reserves;

WHEREAS the setting aside of those territories was extended for 4 years under the Order of the Minister of Sustainable Development, Environment and Parks dated 19 June 2008 (2008, *G.O.* 2, 2561) and 8 years under the Order of the Minister of Sustainable Development, Environment and Parks dated 11 May 2012 (2012, *G.O.* 2, 709);

WHEREAS, in accordance with the first paragraph of section 39 of the Natural Heritage Conservation Act, the Minister of Sustainable Development, Environment and Parks entrusted the mandate to hold a public consultation on the proposed Decelles reservoir biodiversity reserve and the proposed Piché-Lemoine forest biodiversity reserve to

the Bureau d'audiences publiques sur l'environnement and its inquiry and public hearing report was made public on 17 July 2008;

WHEREAS the report deals with the feasibility of enlarging the territories of the proposed Decelles reservoir biodiversity reserve and the proposed Piché-Lemoine forest biodiversity reserve and concludes, among other things, that permanent protection status should be assigned to them;

WHEREAS the limits of the proposed Decelles reservoir biodiversity reserve and those of the proposed Piché-Lemoine forest biodiversity reserve were reassessed by the Minister, amalgamated and changed after the public consultation to ensure increased protection to a portion of the Harricana moraine and associated ecosystems, and to rely on natural elements easily visible on the site to facilitate management;

WHEREAS the new plan of the reserve resulting from that amalgamation, that is, the Réserve de biodiversité de la Moraine-d'Harricana, its conservation plan and its technical description of the territory have been prepared;

WHEREAS the land included in the territory forms part of the domain of the State and is not part of a reserved area or an agricultural zone established under the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1);

WHEREAS, in accordance with the first paragraph of section 151 of the Act respecting land use planning and development (chapter A-19.1), the Minister of Sustainable Development, the Environment and the Fight Against Climate Change notified an opinion describing the planned intervention to the council of Ville de Rouyn-Noranda and to the council of Municipalité régionale de comté de La Vallée-de-l'Or;

WHEREAS, in accordance with the first paragraph of section 152 of that Act, the council of Ville de Rouyn-Noranda, by resolution No. 2017-928 dated 27 November 2017, and the council of Municipalité régionale de comté de La Vallée-de-l'Or, by resolution No. 087-02-18 dated 21 February 2018, confirmed that the project for the establishment of the Réserve de biodiversité de la Moraine-d'Harricana complies with the objectives of the land use planning and development plan in force in their territory;

WHEREAS the Commission de toponymie sent to the Minister its approval of the name "Réserve de biodiversité de la Moraine-d'Harricana" to designate that permanent biodiversity reserve;

WHEREAS, under subparagraph *f* of paragraph 1 of section 46 of the Natural Heritage Conservation Act, in an aquatic reserve and a biodiversity reserve, any activity which the Government may prohibit by regulation is prohibited;

WHEREAS, under subparagraph *g* of paragraph 1 of section 46 of the Act, in an aquatic reserve and a biodiversity reserve, subject to measures in the conservation plan authorizing the activities and specifying the conditions on which they may be carried on, any allocation of a right to occupy land for vacation resort purposes, earthwork, backfilling or construction work and commercial activities are prohibited;

WHEREAS, under paragraph 2 of section 46 of the Act, all other activities are permitted, in addition to those prohibited by paragraph 1 of that section, subject to the applicable conditions;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), the draft Regulation respecting the Réserve de biodiversité de la Moraine-d'Harricana was published in Part 2 of the *Gazette officielle du Québec* of 10 May 2017 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 respecting the Réserve de biodiversité de la Moraine-d'Harricana with amendments, in particular to include the technical description of the territory and to make technical adjustments;

WHEREAS, under paragraph 3 of section 44 of the Natural Heritage Conservation Act, the establishment of a biodiversity reserve and a change in its limits, or its abolishment, is effected by order of the Government, on a proposal by the Minister, subject to the publication of a notice of the decision of the Government to establish a biodiversity reserve in the *Gazette officielle du Québec* with the plan of the area and the conservation plan;

WHEREAS the publication in the *Gazette officielle du Québec* of this Order in Council, of the Regulation respecting the Réserve de biodiversité de la Moraine-d'Harricana and of its conservation plan constitutes the notice required by that paragraph, including the documents that must accompany it;

WHEREAS, under section 45 of the Natural Heritage Conservation Act, permanent protection status for land, conservation plans and applicable agreements, and amendments or revocations take effect on the date of publication of the order in the *Gazette officielle du Québec* or on any later date specified in the order;

IT IS ORDERED, therefore, on the recommendation of the Minister of Environment and the Fight Against Climate Change:

THAT permanent biodiversity reserve status be assigned to the territory described in the Regulation attached to Schedule I to this Order in Council, under the name "Réserve de biodiversité de la Moraine-d'Harricana";

THAT the Regulation respecting the Réserve de biodiversité de la Moraine-d'Harricana, attached to Schedule I to this Order in Council, be made;

THAT the conservation plan applicable to the Réserve de biodiversité de la Moraine-d'Harricana, attached to Schedule II to this Order in Council, be approved;

THAT permanent status of the Réserve de biodiversité de la Moraine-d'Harricana and its conservation plan take effect on the fifteenth day following the date of their publication in the *Gazette officielle du Québec*.

YVES OUELLET,  
*Clerk of the Conseil exécutif*

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## SCHEDULE I

### Regulation respecting the Réserve de biodiversité de la Moraine-d'Harricana

Natural Heritage Conservation Act  
(chapter C-61.01, s. 43 and s. 46, par. 1, subpars. *e, f* and *g*, and par. 2)

1. The Réserve de biodiversité de la Moraine-d'Harricana is constituted in the territory described in the Schedule.

2. For the purpose of this Regulation

(1) the words or terms "high-water mark", "littoral zone", "floodplain", "lakeshore" and "riverbank" have the same meaning as the meaning given in the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains (chapter Q-2, r. 35);

(2) the term "wetlands and bodies of water" has the same meaning as the meaning given in section 46.0.2 of the Environment Quality Act (chapter Q-2);

(3) the term "forest development activity" has the same meaning as the meaning given in the Sustainable Forest Development Act (chapter A-18.1).



## **DIVISION I**

### **PROTECTION OF RESOURCES AND THE NATURAL ENVIRONMENT**

3. Subject to the prohibition in the second paragraph, no person may introduce any individuals of a native or non-native species of fauna into the biodiversity reserve, including by stocking, unless the person has been authorized by the Minister.

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

Except with the authorization of the Minister, no person may introduce non-native species of flora into the biodiversity reserve.

4. No person may use fertilizers in the biodiversity reserve. Compost for domestic purposes is however permitted if it is used at least 20 metres from a lake or watercourse, measured from the high-water mark.

5. No person may remove from the biodiversity reserve species of flora, small fruits or any other non-timber forest product by mechanical means.

6. No person may in the biodiversity reserve, unless the person has been authorized by the Minister,

(1) intervene in a wetland area, in particular a marsh, swamp or peat bog;

(2) modify the natural drainage or water regime, including by creating or developing lakes and watercourses;

(3) dig, fill, obstruct or divert a lake or watercourse;

(4) installation or erect any construction, infrastructure or new works in the littoral zone, on the banks or shores or the floodplains of a lake or watercourse; no authorization is however required for minor works — quay or platform, boat shelter — installed for private purposes and may be 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 an activity other than those referred to in paragraphs 1 to 4 likely to directly and substantially affect the biochemical characteristics or quality of wetlands and bodies of water in the biodiversity reserve, including by discharging or dumping residual materials or contaminants into the wetlands or bodies of water;

(6) carry out soil development work or an activity likely to degrade the soil or a geological formation, or to damage the vegetation cover, in particular by stripping, the digging of trenches or excavation work, including any burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose;

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

(8) reconstruct or demolish a structure, infrastructure or works;

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

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

(11) hold a sports event, tournament, rally or any other similar event where

(a) fauna or flora species are taken or are likely to be taken; or

(b) motor vehicles or craft are used.

7. Despite paragraphs 6, 7 and 8 of section 6, if the requirements provided for in the second paragraph are met, no authorization is required to carry out the following work:

(1) the maintenance, repair or improvement of any construction, infrastructure or works, including a camp, a cabin, a road or a trail, including an ancillary facility such as a lookout or stairs;

(2) the construction or installation

(a) of a dependency or a facility ancillary to a trapping camp, a rough shelter, a shelter or a cabin, including a shed, a water withdrawal facility or a discharge and disposal of waste water, grey water and toilet effluents; or

(b) of a trapping camp, a rough shelter, a shelter or a cabin if, on the date of coming into force of this Regulation, such a building was allowed under the right of use or occupancy granted, but was not yet carried out; or

(3) the demolition or reconstruction of a trapping camp, a rough shelter, a shelter or a cabin, including a dependency or a facility ancillary to such a construction, including a shed, a water withdrawal facility or a discharge and disposal of waste water, grey water and toilet effluents.

The carrying out of the work referred to in the first paragraph must comply with the following:

(1) the work involves a construction, infrastructure or works whose presence is allowed in the biodiversity reserve;

(2) the work is carried out within the area of the land or right of way covered by the right of use or occupancy in the biodiversity reserve, whether the right results from a lease, a servitude or another form of title, permit or authorization;

(3) 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 allowed by 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 set under an authorization issued in connection with that construction, works or infrastructure;

(4) the work is carried out in accordance with the prescriptions of any permit or authorization issued for the work or in connection with the construction, infrastructure or works to which they are related, as well as in compliance with the applicable legislative and regulatory measures;

(5) in the case of forest roads, the work must not result in altering or exceeding the existing right of way, enlarging the driving roadway or converting the road into a higher class road.

For the purposes of this section, repair and improvement work includes work to replace or install structures or facilities with a view to complying with the requirements of environmental regulations.

**8.** No person may bury, incinerate, abandon or dispose of residual materials or snow, except if they are disposed of in waste disposal containers, facilities or sites determined by the Minister or, in other cases, with the authorization of the Minister.

Despite the first paragraph, an outfitter holding a lease for accommodation purposes in the reserve does not need an authorization to use a disposal facility or site, in compliance with the Environment Quality Act (chapter Q-2) and its regulations, if the outfitter was already using the facility or site on the date of coming into force of this Regulation.

## **DIVISION II**

### **RULES OF CONDUCT FOR USERS**

**9.** No person may enter, carry on an activity or operate a vehicle in a given sector of the biodiversity reserve if the signage erected by the Minister restricts access, traffic or certain activities in the sector 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.

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

## **DIVISION III**

### **ACTIVITIES REQUIRING AN AUTHORIZATION**

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

For the purposes of the first paragraph,

(1) the occupation or use of a site includes

(a) staying or settling in the biodiversity reserve, for instance for vacation purposes;

(b) setting up a camp or a shelter; and

(c) installing, burying or abandoning any property in the reserve, including equipment, a device or a vehicle; and

(2) the expression “same site” includes any other site within a radius of 1 kilometre from the site.

Despite the first paragraph, an authorization is not required if a person,

(1) on the date of coming into force of this Regulation, was a party to a lease or had already obtained another form of right or another authorization allowing the person to legally occupy the land under the Act respecting the lands in the domain of the State (chapter T-8.1) or, if applicable, the Act respecting the conservation and development of wildlife (chapter C-61.1), and whose right to occupy the land is renewed or extended on the same conditions, subject to possible changes in fees; or

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

**12.** No person may carry on forest management activities to meet domestic needs or for the purpose of maintaining biodiversity, unless the person has been authorized by the Minister.

Despite the first paragraph, persons staying or residing in the biodiversity reserve and who collect wood required to make a campfire are not required to obtain the authorization of the Minister.

No such authorization is required if a person collects firewood to meet domestic needs to supply a trapping camp or a rough shelter permitted within the reserve in the following cases and on the following conditions:

(1) 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 under the Sustainable Forest Development Act (chapter A-18.1);

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

In addition, no authorization to carry on a forest management activity is required if a person authorized by lease to occupy land within the biodiversity reserve in accordance with this Regulation carries on the forest management activity for the purpose of

(1) clearing, maintaining or creating visual openings, and any other similar removal work permitted under the provisions governing the sale, lease and granting of immovable rights under the Act respecting the lands in the domain of the State (chapter T-8.1), including for access roads, stairs or other trails permitted under those provisions; or

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

If the work referred to in subparagraph 2 of the fourth paragraph is carried on for or under the responsibility of an enterprise providing any of those services, the work requires the prior authorization of the Minister, other than in the case of the exemptions provided for in sections 14 and 16.

**13.** No person may carry on commercial activities in the biodiversity reserve, except with the authorization of the Minister.

Despite the first paragraph, no authorization is required

(1) if the activity does not involve the taking of fauna or flora resources, or the use of a motor vehicle; or

(2) to carry on commercial activities if, on the date on which protection status as a biodiversity reserve takes effect, the activities were the subject of a right of use of the land for such purpose, whether or not the right results from a lease or another form of title, permit or authorization, within the limits of what the right allows.

#### **DIVISION IV** **AUTHORIZATION EXEMPTIONS**

**14.** Despite the preceding provisions, an authorization is not required for an activity or other form of intervention within the biodiversity reserve if urgent action is necessary to prevent harm to the health or safety of persons, or to repair or prevent damage caused by a real or apprehended catastrophe. The person concerned must, however, immediately inform the Minister of the activity or intervention that has taken place.

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

**16.** Despite the preceding provisions, the following activities and interventions carried out by Hydro-Québec (hereinafter the “Société”) or by any other person for Hydro-Québec do not require the prior authorization of the Minister under this Regulation:

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

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

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

For the purposes of this section, the activities and interventions of the Société include but are not restricted to pre-project studies, analysis work or field research, work



required to study and monitor the impact of power transmission and distribution line corridors and rights of way, geological or geophysical surveys and survey lines, and the opening and maintenance of roads required for the purpose of access, construction or traffic incidental to the work.

## **DIVISION V**

### **FINAL**

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

## **SCHEDULE**

### **TECHNICAL DESCRIPTION**

#### **RÉSERVE DE BIODIVERSITÉ DE LA MORAINÉ-D'HARRICANA**

(s. 1)

[Translation of the technical description filed in French only in the office of the Surveyor-General of Québec of the Ministère de l'Énergie et des Ressources naturelles.]

A territory of irregular shape in the townships of Fournière, Dubuisson, Béraud, Desroberts, Laubanie, Chabert, Laudanet, Mazérac and Jourdan, in the territory of Municipalité de Rivière-Héva, Ville de Val-d'Or and Ville de Rouyn-Noranda, registration divisions of Rouyn-Noranda and Abitibi. The perimeter of the territory may be described as follows, namely:

#### **PARCEL A**

Starting from a point situated at the intersection of the eastern bank of rivière Piché (excluded from the biodiversity reserve) and the limit between ranges VII Nord and VIII Sud of Canton de Fournière, that is, point 1 (5 329 816 m north, 414 252 m east);

Thence, easterly, along the limit between ranges VII Nord and VIII Sud of Canton de Fournière, to the intersection of the limit between Canton de Fournière and Canton de Dubuisson, that is, point 2 (5 329 850 m north, 416 106 m east);

Thence, southerly, along the limit between Canton de Fournière and Canton de Dubuisson, to point 3 (5 329 329 m north, 416 116 m east);

Thence, easterly following a straight line having a bearing of 98°49'19" over a distance of about 584 metres, to the intersection of the southwestern right of way of an unnamed road, that is, point 4 (5 329 240 m north, 416 693 m east);

Thence, in an average southeasterly direction, along the southwestern right of way of an unnamed road and an impassible road, to the extremity of the said impassible road, that is, point 5 (5 328 712 m north, 417 669 m east);

Thence, southerly following a straight line having a bearing of 125°16'11" over a distance of about 765 metres, to the intersection of the southern right of way of an unnamed road, that is, point 6 (5 328 270 m north, 418 293 m east);

Thence, in an average easterly direction, along the southern right of way of an unnamed road and the western right of way of another unnamed road, to the intersection of the limit between ranges VI and VII of Canton de Dubuisson, that is, point 7 (5 328 252 m north, 418 432 m east);

Thence, in an average easterly direction, along the limit between ranges VI and VII of Canton de Dubuisson, to the intersection of the western right of way of chemin de la Baie-de-la-Paix, that is, point 8 (5 328 358 m north, 423 075 m east);

Thence, in an average southerly direction, along the western right of way of chemin de la Baie-de-la-Paix, corresponding to lot 5 121 604 of the cadastre of du Québec, to the intersection of a line parallel to and at a distance of 80 metres north of the limit of lot 5 121 817 of the cadastre of du Québec, that is, point 9 (5 326 324 m north, 423 522 m east);

Thence, northwesterly following a straight line having a bearing of 290°11'47" over a distance of 165 metres, to point 10 (5 326 381 m north, 423 368 m east);

Thence, westerly following a straight line having a bearing of 270°00'58" over a distance of about 67 metres, to its meeting point with the extension to the north of the western limits of lots 5 122 109 and 5 121 817 of the cadastre of du Québec, that is, to point 11 (5 326 381 m north, 423 301 m east);

Thence, southerly following the said extension of the western limit of the said lots of the cadastre of du Québec, to the intersection of the northern shore of lac Lemoine, that is, point 12 (5 326 216 m north, 423 302 m east);

Thence, in an average northeasterly direction, along the northeastern shore of lac Lemoine and the northwestern bank of rivière Thompson, to point 13 (5 326 795 m north, 425 562 m east);

Thence, easterly following a straight line having a bearing of 88°24'11" over a distance of about 399 metres, to the intersection of the eastern bank of rivière Thompson,

so as to exclude the northern part of that river, de manière à exclure la partie North de cette rivière, that is, point 14 (5 326 806 m north, 425 961 m east);

Thence, in an average southwesterly direction, along the southeastern bank of rivière Thompson and shore of lac Lemoine, to point 15 (5 323 478 m north, 422 411 m east);

Thence, southeasterly following a straight line having a bearing of  $141^{\circ}02'07''$  over a distance of about 98 metres, to the intersection of the right of way northwest of chemin des Scouts, corresponding to lot 5 121 593 of the cadastre of du Québec, that is, point 16 (5 323 405 m north, 422 470 m east);

Thence, in an average southwesterly direction, along the northwestern right of way of chemin des Scouts to the eastern limit of lot 5 121 862 of the cadastre of du Québec, that is, point 17 (5 322 832 m north, 421 902 m east);

Thence, northerly, following the eastern limit of that lot to the intersection of the southeastern shore of lac Lemoine, that is, point 18 (5 322 935 m north, 421 900 m east);

Thence, in an average southerly direction, along the eastern shore of lac Lemoine, to the intersection of the eastern limit of lot 5 121 862 of the cadastre of du Québec, that is, point 19 (5 322 582 m north, 421 908 m east);

Thence, northerly following the eastern limit of lot 5 121 862 of the cadastre of du Québec, to the intersection of the southeastern right of way of chemin des Scouts, that is, point 20 (5 322 798 m north, 421 903 m east);

Thence, in an average northeasterly direction, along the southeastern right of way of chemin des Scouts, to point 21 (5 323 377 m north, 422 492 m east);

Thence, southeasterly following a straight line having a bearing of  $141^{\circ}02'08''$  over a distance of about 78 metres, to the intersection of a line parallel to and at a distance of 200 metres from the southeastern shore of lac Lemoine, that is, point 22 (5 323 316 m north, 422 541 m east);

Thence, in an average northeasterly direction, following a line parallel to and at a distance of 200 metres from the southeastern shore of lac Lemoine, to the intersection of the southwestern limit of lot 5 121 864 of the cadastre of du Québec, that is, point 23 (5 324 885 m north, 425 163 m east);

Thence, southeasterly following the southwestern limit of lot 5 121 864 of the cadastre of du Québec, to the southern corner of the said lot, that is, point 24 (5 324 874 m north, 425 177 m east);

Thence, northeasterly following the southeastern limit of lot 5 121 864 of the cadastre of du Québec, to the intersection of the southwestern right of way of chemin des Scouts, that is, point 25 (5 325 032 m north, 425 292 m east);

Thence, in an average southeasterly direction, along the southwesterly right of way of chemin des Scouts, to the intersection with a straight line starting from point 27 having a bearing of  $63^{\circ}06'02''$ , that is, point 26 (5 323 847 m north, 426 054 m east);

Thence, southwesterly following a straight line having a bearing of  $243^{\circ}06'02''$  over a distance of about 2059 metres, to the intersection of an unnamed stream, that is, point 27 (5 322 916 m north, 424 218 m east);

Thence, southerly following a straight line having a bearing of  $188^{\circ}27'00''$  over a distance of about 1036 metres, to the intersection of the southwesterly right of way of an unnamed road, that is, point 28 (5 321 891 m north, 424 066 m east);

Thence, in an average southeasterly direction, along the southwestern right of way of an unnamed road, to the intersection of the southern right of way of another unnamed road, that is, point 29 (5 321 051 m north, 424 301 m east);

Thence, in an average easterly direction, along the southern right of way of an unnamed road, to the intersection of the western right of way of another unnamed road, that is, point 30 (5 321 009 m north, 424 632 m east);

Thence, in an average southeasterly direction, along the southwestern right of way of an unnamed road, to the intersection of the northwesterly right of way of another unnamed road, that is, point 31 (5 320 960 m north, 424 648 m east);

Thence, in an average southwesterly direction, along the northwestern right of way of an unnamed road, to the intersection of the northern right of way of another unnamed road, that is, point 32 (5 320 521 m north, 424 310 m east);

Thence, in an average southwesterly direction, along the northwestern right of way of an unnamed road, to the intersection of the northern right of way of another unnamed road, that is, point 33 (5 320 048 m north, 423 323 m east);

Thence, in an average southwesterly direction, along the northwestern right of way of an unnamed road, to the intersection of the northern right of way of chemin des Merisiers, that is, point 34 (5 319 259 m north, 422 242 m east);

Thence, in an average easterly direction, along the northern right of way of chemin des Merisiers, to the intersection of the northwestern right of way of an unnamed road, that is, point 35 (5 319 258 m north, 422 260 m east);

Thence, in an average southwesterly direction, along the northwestern right of way of an unnamed road, to the intersection of the southwestern right of way of another of another unnamed road, that is, point 36 (5 318 191 m north, 420 513 m east);

Thence, southwesterly following a straight line having a bearing of  $218^{\circ}56'31''$  over a distance of about 693 metres, to the intersection of the southwestern right of way of an unnamed road, that is, point 37 (5 317 652 m north, 420 078 m east);

Thence, southwesterly following a straight line having a bearing of  $233^{\circ}42'55''$  over a distance of 253.19 metres, to point 38 (5 317 502 m north, 419 874 m east);

Thence, northwesterly following a straight line having a bearing of  $295^{\circ}53'01''$  over a distance of about 517 metres, to the intersection of the southeastern limit of an unnamed road, that is, point 39 (5 317 728 m north, 419 408 m east);

Thence, in an average southwesterly direction, along the southeastern right of way of an unnamed road, to the intersection of the southwestern right of way of another unnamed road, that is, point 40 (5 316 897 m north, 418 962 m east);

Thence, in an average southeasterly direction, along the southwestern right of way of an unnamed road, to the intersection with a line parallel to and at a distance of 20 metres northwest of the centre line of chemin de la Baie-Carrière, that is, point 41 (5 316 649 m north, 419 307 m east);

Thence, in an average southwesterly direction, along the line parallel to and at a distance of 20 metres from the centre of chemin de la Baie-Carrière, to the intersection of the southwestern right of way of an unnamed road, that is, point 42 (5 315 555 m north, 417 929 m east);

Thence, in an average southeasterly direction, along the southwestern right of way of an unnamed road, to the intersection of the southern right of way of another unnamed road, that is, point 43 (5 315 515 m north, 417 971 m east);

Thence, in an average southerly direction, along the western right of way of an unnamed road, to the intersection of the western limit of lot 5 662 137 of the cadastre of du Québec, that is, point 44 (5 315 080 m north, 418 086 m east);

Thence, in an average southerly direction following a broken line, corresponding to the western limit of lot 5 662 137 of the cadastre of du Québec, whose approximate coordinates of its apexes are

–45 (5 315 000 m north, 418 074 m east);

–46 (5 314 927 m north, 418 077 m east);

–47 (5 314 858 m north, 418 098 m east);

Thence, easterly following the southern limit of lots 5 662 137 and 5 459980 of the cadastre of du Québec, to the intersection of the western shore of lac Ollivon, that is, point 48 (5 314 881 m north, 418 174 m east);

Thence, in an average southeasterly direction, along the southwestern shore of lac Ollivon, excluded from the biodiversity reserve, to the intersection of the western bank of an unnamed stream, that is, point 49 (5 314 454 m north, 418 603 m east);

Thence, in an average southerly direction, along the western bank of an unnamed stream and of ruisseau Desmarais, excluded from the biodiversity reserve, to the intersection of the northern bank of another unnamed stream, that is, point 50 (5 312 998 m north, 418 822 m east);

Thence, in an average southerly direction, along the western bank of unnamed streams and the northern shore of an unnamed lake, which streams and lake are excluded from the biodiversity reserve, to point 51 (5 309 818 m north, 417 803 m east);

Thence, northwesterly following a straight line having a bearing of  $294^{\circ}38'03''$  over a distance of about 252 metres, to the intersection with a line parallel to and at a distance of 20 metres west of the centre line of chemin de la Baie-Carrière, that is, point 52 (5 309 923 m north, 417 574 m east);

Thence, in an average southerly direction, following a line parallel to and at a distance of 20 metres west of the centre line of chemin de la Baie-Carrière, to the intersection of the northern right of way of an unnamed road, that is, point 53 (5 307 473 m north, 417 812 m east);

Thence, in an average southwesterly direction, along the northwestern right of way of an unnamed road, to point 54 (5 305 680 m north, 415 250 m east);

Thence, southerly following a straight line having a bearing of  $180^{\circ}00'02''$  over a distance of about 11 metres, to the intersection of the northern shore of an unnamed lake, that is, point 55 (5 305 669 m north, 415 250 m east);

Thence, in an average southeasterly direction, along the eastern shore of an unnamed lake and unnamed streams, to the intersection with the northern shore of the Decelles reservoir, with a maximum operating water level of 311 metres, that is, point 56 (5 303 159 m north, 415 812 m east);

Thence, in an average southerly direction, along the western shore of the Decelles reservoir, with a maximum operation water level of 311 metres, which reservoir is excluded from the biodiversity reserve, to the intersection with a straight line starting from point 56B (5 301 504 m north, 415 301 m east) whose bearing is  $80^{\circ}50'57''$ , that is, to point 56A (5 295 592 m north, 402 214);

Thence, westerly, following that straight line whose bearing is  $260^{\circ}50'57''$  over a distance of about 184 metres, that is, to point 56B (5 301 504 m north, 415 301);

Thence, southerly, following a straight line having a bearing of  $169^{\circ}00'17''$  over a distance of about 1 008 metres, to the intersection with the northern shore of the Decelles reservoir with a maximum operating water level of 311 metres, which reservoir is excluded from the biodiversity reserve, that is, point 56C (5 300 514 m north, 415 493 m east);

Thence, in an average westerly direction, along the southern shore of the Decelles reservoir, with a maximum operating water level of 311 metres, which reservoir is excluded from the biodiversity reserve, to the intersection of the northern shore of an unnamed stream, that is, point 57 (5 299 457 m north, 409 913 m east);

Thence, in an average westerly direction, along the northern bank of unnamed streams excluded from the biodiversity reserve, to point 58 (5 299 179 m north, 405 427 m east);

Thence, southwesterly following a straight line having a bearing of  $239^{\circ}39'24''$  over a distance of about 380 metres, to the intersection of the northwestern bank of an intermittent unnamed stream, that is, point 59 (5 298 987 m north, 405 099 m east);

Thence, in an average southerly direction, along the western bank of an intermittent unnamed stream, excluded from the biodiversity reserve, to the intersection of the northeastern bank of another unnamed stream, that is, point 60 (5 297 769 m north, 405 142 m east);

Thence, in an average northwesterly direction, along the northeaster bank of an unnamed stream, excluded from the biodiversity reserve, to point 61 (5 297 985 m north, 404 525 m east);

Thence, westerly following a straight line having a bearing of  $269^{\circ}18'53''$  over a distance of about 1087 metres, to the intersection of the western bank of an unnamed stream, that is, point 62 (5 297 972 m north, 403 438 m east);

Thence, in an average southerly direction, along the western bank and northern bank of unnamed streams excluded from the biodiversity reserve, to point 63 (5 296 371 m north, 402 977 m east);

Thence, southwesterly following a straight line having a bearing of  $224^{\circ}24'24''$  over a distance of about 1091 metres, to the intersection of an unnamed stream, that is, point 64 (5 295 592 m north, 402 214 m east);

Thence, westerly following a straight line having a bearing of  $268^{\circ}01'39''$  over a distance of about 813 metres, to the intersection of the northwestern bank of an intermittent unnamed stream, that is, point 65 (5 295 564 m north, 401 401 m east);

Thence, in an average southerly direction, along the western bank of an intermittent unnamed stream, excluded from the biodiversity reserve, to the intersection of the northwestern shore of the Decelles reservoir with a maximum operating water level of 311 metres, which reservoir is excluded from the biodiversity reserve, that is, point 66 (5 293 623 m north, 401 401 m east);

Thence, in an average westerly direction, along the northern shore of the Decelles reservoir, to the intersection of the southeastern limit of the Réserve écologique des Dunes-de-la-Moraine-d'Harricana, that is, point 67 (5 293 368 m north, 398 803 m east);

Thence, in an average northeasterly direction, along the southeastern limit of the Réserve écologique des Dunes-de-la-Moraine-d'Harricana, to the northeastern corner of the said reserve, that is, point 68 (5 295 001 m north, 399 801 m east) which corresponds to terminus marker #10 implanted by Jean-Yves Deblois, land surveyor, as shown on his plan bearing No. 3327 of his minutes;

Thence, northwesterly, along the northeastern limit of the Réserve écologique des Dunes-de-la-Moraine-d'Harricana, over a distance of 777.86 metres, to point 69 (5 295 236 m north, 399 059 m east);

Thence, northeasterly following a straight line having a bearing of  $71^{\circ}41'21''$  over a distance of about 550 metres, to the intersection of the northwestern bank of an unnamed stream, that is, point 70 (5 295 409 m north, 399 581 m east);

Thence, in an average northerly direction, along the western bank of an unnamed stream, to the north-eastern right of way of an unnamed road, that is, point 71 (5 296 963 m north, 399 236 m east);

Thence, in an average northwesterly direction, along the northeastern right of way of an unnamed road, to the intersection of the southeastern right of way of regional snowmobile trail 309, that is, point 72 (5 297 455 m north, 398 725 m east);

Thence, in an average northeasterly direction, along the southeastern right of way of regional snowmobile trail 309, to the intersection of the southwestern right of way of an unnamed road, that is, point 73 (5 297 714 m north, 399 555 m east);

Thence, in an average southeasterly direction, along the southwesterly right of way of an unnamed road, to point 74 (5 297 568 m north, 400 143 m east);

Thence, easterly following a straight line having a bearing of 76°46'18" over a distance of about 618 metres, to the intersection of the southeastern right of way of an unnamed road, that is, point 75 (5 297 709 m north, 400 745 m east);

Thence, in an average northerly direction, along the eastern right of way of unnamed roads, to the intersection of the southeastern right of way of another unnamed road, that is, point 76 (5 297 929 m north, 400 702 m east);

Thence, in an average northeasterly direction, along the southeastern right of way of an unnamed road, to the intersection of the southern right of way of another unnamed road, that is, point 77 (5 298 233 m north, 400 987 m east);

Thence, northeasterly following a straight line having a bearing of 24°42'30" over a distance of about 331 metres, to the intersection of the southeastern right of way of an unnamed road, that is, point 78 (5 298 534 m north, 401 125 m east);

Thence, in an average easterly direction, along the southern right of way of an unnamed road, to point 79 (5 298 600 m north, 401 313 m east);

Thence, easterly following a straight line having a bearing of 80°06'02" over a distance of about 123 metres, to the intersection of the northeastern right of way of an unnamed road, that is, point 80 (5 298 621 m north, 401 434 m east);

Thence, northeasterly following a straight line having a bearing of 27°11'41" over a distance of about 114 metres, to the intersection of the northeastern right of way of an unnamed road, that is, point 81 (5 298 723 m north, 401 486 m east);

Thence, northeasterly following a straight line having a bearing of 38°48'58" over a distance of about 630 metres, to the intersection of the southeastern right of way of an unnamed road, that is, point 82 (5 299 214 m north, 401 881 m east);

Thence, in an average northeasterly direction, along the southeastern right of way of unnamed roads, to point 83 (5 299 595 m north, 402 297 m east);

Thence, northerly following a straight line having a bearing of 5°01'56" over a distance of about 573 metres, to the intersection of the northeastern right of way of an unnamed road, that is, point 84 (5 300 166 m north, 402 347 m east);

Thence, in an average northwesterly direction, along the northeastern right of way of unnamed roads, to the intersection of the northwestern right of way of regional snowmobile trail 309, that is, point 85 (5 301 255 m north, 400 960 m east);

Thence, in an average southwesterly direction, along the northwestern right of way of regional snowmobile trail 309, to the intersection of the northeastern right of way of another unnamed road, that is, point 86 (5 300 973 m north, 399 808 m east);

Thence, in an average northwesterly direction, along the northeastern right of way of unnamed roads, to the intersection of the northwestern right of way of another unnamed road, that is, point 87 (5 301 553 m north, 398 705 m east);

Thence, northerly following a straight line having a bearing of 358°20'54" over a distance of about 129 metres, to the intersection with a line parallel to and at a distance of 20 metres southeast of the centre line of chemin du Rapide, that is, point 88 (5 301 682 m north, 398 701 m east);

Thence, northeasterly, following a line parallel to and at a distance of 20 metres southeast of the centre line of chemin du Rapide-Sept, to point 89 (5 303 306 m north, 401 072 m east);

Thence, easterly following a straight line having a bearing of 90°27'58" over a distance of about 882 metres, to the intersection of the eastern right of way of an unnamed road, that is, point 90 (5 303 299 m north, 401 954 m east);

Thence, in an average northerly direction, along the eastern right of way of an unnamed road, to the intersection with a line parallel to and at a distance of 20 metres southeast of the centre line of chemin du Rapide-Sept, that is, point 91 (5 303 890 m north, 401 851 m east);



Thence, in an average northeasterly direction, following a line parallel to and at a distance of 20 metres southeast of the centre line of chemin du Rapide-Sept, to the intersection of a line parallel to and at a distance of 20 metres south of an unnamed road that is, point 92 (5 311 541 m north, 413 535 m east);

Thence, in an average northeasterly direction, following a line parallel to and at a distance of 20 metres southeast of the centre line of unnamed roads, to point 93 (5 312 724 m north, 414 340 m east);

Thence, westerly to reach the eastern right of way of the road and continue in an average northeasterly direction, along the southeastern right of way of an unnamed road, to the intersection of a line parallel to and at a distance of 100 metres from the southwestern bank of ruisseau Desmarais, that is, point 94 (5 313 773 m north, 414 675 m east);

Thence, in an average northwesterly direction, along a line parallel to and at a distance of 100 metres from the southwestern bank of ruisseau Desmarais, to the intersection of the northwestern right of way of an unnamed road, that is, point 95 (5 314 231 m north, 413 723 m east);

Thence, in an average southwesterly direction, along the northwestern right of way of an unnamed road, to point 96 (5 313 806 m north, 413 047 m east);

Thence, in an average northwesterly direction, following a line parallel to and at a distance of 20 metres north and east of the centre line of unnamed roads, to point 97 (5 314 563 m north, 412 393 m east);

Thence, southwesterly following a straight line having a bearing of 244°46'51" over a distance of about 413 metres, to the intersection of the northern shore of an unnamed lake, that is, point 98 (5 314 387 m north, 412 019 m east);

Thence, westerly following a straight line having a bearing of 256°39'40" over a distance of about 639 metres, to the intersection of the northeastern right of way of the snowmobile trail, that is, point 99 (5 314 240 m north, 411 397 m east);

Thence, in an average northwesterly direction, along the northeastern right of way of the snowmobile trail, to point 100 (5 315 013 m north, 409 801 m east);

Thence, northerly following a straight line having a bearing of 358°19'17" over a distance of about 244 metres, to the intersection of the northwestern bank of an unnamed stream, that is, point 101 (5 315 257 m north, 409 794 m east);

Thence, in an average northeasterly direction North-East, along the northwestern bank of a stream, the shore of three unnamed lakes and the southeastern shore of lac Lemoine, so as to exclude the western part of that lake, to point 102 (5 317 828 m north, 414 230 m east);

Thence, northwesterly following a straight line having a bearing of 322°24'36" over a distance of about 214 metres, to the intersection of the northwestern bank of an unnamed stream, that is, point 103 (5 317 998 m north, 414 099 m east);

Thence, in an average northern direction, along the eastern bank of an unnamed stream and the shore of an unnamed lake, excluded from the biodiversity reserve, to the intersection of another unnamed stream, that is, point 104 (5 318 718 m north, 413 858 m east);

Thence, northwesterly following a straight line having a bearing of 348°37'35" over a distance of about 1237 metres, to the intersection of the northwestern bank of an unnamed stream, that is, point 105 (5 319 931 m north, 413 614 m east);

Thence, in an average northeasterly direction, along the western bank of an unnamed stream, to point 106 (5 320 917 m north, 413 961 m east);

Thence, northeasterly following a straight line having a bearing of 30°44'36" over a distance of about 483 metres, to the intersection of the northwestern bank of an unnamed stream, that is, point 107 (5 321 332 m north, 414 208 m east);

Thence, northerly following a straight line having a bearing of 351°16'36" over a distance of about 93 metres, to the intersection of a sinuous line corresponding to the northwestern limit of a wetland, that is, point 108 (5 321 424 m north, 414 194 m east);

Thence, in an average northeasterly direction, following a sinuous line corresponding to the northwestern limit of a wetland, passing by points whose approximate coordinates are

– 109 (5 321 652 m north, 414 207 m east);

– 110 (5 321 944 m north, 414 346 m east);

– 111 (5 322 063 m north, 414 602 m east);

– 112 (5 322 147 m north, 414 832 m east);

– 113 (5 322 245 m north, 415 012 m east);

– 114 (5 322 332 m north, 415 214 m east);



- 115 (5 322 628 m north, 415 331 m east);
- 116 (5 322 635 m north, 415 525 m east);
- 117 (5 322 604 m north, 415 680 m east);

The last point corresponds to the southeastern right of way of an unnamed road;

Thence, in an average northeasterly direction, along the southeastern right of way of unnamed roads, to point 118; (5 323 004 m north, 415 860 m east);

Thence, northerly following a straight line having a bearing of 10°25'10" over a distance of about 1380 metres, to the intersection of the southeastern shore of lac Fournière, that is, point 119 (5 324 361 m north, 416 110 m east);

Thence, in an average northerly direction, along the eastern shore of lac Fournière and an unnamed stream excluded from the biodiversity reserve, to starting point 1.

Having an area of 289.81 square kilometres (excluding the area of parcels A-1 to A-5, described below).

*EXCLUDING AND WITHDRAWING PARCELS A-1, A-2, A-3, A-4 AND A-5 DESCRIBED BELOW:*

#### **PARCEL A-1**

Starting from point 196 (5 316 019 m north, 414 893 m east) being the northwestern corner of lot 5 459 908 of the cadastre of du Québec; thence, easterly following the northern limit of lots 5 459 908, 5 459 938 to 5 459 941 of the said cadastre of to point 197 (5 316 067 m north, 415 151 m east) corresponding to the northeastern corner of the latter lot;

Thence, northeasterly following a straight line having a bearing of 56°58'30" to its intersection with the extension, southwesterly, of the northwestern limit of lot 5 459 942 of the cadastre of du Québec, to point 198 (5 316 214 m north, 415 378 m east);

Thence, northeasterly following the said extension then the northwestern limit of lot 5 459 942 to its northern corner, that is, to point 199 (5 316 340 m north, 415 499 m east);

Thence, southeasterly following the northeastern limit of that lot while extending it at the intersection of the northwestern shore of lac Lemoine, that is, point 200 (5 316 241 m north, 415 569 m east);

Thence, in an average southwesterly direction, along the northwestern shore of lac Lemoine, to the intersection of the extension of the western limit of lot 5 459 908 of the cadastre of du Québec, that is, point 201 (5 315 911 m north, 414 917 m east);

Thence, northerly following the extension then the western limit of lot 5 459 908 of the cadastre of du Québec, to starting point 196.

Having an area of 0.08 square kilometres.

#### **PARCEL A-2**

Starting from point 202 (5 320 168 m north, 420 187 m east) corresponding to the intersection of the southeastern shore of lac Lemoine with the northern limit of rang D of canton de Dubuisson of the original survey;

Thence, easterly following the northern limit of rang D and part of rang I of canton de Dubuisson to the intersection of a line parallel to and at a distance of 200 metres from the southeastern shore of lac Lemoine; that is, point 203 (5 320 175 m north, 420 504 m east);

Thence, in an average southwesterly direction, following a line parallel to and at a distance of 200 metres from the southeastern shore of lac Lemoine, to point 204 (5 319 224 m north, 419 008 m east);

Thence, northerly following a straight line having a bearing of 358°36'54" over a distance of about 206 metres, to the intersection of the southeastern shore of lac Lemoine, that is, point 205 (5 319 429 m north, 419 003 m east);

Thence, in an average northeasterly direction, along the southeastern shore of lac Lemoine, to starting point 202.

Having an area of 0.35 square kilometres.

#### **PARCEL A-3**

Starting from point 206 (5 317 491 m north, 418 085 m east) corresponding to the intersection of the southeastern shore of lac Lemoine with the northeastern limit of lot 5 460 013 of the cadastre of du Québec. Thence, easterly following the northeastern limit of lots 5 460 013, 5 662 138 and their extensions to the intersection of a line parallel to and at a distance of 200 metres from the southeastern shore of lac Lemoine, that is, point 207 (5 317 448 m north, 418 278 m east);

Thence, in an average southwesterly direction, following a line parallel to and at a distance of 200 metres from the southeastern shore of lac Lemoine, to the intersection of

the eastern right of way of chemin Bayview, corresponding to lot 5 520 672 of the cadastre of du Québec, that is, point 208 (5 315 846 m north, 416 508 m east);

Thence, in an average southerly direction, along the eastern right of way of chemin Bayview, to the intersection of the northern right of way of chemin de la Baie-Carrière, that is, point 209 (5 314 653 m north, 416 792 m east);

Thence, in an average westerly direction, along the northern right of way of chemin de la Baie-Carrière, to the intersection of the western right of way of chemin Bayview, that is, point 210 (5 314 649 m north, 416 748 m east);

Thence, in an average northern direction, along the western right of way of chemin Bayview, to the intersection of a line parallel to and at a distance of 200 metres from the southeastern shore of lac Lemoine, that is, point 211 (5 315 813 m north, 416 493 m east);

Thence, in an average southwesterly direction, following a line parallel to and at a distance of 200 metres from the southeastern shore of lac Lemoine, to the intersection of the eastern right of way of chemin de la Baie-Noire, corresponding to lot 5 662 144 of the cadastre of du Québec, that is, point 212 (5 315 049 m north, 415 439 m east);

Thence, in an average southeasterly direction, along the northeastern right of way of chemin de la Baie-Noire, to the intersection of the northwestern right of way of chemin de la Baie-Carrière, that is, point 213 (5 314 520 m north, 416 540 m east);

Thence, in an average southwesterly direction, along right of way North-Ouest du chemin de la Baie-Carrière, to the intersection of right of way Sud-Ouest du chemin de la Baie-Noire, that is, point 214 (5 314 460 m North, 416 507 m Est);

Thence, in an average direction North-Ouest, along the southwestern right of way of chemin de la Baie-Noire, to the intersection of a line parallel to and at a distance of 200 metres from the southeastern shore of lac Lemoine, that is, point 215 (5 315 051 m north, 415 406 m east);

Thence, in an average westerly direction, following a line parallel to and at a distance of 200 metres from the southeastern shore of lac Lemoine, to the intersection of the extension of the western limit of lot 5 459 917 of the cadastre of du Québec, that is, point 216 (5 315 019 m north, 415 229 m east);

Thence, northerly following the extension of the western limit and the said limit of lot 5 459 917 of the cadastre of du Québec, to the intersection of the southern shore of lac Lemoine, that is, point 217 (5 315 259 m north, 415 252 m east);

Thence, in an average northeastern direction, along the southeastern shore of lac Lemoine, to starting point 206.

Having an area of 0.90 square kilometres.

#### **PARCEL A-4**

A parcel of land known as being a research forest of the Ministère de la Forêt, de la Faune et des Parcs (FE #606 Laubanie, constraint #2104) and that could be described as follows, namely:

Startin from point 210 (5 314 649 m north, 416 748 m east) of parcel A-3 described below, southeasterly, following a straight line having a bearing of 152°36'04" over a distance of 773 metres, to the northeastern corner of research forest #606, that is, point 218 (5 313 963 m north, 417 104 m east), which is the starting point of the parcel to be described;

Thence, southerly following the eastern limit of research forest #606, to its southeastern corner, that is, point 219 (5 313 423 m north, 417 212 m east);

Thence, westerly following the southern limit of research forest #606, to its southwestern corner, that is, point 220 (5 313 308 m north, 416 674 m east);

Thence, northerly following the western limit of research forest #606, to its northwestern corner, that is, point 221 (5 313 852 m north, 416 564 m east);

Thence, easterly following the northern limit of research forest #606, to its northeastern corner, that is, starting point 218.

Having an area of 0.30 square kilometres.

#### **PARCEL A-5**

A parcel of land including private lot 5 121 859 of the cadastre of du Québec, registration division of Abitibi, excluded from the territory and that may be described as follows, namely:

Starting from point 222 (5 321 356 m north, 421 541 m east) being the eastern corner of lot 5 121 859 of the cadastre of du Québec;

Thence, southwesterly following the southeastern limit of lot 5 121 859 of the cadastre of du Québec, to the southern corner of the said lot, that is, point 223 (5 321 306 m north, 421 506 m east);

Thence, northwesterly following the southwestern limit of lot 5 121 859 of the cadastre of du Québec, to the intersection of the southeastern shore of lac Lemoine, that is, point 224 (5 321 346 m north, 421 449 m east);

Thence, in an average southeasterly direction, along the southeastern shore of lac Lemoine, to the intersection of the northeastern limit of lot 5 121 859 of the cadastre of du Québec, that is, point 225 (5 321 409 m north, 421 465 m east);

Thence, southeasterly following the northeastern limit of lot 5 121 859 of the cadastre of du Québec, to the eastern corner of the said lot, that is, starting point 222.

Having an area of 0.005 square kilometres.

#### **PARCEL B**

Starting from point 8 (5 328 358 m north, 423 075 m east) of parcel A described above, easterly, following a straight line having a bearing of 88°42'46" over a distance of about 30 metres, to the intersection of the eastern right of way of chemin de la Baie-de-la-Paix, that is, point 120 (5 328 358 m north, 423 105 m east), being the starting point of the parcel to be described;

Thence, easterly, along the limit between ranges VI and VII of canton de Dubuisson, to the intersection of the southwestern right of way of chemin des Explorateurs, that is, point 121 (5 328 366 m north, 423 478 m east);

Thence, southeasterly following the southwestern right of way of chemin des Explorateurs, to the intersection of the limit between lots 29 and 30 of rang VI of canton de Dubuisson, that is, point 122 (5 328 298 m north, 423 617 m east);

Thence, southerly following the limit between lots 29 and 30 of rang VI of canton de Dubuisson, to the intersection of the limit between ranges VI and V of canton de Dubuisson, that is, point 123 (5 326 744 m north, 423 648 m east);

Thence, easterly, along the limit between ranges V and VI of canton de Dubuisson, to the intersection of the southwestern right of way of chemin des Feuillus, corresponding to lot 5 121 607 of the cadastre of du Québec, that is, point 124 (5 326 779 m north, 425 307 m east);

Thence, southeasterly, following the southwestern limit of chemin des Feuillus, that is, part of lot 5 121 607 of the cadastre of du Québec, over a distance of 73.12 metres, that is, to point 125 (5 326 737 m north, 425 366 m east);

Thence, southeasterly, following a straight line having a bearing of 153°14'03" over a distance of about 271 metres, to the northwestern corner of lot 5 123 136 of the cadastre of du Québec, that is, point 126 (5 326 495 m north, 425 489 m east);

Thence, westerly, following the northern limit of lots 5 121 940 and 5 121 937 of the cadastre of du Québec, to the northeastern corner of lot 5 121 939 of the cadastre of du Québec, that is, point 127 (5 326 479 m north, 425 390 m east);

Thence, southwesterly, following the northwestern limit of lot 5 121 939 of the cadastre of du Québec, to the northern corner of lot 5 121 936 of the cadastre of du Québec, that is, point 128 (5 326 423 m north, 425 295 m east);

Thence, southwesterly, following the northwestern limit of lots 5 121 936 and 5 121 938 of the cadastre of du Québec, to the western corner of lot 5 121 938 of the cadastre of du Québec, that is, point 129 (5 326 339 m north, 425 239 m east);

Thence, southwesterly, following a straight line having an approximate bearing of 228°54'39" over a distance of about 71 metres, to the northern corner of lot 5 121 941 of the cadastre of du Québec, that is, point 130 (5 326 293 m north, 425 186 m east);

Thence, southwesterly, following the northwestern limit of lot 5 121 941 of the cadastre of du Québec, to the western corner of the said lot, that is, point 131 (5 326 260 m north, 425 148 m east);

Thence, southwesterly, following a straight line having an approximate bearing of 228°49'18" over a distance of about 153 metres, to the northern corner of lot 5 121 934 of the cadastre of du Québec, that is, point 132 (5 326 159 m north, 425 033 m east);

Thence, in an average southwesterly direction, following a broken line, corresponding to the northwestern limit of lot 5 121 934, whose approximate coordinates of the apexes are:

–Point 133 (5 326 146 m north, 425 018 m east);

–Point 134 (5 326 134 m north, 424 991 m east);

Thence, southwesterly, following a straight line having a bearing of  $245^{\circ}57'02''$  over a distance of 98,39 metres, to point 135 (5 326 094 m north, 424 901 m east);

Thence, southwesterly, following a straight line having a bearing of  $234^{\circ}49'13''$  over a distance of 380,01 metres, to point 136 (5 325 875 m north, 424 590 m east);

Thence, westerly, following a straight line having an approximate bearing of  $257^{\circ}41'00''$  over a distance of about 80 metres, to the northeastern corner of lot 5 122 047 of the cadastre of du Québec, that is, point 137 (5 325 858 m north, 424 512 m east);

Thence, northwesterly, following the northeastern limit of lots 5 122 047 and 5 122 048 of the cadastre of du Québec, to the northwestern corner of lot 5 122 048 of the cadastre of du Québec, that is, point 138 (5 325 881 m north, 424 411 m east);

Thence, northwesterly, following a straight line having an approximate bearing of  $284^{\circ}14'10''$  over a distance of about 198 metres, to the northeastern corner of lot 5 122 049, that is, point 139 (5 325 929 m north, 424 219 m east);

Thence, westerly, following the northern limit of lot 5 122 049 of the cadastre of du Québec, to the northeastern corner of lot 5 122 052 of the cadastre of du Québec, that is, point 140 (5 325 934 m north, 424 167 m east);

Thence, northwesterly, following the northeastern limit of lot 5 122 052 of the cadastre of du Québec, to the eastern corner of lot 5 122 051 of the cadastre of du Québec, that is, point 141 (5 325 944 m north, 424 125 m east);

Thence, northwesterly, following the northern limit of lot 5 122 051 of the cadastre of du Québec, to the eastern corner of lot 5 122 054 of the cadastre of du Québec, that is, point 142 (5 325 967 m north, 424 080 m east);

Thence, northwesterly, following the northeastern limit of lot 5 122 054 of the cadastre of du Québec, to the eastern corner of lot 5 122 050 of the cadastre of du Québec, that is, point 143 (5 325 998 m north, 424 041 m east);

Thence, northwesterly, following the northeastern limit of lots 5 122 050 and 5 122 053 of the cadastre of du Québec, to the northern corner of lot 5 122 053 of the cadastre of du Québec, that is, point 144 (5 326 075 m north, 423 965 m east);

Thence, northwesterly, following a straight line having a bearing of  $316^{\circ}14'14''$  over a distance of 123 metres, to point 145 (5 326 164 m north, 423 880 m east);

Thence, northwesterly, following a straight line having a bearing of  $294^{\circ}14'53''$  over a distance of about 360 metres, skirting to the north the unnamed lake following its northeastern shore so as to exclude the lake, to the intersection of the eastern right of way of chemin de la Baie-de-la-Paix, corresponding to lot 5 121 604 of the cadastre of du Québec, that is, point 146 (5 326 312 m north, 423 552 m east);

Thence, in an average northern direction, along the eastern right of way of chemin de la Baie-de-la-Paix, to starting 120.

Having an area of 1.79 square kilometres.

### **PARCEL C**

Starting from point 72 (5 297 455 m north, 398 725 m east) of parcel A described above, southwesterly, following a straight line having a bearing of  $213^{\circ}47'39''$  over a distance of about 1564 metres, to the intersection of the southwestern right of way of an unnamed road, that is, point 147 (5 296 155 m north, 397 855 m east), being the starting point of the parcel to be described;

Thence, in an average southeastern direction, along the southwestern right of way of an unnamed road, to the intersection of the northeastern limit of the Réserve écologique des Dunes-de-la-Moraine-d'Harricana, that is, point 148 (5 295 241 m north, 399 043 m east);

Thence, northwesterly, along the northeastern limit of the Réserve écologique des Dunes-de-la-Moraine-d'Harricana, over a distance of about 800 metres, to point 149 (5 295 483 m north, 398 280 m east); which corresponds to terminus marker #5 implanted by Jean-Yves Deblois, land surveyor, as shown on his plan bearing No. 3327 of his minutes;

Thence, northwesterly, along the northern limit of the Réserve écologique des Dunes-de-la-Moraine-d'Harricana, over a distance of 1509,31 metres, to the northwestern corner of the said ecological reserve, that is, to point 150 (5 295 747 m north, 396 794 m east), which corresponds to terminus marker #1 implanted by Jean-Yves Deblois, land surveyor, as shown on his plan bearing No. 3327 of his minutes;

Thence, southeasterly, along the western limit of the Réserve écologique des Dunes-de-la-Moraine-d'Harricana, over a distance of 236,70 metres, that is, to point 151 (5 295 508 m north, 396 853 m east), which corresponds to terminus marker #11 implanted by Jean-Yves Deblois, land surveyor, as shown on his plan bearing No. 3327 of his minutes;

Thence, in an average southerly direction, along the western limit of the Réserve écologique des Dunes-de-la-Moraine-d'Harricana, that is, to point 152 (5 294 315 m north, 397 237 m east), which corresponds to terminus marker #18 implanted by Jean-Yves Deblois, land surveyor, as shown on his plan bearing No. 3327 of his minutes;

Thence, in an average southerly direction, along the western limit of the Réserve écologique des Dunes-de-la-Moraine-d'Harricana, to the intersection of the north-western shore of the Decelles reservoir, that is, point 153 (5 293 420 m north, 397 262 m east);

Thence, in an average southerly direction, along the western shore of the Decelles reservoir at the maximum operating water level of 311 metres, which reservoir is excluded from the biodiversity reserve, to the intersection of the eastern limit of lot 5 460 830 of the cadastre of du Québec, that is, point 154 (5 291 019 m north, 396 766 m east);

Thence, in an average southwesterly direction, following a broken line, corresponding to the eastern, northern and western limit of lot 5 460 830 of the cadastre of du Québec, whose approximate coordinates of the apexes are:

- Point 155 (5 291 053 m north, 396 744 m east);
- Point 156 (5 291 022 m north, 396 661 m east);
- Point 157 (5 291 020 m north, 396 541 m east);
- Point 158 (5 290 995 m north, 396 505 m east);
- Point 159 (5 290 972 m north, 396 509 m east);
- Point 160 (5 290 965 m north, 396 514 m east);
- Point 161 (5 290 964 m north, 396 525 m east);
- Point 162 (5 290 957 m north, 396 535 m east);
- Point 163 (5 290 957 m north, 396 547 m east);
- Point 164 (5 290 936 m north, 396 551 m east);

Thence, southerly, following the western limit of lot 5 460 830 of the cadastre of du Québec, to the intersection of the northwestern shore of the Decelles reservoir at the maximum operating water level of 311 metres, which reservoir is excluded from the biodiversity reserve, that is, point 165 (5 290 910 m north, 396 542 m east);

Thence, in an average southwesterly direction, along the northwestern shore of the Decelles reservoir, to the intersection of the eastern limit of lot 5 460 929 of the cadastre of du Québec, that is, point 166 (5 290 842 m north, 396 483 m east);

Thence, in an average southwesterly direction, following a broken line, corresponding to the eastern, northern and western limit of lot 5 460 929 of the cadastre of du Québec, whose approximate coordinates of the apexes are:

- Point 167 (5 290 894 m north, 396 475 m east);
- Point 168 (5 290 899 m north, 396 454 m east);
- Point 169 (5 290 865 m north, 396 428 m east);
- Point 170 (5 290 856 m north, 396 407 m east);
- Point 171 (5 290 798 m north, 396 412 m east);

Thence, easterly, following the southern limit of lot 5 460 929 of the cadastre of du Québec, to the intersection of the northwestern shore of the Decelles reservoir at the maximum operating water level of 311 metres, which reservoir is excluded from the biodiversity reserve, that is, point 172 (5 290 795 m north, 396 434 m east);

Thence, in an average northwesterly direction, along the northeastern shore of the Decelles reservoir at the maximum operating water level of 311 metres, which reservoir is excluded from the biodiversity reserve, to point 173 (5 292 506 m north, 394 600 m east);

Thence, northerly following a straight line having a bearing of 2°51'36" over a distance of about 109 metres, to the intersection of the eastern right of way of an unnamed road, that is, point 174 (5 292 615 m north, 394 605 m east);

Thence, in an average northerly direction, along the eastern right of way of an unnamed road, to the intersection of the southeastern limit of lot 5 460 806 of the cadastre of du Québec, that is, point 175 (5 292 826 m north, 394 583 m east);

Thence, northeasterly, along the southeastern limit of lot 5 460 806 of the cadastre of du Québec, to the eastern corner of the said lot, that is, point 176 (5 292 882 m north, 394 614 m east);

Thence, southeasterly, along the southwestern limit of lot 5 460 809 of the cadastre of du Québec, to the southern corner of the said lot, that is, point 177 (5 292 866 m north, 394 667 m east);

Thence, northeasterly, along the southeastern limit of lot 5 460 809 of the cadastre of du Québec to the intersection of the southeastern right of way of regional snowmobile trail 309, that is, point 178 (5 292 927 m north, 394 690 m east);



Thence, in an average northeasterly direction, along the southeastern right of way of regional snowmobile trail 309, to starting point 147.

Having an area of 14.31 square kilometres.

#### **PARCEL D**

Starting from point 176 (5 292 882 m north, 394 614 m east) of parcel C described above, westerly, following a straight line having a bearing of 260°46'36" over a distance of about 2407 metres, to the intersection of the western limit of block A of canton de Laudanet, that is, point 179 (5 292 496 m north, 392 239 m east), being the starting point of the parcel to be described;

Thence, southerly, following the western limit of block A of canton de Laudanet, to the southwestern corner of the said block, that is, point 180 (5 292 049 m north, 392 245 m east);

Thence, easterly, following the southern limit of block A of canton de Laudanet, to the northwestern corner of block 10 of canton de Laudanet, that is, point 181 (5 292 063 m north, 393 161 m east);

Thence, southerly, following the western limit of block 10 of canton de Laudanet, to point 182 (5 291 942 m north, 393 191 m east);

Thence, southerly, following the western limit of block 10 of canton de Laudanet, to the intersection of the eastern shore of the Decelles reservoir at the maximum operating water level of 311 metres, which lake is excluded from the biodiversity reserve, that is, point 183 (5 291 841 m north, 393 199 m east);

Thence, in an average southwesterly direction, along the eastern shore of the Decelles reservoir at the maximum operating water level of 311 metres, which reservoir is excluded from the biodiversity reserve, to the intersection of the western limit of lot 5 460 795 of the cadastre of du Québec, that is, point 184 (5 291 563 m north, 393 109 m east);

Thence, southwesterly, along the western limit of lot 5 460 795 of the cadastre of du Québec, to the intersection of the western shore of the Decelles reservoir at the maximum operating water level of 311 metres, which reservoir is excluded from the biodiversity reserve, that is, point 185 (5 291 474 m north, 393 087 m east);

Thence, in an average southwesterly direction, along the northwestern shore of the Decelles reservoir at the maximum operating water level of 311 metres, which reservoir is excluded from the biodiversity reserve, to the intersection of the northwestern right of way of an

unnamed road with the westerly extension of the northern shore of the branch of the reservoir that is, point 186 (5 288 253 m north, 388 772 m east);

Thence, in an average westerly direction, along the northern right of way of unnamed roads, to the intersection of the southern right of way of the Hydro-Québec power transmission line 36.576 metres (120 feet) in width, that is, point 187 (5 288 881 m north, 378 366 m east);

Thence, in an average northeastern direction, along the southeastern right of way of the Hydro-Québec power transmission line 36.576 metres (120 feet) in width, to starting point 179.

Having an area of 38.47 square kilometres.

#### **PARCEL E**

Starting from point 179 (5 292 496 m north, 392 239 m east) of parcel D described above, westerly, following a straight line having a bearing of 273°04'15" over a distance of about 7284 metres, to the intersection of the northeastern bank of ruisseau Godard, that is, point 188 (5 292 886 m north, 384 965 m east), being the starting point of the parcel to be described;

Thence, in an average southeasterly direction, along the northeastern bank of ruisseau Godard then the northern and eastern shore of lac Godard and the eastern bank and shore of unnamed streams and lakes, to the intersection of the northwestern right of way of the Hydro-Québec power transmission line 36.576 metres (120 feet) in width, that is, point 189 (5 290 697 m north, 385 924 m east);

Thence, in an average southwesterly direction, along the northwestern right of way of the Hydro-Québec power transmission line 36.576 metres (120 feet) in width, to the intersection of the eastern right of way of an unnamed road, that is, point 190 (5 288 909 m north, 378 322 m east);

Thence, in an average northerly direction, along the eastern right of way of unnamed roads nom, and extending to the intersection of the southern shore of lac Dar, that is, point 191 (5 289 578 m north, 378 272 m east);

Thence, in an average northeasterly direction, along the northwestern shore of lac Dar, bank of ruisseau Alder and shore of an unnamed lake, to the intersection of the northern bank of an unnamed stream, that is, point 192 (5 292 939 m north, 381 432 m east);

Thence, in an average southeasterly direction, along the northern and northeastern bank and shore of unnamed streams and lakes, to point 193 (5 292 597 m north, 382 302 m east);



Thence, southeasterly following a straight line having a bearing of 141°09'12" over a distance of about 191 metres, to the intersection of the northern bank of an unnamed stream, that is, point 194 (5 292 448 m north, 382 422 m east);

Thence, in an average easterly direction, along the northern bank of unnamed streams and shore of an unnamed lake, to the intersection of the western bank of ruisseau Godard, that is, point 195 (5 292 880 m north, 384 924 m east);

Thence, easterly following a straight line having a bearing of 81°40'28" over a distance of about 41 metres, to starting point 188.

Having an area of 19.91 square kilometres.

The following island of the Decelles reservoir whose limit with the said reservoir must be established at the geodesic elevation of 311 metres is also included in the biodiversity reserve:

— Unnamed island #1

Coordinate: 5 290 378 m north, 394 213 m east

Area: 0.43 square kilometres

#### Notes:

— The limit of the biodiversity reserve shown on the plan accompanying the technical description was determined from the digital files in the Québec topographic and administrative database (BDTA) at a scale of 1:20,000 of the Ministère de l'Énergie et des Ressources naturelles du Québec, the digital compilation of surveys produced by the Ministère de l'Énergie et des Ressources naturelles du Québec, the data bank of the forest information system (SIEF) of the Ministère de l'Énergie et des Ressources naturelles du Québec, an excerpt of the Base de données cadastrale du Québec effective on 26 April 2017, an excerpt of the surveys officialized in the Registre du domaine de l'État effective on 26 April 2017, the mining right management system (Gestim) of the Ministère de l'Énergie et des Ressources naturelles du Québec and information from satellite images of the sectors concerned.

— The limits along the shore of the Decelles reservoir must be established at the geodesic elevation of 311 metres, that is, the maximum operating level.

— Generally, all the beds of watercourses, rivers and lakes are included in the biodiversity reserve. Only those excluded are mentioned in this technical description.

— The limits defined by the shore of a lake or the bank of a river or stream correspond to the high-water mark.

— The coordinates and areas used in this technical description are approximate. They were graphically determined from the said data used to determine the limit of the biodiversity reserve. They are given in metres in reference to the Québec plane coordinate system (SCOPQ), Modified Transverse Mercator projection (MTM), Time Zone 10 (central meridian 79°30'), North American Datum 1983 (NAD83).

— The measures comply with the International System of Units.

— The limit of the biodiversity reserve is based on the actual layout of the elements described in this document and must be legally interpreted in such a way. It was prepared by the Direction des aires protégées of the Ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques.

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

— The territory is represented on a plan at a scale of 1:25,000.

— In accordance with the instructions of the Direction des aires protégées, the information contained in the fundamental documents provided by the mandator, from which this technical description was prepared, is accepted as fact.

The whole as shown on the plan prepared by the undersigned on 8 February 2018 and filed with the office of the Surveyor-General of Québec of the Ministère de l'Énergie et des Ressources naturelles under document number 536700.

Prepared in Québec by Pierre Hains, land surveyor, on 8 February 2018, under number 11 503 of his minutes.

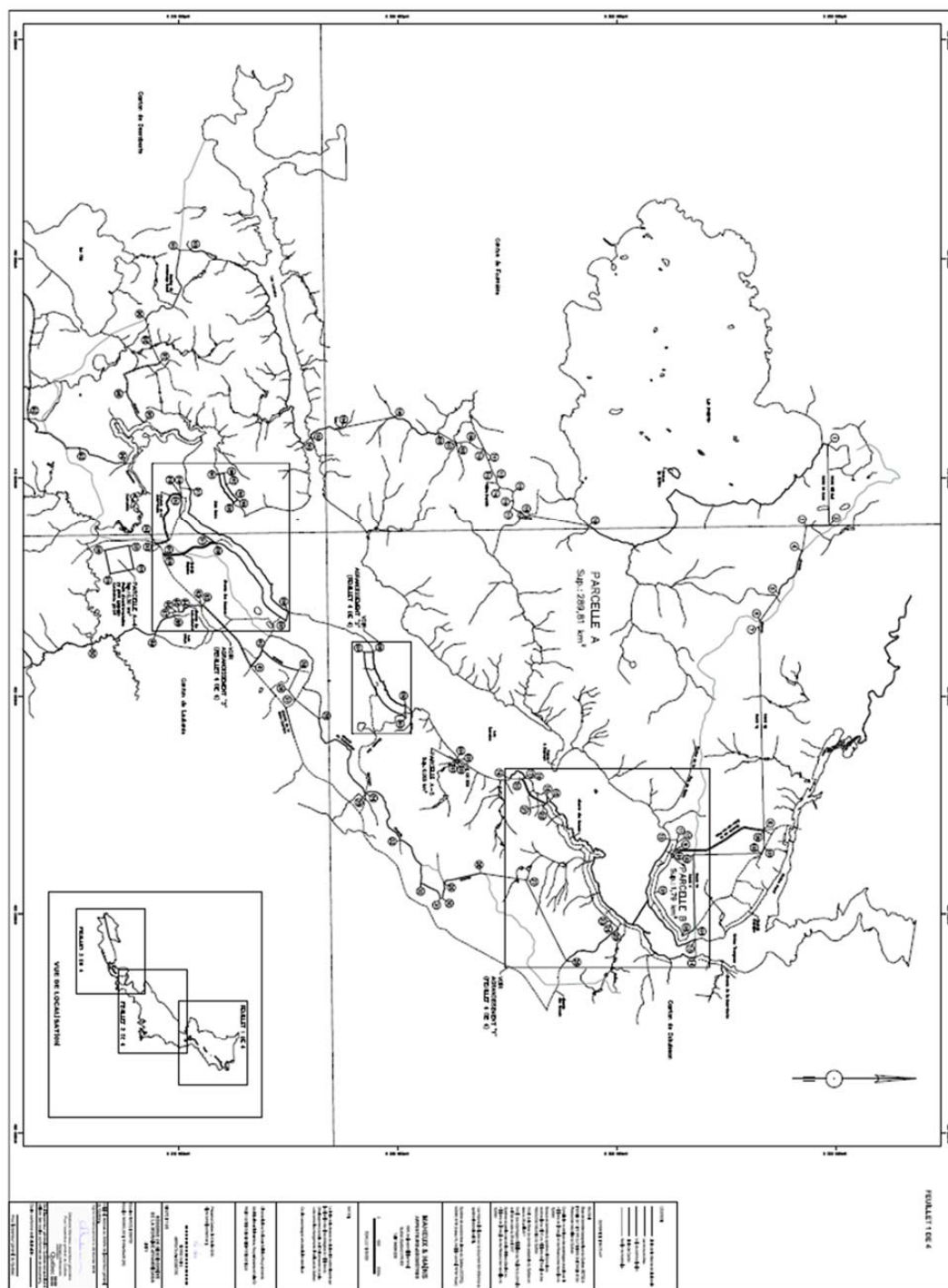
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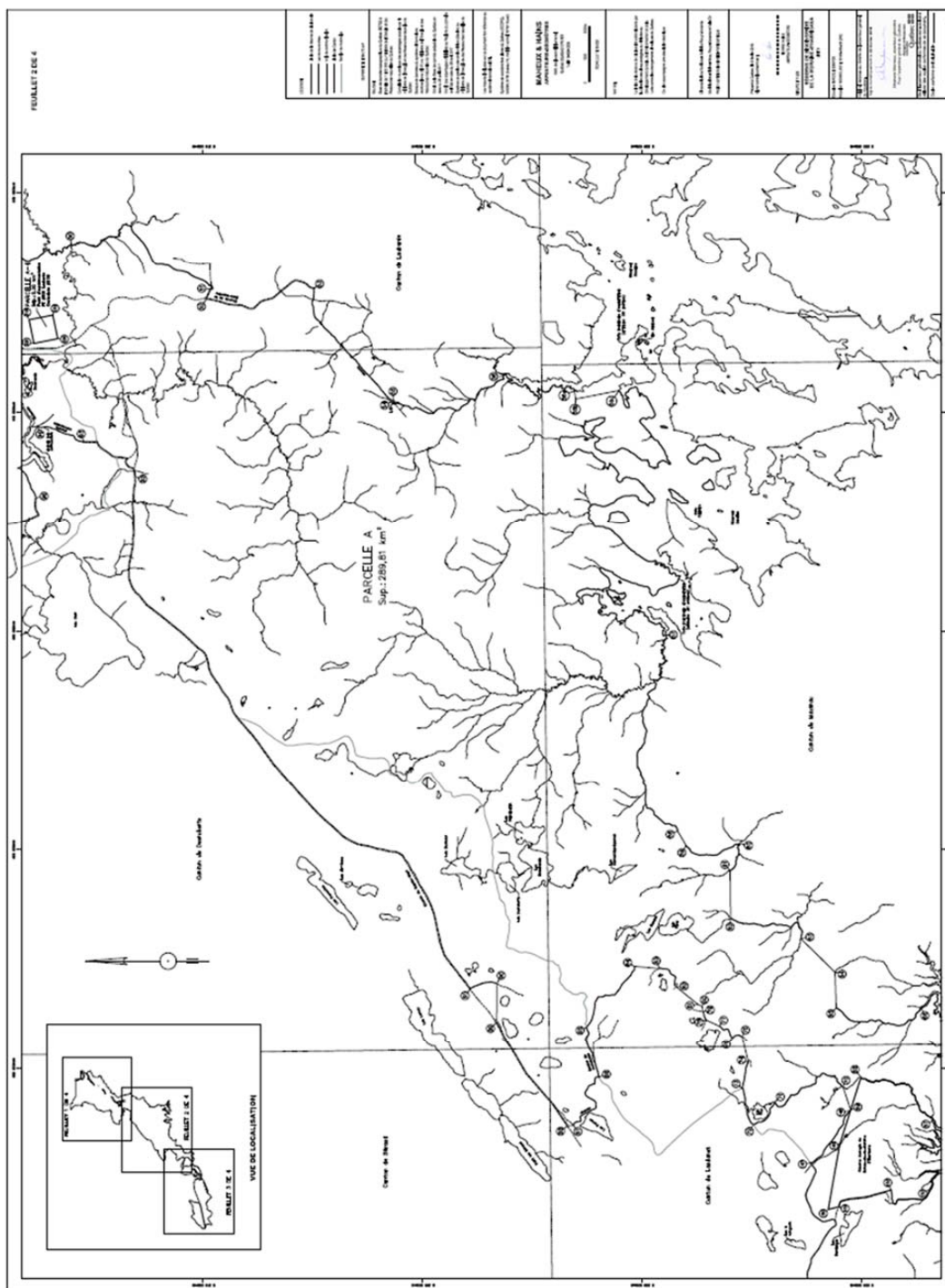
PIERRE HAINS,  
*Land Surveyor*

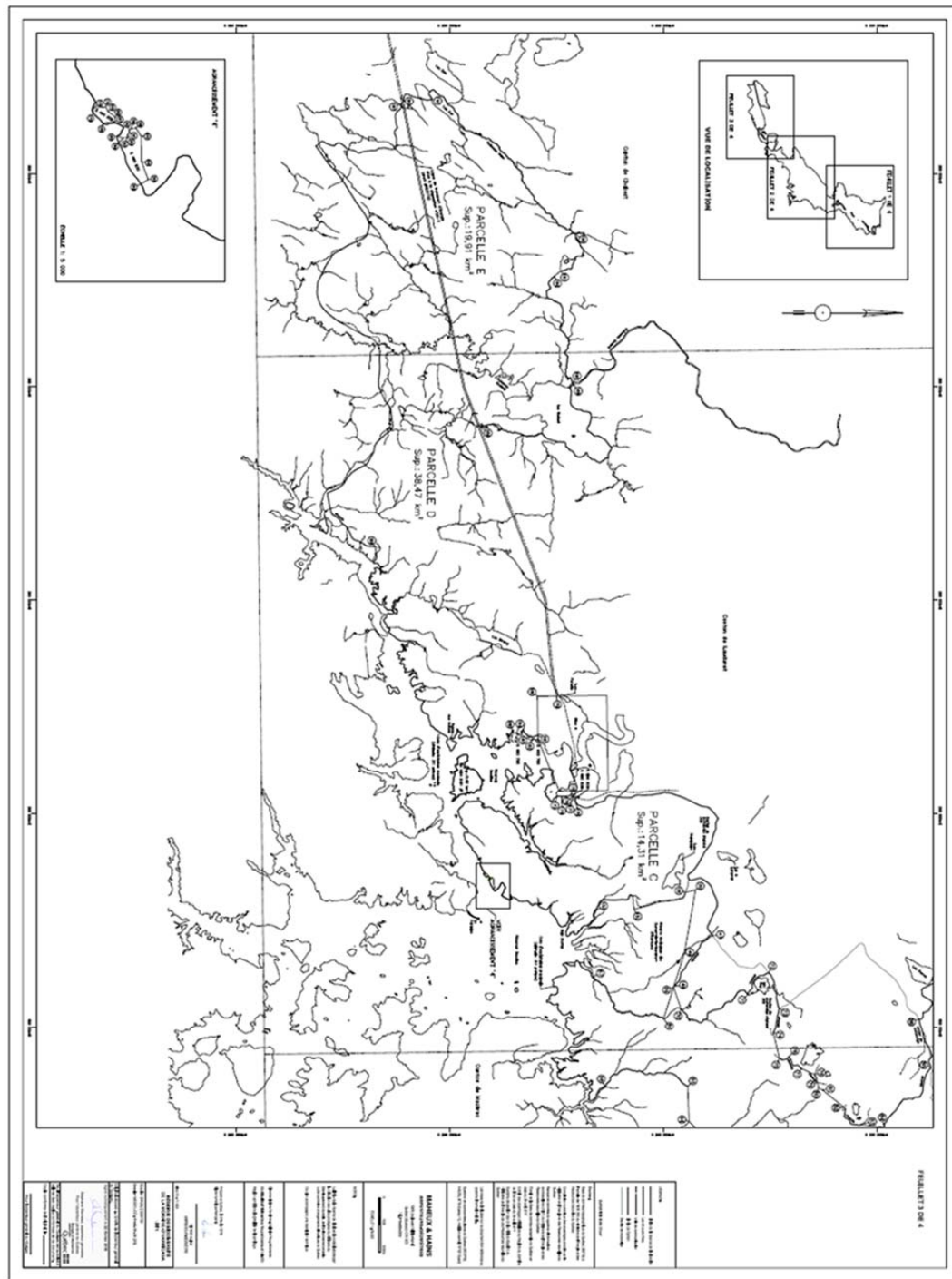
Ministère du Développement durable,  
de l'Environnement et de la Lutte contre  
les changements climatiques

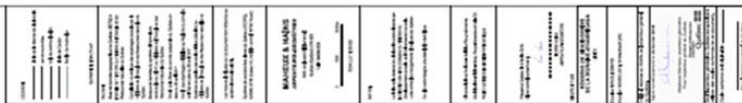
Direction des aires protégées

MDDELCC record: 5148-06-08-22











**SCHEDULE II****CONSERVATION PLAN OF THE RÉSERVE DE BIODIVERSITÉ DE LA MORAINÉ-D'HARRICANA**

Protected areas  
in Québec:

A Lifelong Heritage

# Réserve de biodiversité de la Moraine- d'Harricana



CONSERVATION PLAN

Québec 



Cover page photos: Marc-André Bouchard

Reference to cite:

Gouvernement du Québec. 2018. Conservation Plan, Réserve de biodiversité de la Moraine-d'Harricana. Québec, Ministère de l'Environnement et de la Lutte contre les changements climatiques, Direction des aires protégées. 33 pages.

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## Introduction

In 2004, the Gouvernement du Québec moved to protect two territories, one in the area of Réservoir Decelles, the other in the vicinity of Lac Lemoine.

The legal and provisional status of proposed biodiversity reserve was officially granted to both territories in July 2004 under section 27 of the *Natural Heritage Conservation Act* (chapter C-61.01). The proposed biodiversity reserves were given the temporary names of Réserve de biodiversité projetée de la forêt Piché-Lemoine and Réserve de biodiversité projetée du Réservoir Decelles.

On February 22, 2007 the Minister of Sustainable Development, Environment and Parks (MDDEP) mandated the Bureau d'audiences publiques sur l'environnement (BAPE) to hold a public consultation on the proposed protected areas of Lac Opasatica, Lac des Quinze, Forêt Piché-Lemoine and Réservoir Decelles. This mandate was given to the BAPE in accordance with section 39 of the *Natural Heritage Conservation Act*, which provides for a public consultation process before permanent protection status is recommended to the Gouvernement du Québec for a territory reserved for the creation of a new protected area. The BAPE's mandate began on March 8, 2007 and concluded on August 8 of the same year. The consultation was held in April and May 2007 in Val-d'Or, Rouyn-Noranda, Angliers, Lac-Simon and Winneway. The BAPE's inquiry and public hearing report (No. 244) was submitted to the Minister of the MDDEP on August 8, 2007 (BAPE, 2007). In its report, the commission recommended giving permanent protection status to the proposed biodiversity reserves of Forêt Piché-Lemoine and Réservoir Decelles.

Réserve de biodiversité de la Moraine-d'Harricana is the result of combining the two proposed biodiversity reserves. By giving permanent protected status to Réserve de biodiversité de la Moraine-d'Harricana, the Gouvernement du Québec ensures the definitive protection of representative samples of the biological diversity of the Abitibi lowlands natural province. More specifically, it protects representative ecosystems of two natural regions, the Lac Témiscamingue lowlands and the Abitibi plain. More precisely still, the reserve protects the ecosystems of three physiographic complexes: the Réservoir Decelles mounds, the Lac Parent plain and the Lac Preissac plain (MDDELCC, 2014a). Protection is thus accorded to a variety of ecosystems within a single biodiversity reserve. Additionally, the reserve consolidates the protection of Réserve écologique des Dunes-de-la-Moraine-d'Harricana, and joins a network of representative and exceptional protected areas that protects the various types of ecosystems across Québec.

The new biodiversity reserve combines the protection objectives of both proposed reserves, namely the protection of a complex of dunes and ombrotrophic bogs, a complex of low mounds, a recreational forest accessible to the public, and a significant portion of the Harricana moraine. The area protected with this last has been expanded with the fusion of the two proposed reserves, the extensions serving to protect more of the moraine and its associated environments. Réserve de biodiversité de la Moraine-d'Harricana thus protects a variety of noteworthy forests, including old yellow birch-balsam fir stands at the northern limit of their range, which could be considered exceptional forest ecosystems of the rare forest type.

## 1. The territory of Réserve de biodiversité de la Moraine-d'Harricana

### 1.1 Official toponym

Réserve de biodiversité de la Moraine-d'Harricana: the name refers to the presence of Harricana moraine, which is named after Rivière Harricana. The name "*Harricana*", spelled "*Harricanaw*", was first given in 1910 to the village along the river, which today is the city of Amos. Of Algonquin origin, the name means "*biscuit river*", where the term biscuit refers to a sort of hard bread that could be kept a long time and was highly appreciated by nomadic bands and voyageurs. According to the Commission de toponymie du Québec (1996), the Algonquins also use the name "*Inikana*", which is translated as "*river route*". Other spellings with implications for the meaning of name are also noted by the Commission de toponymie: "*anâkona*" (Algonquin), "*uhnahkoonah*" (Ojibway) and "*ayukoona'w*" (Cree).

### 1.2 Geographical location, boundaries and dimensions

The location and boundaries of Réserve de biodiversité de la Moraine-d'Harricana are illustrated in Appendix 1.

**Location:** Réserve de biodiversité de la Moraine-d'Harricana is located in the Abitibi-Témiscamingue region, in the regional county municipality of La Vallée-de-l'Or. It includes parts of three municipalities: the city of Rouyn-Noranda, the city of Val-d'Or and the municipality of Rivière-Héva, and extends between 47°43'07" and 48°05'53" north latitude and between 77°52'30" and 78°31'22" west longitude. The reserve is less than 10 km west of downtown Val-d'Or, and about 20 km northeast of

Winneway, where the Long Point First Nation has settled. The biodiversity reserve can be accessed either from highway 117 or via the Rapide-Sept or Baie-Carrière roads. It is served by an extensive network of forest roads that enter the territory from the north, south and central parts of the reserve.

The reserve is also about 40 kilometres west of Lac-Simon, and 60 kilometres northwest of Kitcisakik (MDDEP, 2007).

**Area and boundaries:** The initial area of the proposed reserves, when they were set aside in 2004, was 81 km<sup>2</sup> and 94 km<sup>2</sup>. Following the public hearings, different expansion proposals were presented to the MELCC. In its analysis report (No. 244), the BAPE recommended evaluating the possibility of expanding the proposed reserves to include the areas of interest suggested, before granting permanent protection status (BAPE, 2007).

The area of Réserve de biodiversité de la Moraine-d'Harricana is 365 km<sup>2</sup>, encompassing the merged territory of the proposed reserves of Forêt Piché-Lemoine and Réservoir Decelles. The final boundaries were defined on the basis of natural or anthropic elements that are easily identified on the ground, such as watercourses, lakes, forest roads and the edges of bogs. For sections along the banks of watercourses and water bodies, the real boundary is the natural high-water mark. For the section along the shores of the Decelles reservoir, the boundary corresponds to the of 311 metres.

The northern part of the reserve is crossed in an east-west direction by a 120 kV electrical transmission line, circuit 1339 Rapides des îles / Rapides-7. The transmission line and its right of

way (averaging about 37 metres in width) are excluded from the reserve. The excluded land corresponds to an easement granted to Société Hydro-Québec, as recorded in the Registre du domaine de l'État. Additionally, in its central part the boundary of the reserve follows that of a Hydro-Québec property surrounding the Rapide-7 dam, and circles around Réserve écologique des Dunes-de-la-Moraine-d'Harricana.

The legal boundaries of Réserve de biodiversité de la Moraine-d'Harricana are defined in the technical description and the survey map prepared by land surveyor Pierre Hains with the following minutes 11503 (February 8, 2018) and filed in the surveying archives of the Surveyor General of Québec (Greffé de l'arpenteur général du Québec), Ministère de l'Énergie et des Ressources naturelles, under document number 536700.

### 1.3 Ecological portrait

Réserve de biodiversité de la Moraine-d'Harricana is part of the Abitibi lowlands natural province. It protects representative ecosystems in the Lac Témiscamingue lowlands and Abitibi plain natural regions, and in particular protects representative natural environments in the physiographic complexes of the Lac Preissac plain, Lac Parent plain and Réservoir Decelles mounds. These environments are characterized by the elements described below, of which those of the greatest ecological interest are mapped in Appendix 2 (MDDELCC, 2014a).

#### 1.3.1 Representative elements

**Geology:** The biodiversity reserve is in Superior geological province, where the foundation rock is Archean (over 2.5 billion years old). The

substratum is primarily intrusive igneous rock, i.e. granites. The eastern part of the reserve is underlain by metasedimentary rock in the form of paragneiss, with striations caused by intrusions of ultramafic volcanic rocks.

**Geomorphology:** When the Laurentide ice sheet melted, around 8500 years ago, it covered the bedrock with a thick layer of poorly drained glaciolacustrine sediments (silt and clay). Erosion by the waves of glacial lake Barlow-Ojibway stripped the silt from the tops of the highest mounds (Veillette, 2000).

Today the landscape is a plain punctuated with mounds and residual hillocks, gently sloping to the north.

In the portion of this glaciolacustrine plain that is within the reserve, the relief is less flat, with mounds and hillocks of till modulating the composition of ecosystems. The presence of the Harricana moraine adds yet another dimension to the area. The process by which it was formed left behind more diversified materials (morainic till), leading to the presence of sand dunes and complexes of dunes and bogs. The result is a heterogeneous relief with the elevation ranging from 293 to 430 metres (average 325 metres).

Besides the imposing moraine, there are several eskers to the north of Lac Lemoine, all with a north-south orientation.

The landforms and surface deposits of the biodiversity reserve reveal a considerable variety of natural environments. These can be grouped into five ecological units, as follows.

With its complex of mounds, low hills of till, and rocky outcrops, the most western unit is

representative of the physiographic complex of the Réservoir Decelles mounds.

The second unit is the Harricana moraine. It takes the form of a long ridge running in a northeast-southwest direction. This ecological unit has a varied landscape, with a dune plateau southeast of the moraine, a complex of dunes and bogs even further southeast, and sandy glaciolacustrine deposits at the bottom of slopes.

Southeast of the moraine, the third ecological unit is a glaciolacustrine plain of clay and silt, out of which arise numerous mounds of till.

North of Lac Lemoine, the biodiversity reserve includes a broad glaciolacustrine plain of silty clay. Occasional hillocks and knolls of till are scattered among the numerous hollows, which are filled with organic deposits and (in wet areas) bogs and swamps.

Lastly, due to its large area and highly developed shoreline in places, Lac Lemoine constitutes an ecological unit in itself.

**Hydrography:** The biodiversity reserve straddles the line separating two major watersheds, that of Rivière des Outaouais (southwestern part) and that of Rivière Harricana (northeastern part), where Lac Lemoine is one of the river's headwater lakes.

The reserve contains a total of 225 lakes, thirteen of which have names. With an area of 23 km<sup>2</sup>, Lac Lemoine is the largest. It is about 30 km long, with a maximum width of 2.6 km and a depth of up to 52 metres. Other lakes in the reserve are equally worthy of note, including Lac Godard, with an area of 2 km<sup>2</sup>, and several smaller bodies of water, such as lakes Strong, Beaubassin, Randall, Riley, Kâmanatak, Dar, Bouleau,

Desroberts and Dominique, each having an area of 0.1 km<sup>2</sup> to 0.4 km<sup>2</sup>. The total area of the water bodies and watercourses in the reserve is about 30 km<sup>2</sup>, or 8% of the territory.

**Climate:** Most of the territory of Réserve de biodiversité de la Moraine-d'Harricana is subject to a mild continental subarctic climate, subhumid with a long growing season. Average temperatures range from 1.9°C to 4.5°C. The average annual precipitation ranges from 800 mm to 1359 mm, while the average growing season is from 180 to 209 days. However, some of the more northern parts of the reserve can experience a subhumid subarctic climate with a medium growing season. In these areas, temperatures are somewhat lower (from -1.5°C to 1.9°C) and the growing season is reduced to 150-179 days.

Reflecting this climatic situation, Réserve de biodiversité de la Moraine-d'Harricana includes two bioclimatic domains. Most of it is in the balsam fir-white birch domain, while the western extremity is in the balsam fir-yellow birch domain.

The balsam fir-yellow birch bioclimatic domain extends in a band from western to central Québec, between 47° and 48° north latitude. Mesic sites are occupied by mixed stands of yellow birch and conifers, including balsam fir, white spruce and eastern white cedar. Sugar maples are at the northern limit of their range here. Forest fires and epidemics of spruce budworm are the two main factors of forest dynamics. The abundance of yellow birch and pines diminishes from west to east, resulting in two subdomains. The reserve is in the western one, where yellow birch-balsam fir stands are omnipresent on mesic sites.



The balsam fir-white birch bioclimatic domain is dominated by stands of fir and white spruce. Both are mixed with white birch on mesic sites. On less favourable sites, black spruce, jack pine and tamarack are often accompanied by white birch or trembling aspen. Yellow birch and red maple only grow in the southern part of this bioclimatic domain, and that is the case in the reserve. Spruce budworm is the major factor of forest dynamics, since balsam fir is abundant. Nevertheless, forest fires also play an important role. The fire cycle is shorter in the western bioclimatic subdomain, where the reserve is located, which explains the abundance of hardwood stands and mixed stands of shade-intolerant species (trembling aspen, white birch and jack pine).

**Forests:** Forest occupies about 255 km<sup>2</sup> of the reserve, representing some 70% of the total or 76% of the land area. The difference is due to the abundance of wetlands, which occupy about 30% of the reserve's land area and for the most part have no forest cover. The latter consists of 12% deciduous forests, 35% mixed forests and 54% conifer forests.

Depending on the topography and surface deposits, the vegetation can vary, but is primarily composed of various sorts of balsam fir stands (accompanied variously by white birch, black spruce, black spruce and peat moss, or red maple) and black spruce stands (accompanied by peat moss or by mosses and heaths). However, the low hills and mounds in the westernmost part have environments favourable to the development of yellow birch-balsam fir stands.

Due to the extensive logging carried on in the past, the actual vegetation present is somewhat different. Fir stands are nearly absent, but black spruce stands are very common. The most

recently logged areas are occupied by shade-intolerant deciduous trees (white birch and trembling aspen). Areas of very sandy soil are often forested with jack pine. Some of the mounds or low hills have stands of yellow birch and red maple. These habitats are the only ones with mature forests, since they were passed over by the loggers.

The territory of Réserve de biodiversité de la Moraine-d'Harricana is characterized by woodlands of medium age (40-80 years), young stands (0-40 years) and by ever older forests (110 years and up), depending on when the last logging was done.

Despite the great heterogeneity of the reserve's geomorphology, the forest cover (both potential and real) is somewhat more homogeneous. However, given the variety of physical environments present, there should be greater diversity in the shrubby and herbaceous species, as well as in the wildlife.

**Flora:** No comprehensive plant inventory has been done on the territory of Réserve de biodiversité de la Moraine-d'Harricana. However, Baldwin (1958) and Rousseau (1974) studied the vascular flora of the clay belt of northeastern Ontario and northwestern Québec, where the reserve is located. Principally characterized by boreal vegetation, the clay belt covers most of Abitibi and northern Témiscamingue. The few inventories done after Baldwin's study indicate that the region is home to about 1000 vascular species, 125 species of lichen, 30 species of liverwort, and 159 species of moss. However, no inventory has been done of the region's mushrooms and algae.

**Fauna:** No inventory has been done of wildlife in the reserve. However, species mentioned in the literature as being characteristic of balsam fir-yellow birch and balsam fir-white birch forests include the following: snowshoe hare, black bear, red squirrel, Canadian beaver, muskrat, American porcupine, red fox, patched fox, American marten, weasel, fisher, American mink, coyote, wolf, river otter, Canadian lynx, moose, white-tailed deer, and seven species of bat, three of which are endangered. According to the literature, some fifty species of mammal could inhabit central Abitibi-Témiscamingue, and thus the territory of the reserve (MDDEP, 2007).

Bird surveys conducted by the Société du loisir ornithologique de l'Abitibi on the territory of the proposed biodiversity reserves of Forêt Piché-Lemoine and Réservoir Decelles revealed the presence of 131 species in Réserve de biodiversité projetée de la forêt Piché-Lemoine, most of them nesting and/or migratory, and 47 species (most also nesting and/or migratory) in Réserve de biodiversité projetée du Réservoir Decelles (Imbeau, 2004a and 2004b).

No fish survey has been done on the territory of the reserve. However, the species most prized for sport fishing are walleye, northern pike, smallmouth bass, brook trout and sauger (MDDEP, 2007). Also, according to old surveys from the 1970s on fish species in Rivière Piché and Lac Lemoine, conducted by the Ministère du Tourisme, de la Chasse et de la Pêche, the following fish were often caught: goldeye, brown bullhead, whitefish, northern pike, white sucker, golden shiner, emerald shiner, spottail shiner, burbot, trout-perch, logperch, yellow perch, walleye, sauger and slimy sculpin (MRNF, 2007).

It should also be noted that there is a walleye spawning bed in Ruisseau Desmarais, which feeds into Lac Lemoine, and another spawning bed in Rivière Piché (MRNF, 2007).

Among the herpetofauna (which include snakes, turtles, amphibians and salamanders), 22 species have been observed in Abitibi-Témiscamingue. Some could inhabit the lakes and watercourses of Réserve de biodiversité de la Moraine-d'Harricana (MRNF, 2007).

### 1.3.2 Outstanding elements

According to the Centre de données sur le patrimoine naturel du Québec (2014), no plant species that is threatened or vulnerable or likely to be so designated has been observed in the reserve. However, two colonies of Blind's bryum, a moss likely to be designated threatened or vulnerable, have been found on the northwestern periphery of the reserve.

Again according to the CDPNQ (2014), the southern bog lemming, which is also likely to be designated threatened or vulnerable, frequents the southwestern portion of the reserve. One occurrence of wood turtle, a vulnerable species, has been found northeast of the reserve, while the bald eagle, also a vulnerable species, nests at several places just outside the reserve. These species could frequent the reserve to feed or reproduce.

Woodland caribou, another vulnerable species, have also been observed in the section of the reserve that was Réserve de biodiversité projetée du Réservoir Decelles. This population appears to be in difficulty due to changes to its habitat, predation and hunting. Protection of the forest massif of Réservoir Decelles could help protect this species (MDDEP, 2008a).

The large number of bird species that frequent the territory of the reserve at some point in their life cycle should also be noted.

In the central part of the reserve there are four biological refuges listed in the *Registre des aires protégées du Québec*. Additionally, there are several legally protected areas near or just outside the reserve. They include a muskrat habitat and three biological refuges to the west of the reserve, another three just south of it, *Réserve écologique des Dunes-de-la-Moraine-d'Harricana* (adjacent to the central part of the biodiversity reserve), and another biological refuge to the west of the central part. Also worth noting is that in the portion south of Lac Lemoine, the reserve surrounds an experimental forest.

As mentioned previously, Ruisseau Desmarais, one of the southern tributaries of Lac Lemoine and Rivière Piché, is home to two walleye spawning grounds.

As for forests, there are mature stands of yellow birch-balsam fir at the northeastern end of the reserve, near the mouth of Lac Lemoine and Rivière Piché. At the northern limit of their range, they have been assessed and found to have the characteristics of exceptional (indeed rare) forest ecosystems. However, the *Ministère des Forêts, de la Faune et des Parcs* has not yet accorded them exceptional forest ecosystem status.

With regard to landforms, the portion of the moraine between Lac Lemoine and the Rapide-7 dam features numerous kettles and kettle lakes. Some of the moraine's kettles are outside the boundaries of the reserve. The diversity found in the approximately 100 km<sup>2</sup> of wetlands is also an element of undeniable ecological interest. These habitats could harbour a wealth of plant species.

The stable aeolian dunes are also of great ecological interest. This geomorphological phenomenon is rare in the Abitibi lowlands natural province, but covers 28 km<sup>2</sup> of the biodiversity reserve. It could be home to interesting or even rare plant species. Also worth noting is that the eskers and certain parts of the moraine contain groundwater of excellent quality.

It should be noted that the MRC de La Vallée-de-l'Or contains numerous archeological sites revealing the history of the Algonquin occupation of the territory. Some sites even suggest an Amerindian presence during the "archaic" prehistorical cultural period, from 5000 to 1000 years B.C. (MRC de La Vallée-de-l'Or, 2005). The presence of such sites in *Réserve de biodiversité de la Moraine-d'Harricana* remains to be confirmed. The archeological potential of the area could be significant, since the reserve is at the head of the Rivière Harricana and could have been part of an ancient corridor for Aboriginal migrations. Archeological digs should be done to confirm the presence of such sites, since there are three just northeast of the reserve near Val-d'Or.

#### 1.4 Land occupation and uses

The principal occupations and uses exercised in *Réserve de biodiversité de la Moraine-d'Harricana* are shown in Appendix 3.

The biodiversity reserve is in part located on Category III lands, under the James Bay and Northern Québec Agreement (JBNQA), signed in 1975, and under the *Act Respecting the Land Regime in the James Bay and New Québec Territories* (chapter R-13.1) adopted in 1978. The reserve is also part of the territory covered by the hunting, fishing and trapping regime applicable

under chapter 24 of the JBNQA (*Act Respecting Hunting and Fishing Rights in the James Bay and New Québec Territories*, chapter D-13.1).

There are 95 registered land rights on the territory of the reserve, including 20 resort leases and 75 leases for temporary shelters (hunting shelters). It should be kept in mind however that the boundaries of the reserve exclude certain developed areas. The shores of Lac Lemoine are particularly developed. Additionally, there are vacation areas on private lands that could perhaps be consolidated, and three privately held lots bordering Réservoir Decelles near the Rapide-7 dam. These properties belong to outfitters.

Apart from the northeastern and western extremities, which overlie fur-bearing animal management units 03-B and 04, the biodiversity reserve primarily overlies the Grand Lac Victoria beaver reserve (fur-bearing animal management unit 07), where the Algonquin communities have particular hunting and fur-bearing animal trapping rights. The MFFP has no data on wildlife harvesting by these communities. The biodiversity reserve also overlies four trapping grounds. In the trapping seasons from 2009-2010 to 2014-2015, trappers harvested the following species: beaver, otter, Canadian lynx, fisher, American marten, striped skunk, American mink, weasels (all species), muskrat, red fox, raccoon and squirrel. According to the MRNF (2006a), although a few Algonquin communities live near and use the biodiversity reserve (at Lac-Simon, Kitcisakik and Long Point), no data was available on their subsistence wildlife harvesting or traditional activities. However, the MRNF (2006b) indicates that Aboriginal harvesting seems to be no higher than elsewhere in the Abitibi region. Outside of the Grand Lac Victoria beaver reserve,

the territory of the reserve overlaps four trapping grounds. A single trapping camp has been built on the protected territory, on Pointe à Boisvert in Lac Lemoine.

The entire territory of the reserve is in hunting zone 13, where sport hunting is practised. Data on the annual harvest of large game only concerns moose and black bear. The MRNF has examined hunting pressure on the territory of the reserve between 2011 and 2014. Over this period, 62 moose and 76 black bears were killed in the reserve. This gives an annual average of 16 moose and 19 black bears, or 0.43 moose and 0.53 black bear per 10km<sup>2</sup> per year. Compared to hunting zone 13 as a whole (0.5 moose and 0.19 black bears per 10 km<sup>2</sup>), the MRNF indicates that within the reserve, hunting pressure on moose was about average, while that on black bear was considerably higher than average (2015).

Réserve de biodiversité de la Moraine-d'Harricana is located in fishing zone 13 west, where the fishing of bass, pike, walleye, sturgeon, brook trout, lake trout and yellow perch is controlled (MDDEP, 2007). The MRNF has no data on sport fishing on the territory of the reserve (MRNF, 2006a, 2006b). Since 2011, for most of the lakes in fishing zone 13 including Lac Lemoine, there has been a minimum catch size of 32 cm for walleye. However, as of spring 2016 the new management plan for walleye changes the limit to a range of 32-47 cm. This means that fishers may only keep walleye measuring 32 to 47 cm.

In 2008, testing for toxic substances in the flesh of predatory fish in Réservoir Decelles was conducted by a team from the MELCC. The results revealed that mercury levels were such that consumption of walleye and sauger should

be limited to no more than four meals per month (MDDELCC, 2014b). Furthermore, according to the Guide to eating Québec freshwater sport fish (MDDELCC, 2014b), monthly consumption should not exceed two meals for walleye, four meals for northern pike, and eight meals for goldeye and white sucker caught in Lac Lemoine.

Though the Aboriginal communities at Lac-Simon and Kitcisakik use the territory of the reserve for their traditional subsistence activities, in 2006 the MRNF had no data on their wildlife harvesting. However, it does not seem to be any higher in Réserve de biodiversité de la Moraine-d'Harricana than elsewhere in Abitibi (MRNF, 2006a, 2006b; MDDEP, 2007). These communities primarily hunt moose, black bear, small game, Canada goose, ducks and partridge. The main species of fish they catch are walleye, pike, brook trout, lake trout and sturgeon (MDDEP, 2007). It should also be noted that the Algonquin communities probably gather wild strawberries, blueberries, raspberries and various medicinal plants in the biodiversity reserve. Algonquin hunters also use birch bark to make horns for calling moose (MDDEP, 2007).

Lac Lemoine attracts a great many users, including cottagers, boaters, hunters, fishers and residents. The proximity of Val-d'Or has much to do with the intensity of recreational activity here. In summer, water quality is monitored by citizen partners in the MELCC's Volunteer Lake Monitoring Program. The results for conventional parameters (such as total trace phosphorus and chlorophyll  $\alpha$ ), from tests conducted in summer 2009, suggest that water quality in Lac Lemoine can be problematic. The data indicate that the lake is in a mesotrophic state, with high concentrations of total trace phosphorus and chlorophyll. In other words, Lac Lemoine is at an

intermediate stage of eutrophication. A thorough assessment of its trophic status is needed, and should include littoral components like aquatic plants, periphyton and sediments, as well as the impact of human occupation and the presence of septic tanks. To slow down the process of degradation and aging, the MELCC recommends that measures be taken to limit nutrient inputs from human activities. Such measures will be essential to preserve Lac Lemoine and the many ways in which it is used and enjoyed (MDDEP, 2010).

Also worth mentioning is the campground at the confluence of Rivière Thompson and Lac Lemoine, near the northeastern boundary of the reserve, and the Piché-Lemoine forest, inside the reserve, where recreational activities are practised.

In the northwestern part of the reserve there is a canoe-kayak route. Starting at Lac Clair, it passes through lakes Mourier and Lemoine, then through Rivière Thompson and Lac De Montigny, before continuing north beyond the reserve. As is often the case with canoe-kayak routes, temporary and unofficial backcountry camping sites could appear on the shores of these bodies of water.

Additionally, the reserve is crossed at various places by snowmobile trails, both marked and unmarked. Trails for four-wheeling, cross-country skiing, hiking and bicycling cross the northeastern part of the reserve.

In two places, Réserve de biodiversité de la Moraine-d'Harricana is split by hydroelectric facilities. The southwestern portion is split by the Rapide-7 plant (installed power 48 MW), whose dam has a reservoir of over 230 km<sup>2</sup> and a waterfall over 20 metres high. The western

section is crossed by a power transmission line whose right of way (36.6 metres wide) is excluded from the biodiversity reserve (MDDEP, 2007).

As for mining activities, there are mining claims at the northern boundary of the reserve, in particular at the northern extremity of the esker to the east of Lac Lemoine. All around the former Réserve de biodiversité projetée de la forêt Piché-Lemoine, new mining claims have been granted in the years since it was set aside (BAPE, 2007). There are also a few active claims near the edges of the former Réserve de biodiversité projetée du Réservoir Decelles. In addition, a tailings facility belonging to the GoldEx division of Agnico Eagle Mines Limited was built in 2007 between the aforementioned esker and the outlet of Lac Lemoine. It is used in emergencies and when it is impossible to use the company's main tailings facility (BAPE, 2007; MDDEP, 2007). According to the MDDEP (2007), there are no active sand or gravel extraction sites within the boundaries of the reserve.

The landscape of Réserve de biodiversité de la Moraine-d'Harricana is fragmented by cutblocks (logged sections) and numerous forest roads. Some areas however are less used and/or accessed, especially to the north of Lac Lemoine and in the area of dunes and bogs to the east of Réserve écologique des Dunes-de-la-Moraine-d'Harricana.

Upgrading may be done on the forest roads shown in Appendix 4.

## **2. Conservation and development of Réserve de biodiversité de la Moraine-d'Harricana**

This section presents conservation and development guidelines, together with objectives specific to Réserve de biodiversité de la Moraine-d'Harricana.

### **2.1 Protection of biodiversity**

To maintain the viability of ecological processes, management of the reserve should give priority to protecting the ecosystems present and the species that depend on them. This includes allowing ecosystems that have been disturbed by recent logging or any other disturbance, especially anthropic, to recover their dynamics and natural characteristics.

Aside from the resort areas on the shores of Lac Lemoine, which are excluded from the reserve, existing buildings are relatively dispersed across the territory. The same applies to places where recreational and wildlife activities are practised. These activities should be managed to have as little impact as possible and no long-term impact on biodiversity.

#### Specific objectives:

- ***Promote the resilience of disturbed forest ecosystems***

About 40% of the reserve's forested area bears the traces of past logging. The scars left on the land where logging was done, in the ten to fifteen years before the reserve was created, are visible on the ground and in satellite images. Other portions of the reserve were also logged, but more in the past. These areas are already repopulated with forest communities of medium age.



The disturbed forest ecosystems should thus be able to recover their natural characteristics. The absence of any form of logging will facilitate that resilience. These environments have good productivity and will be able to re-establish themselves over the next few decades, with no need for active management measures such as planting and restoration.

▪ ***Ensure the protection of rare forests***

The forest ecosystems on till mounds and hillocks, whether in the north, south or west, are on the whole the only ones that were left essentially undisturbed. These ecosystems are mostly composed of mature to old forests. Deciduous stands such as yellow birch-sugar maple and maple-yellow birch are of particular ecological interest. It is rare to find such preserved forest ecosystems at this latitude, where they are at the northern limit of their range. According to a characterization done by the exceptional forest ecosystem team of the Ministère des Forêts, de la Faune et des Parcs, some of the yellow birch stands northeast of Lac Lemoine have the characteristics of exceptional forest ecosystems of the rare forest type. Other mature and old forests of yellow birch and sugar maple that have not been characterized could have the same qualities. Any additional fragmentation of the forest cover must therefore be avoided, except for unobtrusive development (such as hiking trails) to facilitate enjoyment of these natural environments.

▪ ***Ensure the preservation of elements of geomorphological interest***

Particular attention should be given to the Harricana moraine, its kettles, dune ecosystems and the complex of dunes and bogs.

The eskers should also be protected from any form of development that could affect their groundwater.

Lastly, there is a great wealth and diversity of wetlands in the reserve. Any development in them should be avoided.

**2.2 Knowledge acquisition and environmental monitoring**

Knowledge acquisition, besides being crucial to the achievement of objectives specific to natural heritage protection, will make it possible to monitor the natural environment. The knowledge acquired could also be used in developing activities for nature discovery, education and public awareness. It will facilitate the analysis of development projects, and ensure that management partners have a common understanding of the issues.

Ecological knowledge, especially about the support capacity of natural environments, and about the impact of recreational and tourist activities on ecosystems, must also be developed. This will be done to properly assess the wealth of the reserve's resources, to obtain representative data, and to develop the tools needed for good management, to ensure that the biodiversity specific to the reserve is conserved.

Specific objectives:

▪ ***Increase knowledge about the geomorphological and forest elements of interest***

The MELCC will target certain needs related to knowledge building on biodiversity. For example, a plant inventory must be done. A list of fish species in the lakes, and of the reserve's terrestrial wildlife, could be created with the help of regional partners in the wildlife field. More knowledge is needed about the various species

(flora and fauna) associated with the ecosystems of old noble hardwood forests, such as the stands of sugar maple in the reserve. With regard to physical characteristics, more knowledge is needed about the plant species associated with the dune ecosystems, wetlands, moraine and eskers on the territory. Other surveys or scientific research, whether on existing or anticipated ecological problems, could be conducted later.

- ***Monitor anthropic impacts on Lac Lemoine***

The high occupation level, usage and shoreline development projects at Lac Lemoine combine to create a need for better understanding of their current and anticipated impacts on the lake. It will also be important to monitor the lake's water quality, and its aquatic and riparian ecosystems.

### **2.3 Integrated and participative management**

In light of the reserve's large size and the heterogeneity of its natural environments, as well as the variety of modes of occupation and use that are present, the management approach adopted should be based on stakeholder participation. This will facilitate the harmonious management of recreational activities while protecting the natural heritage. The concentration of cottagers on the shores of Lac Lemoine, not far from downtown Val-d'Or, adds a significant social dimension to the area. This dimension should be taken into consideration in managing the biodiversity reserve.

#### Specific objectives:

- ***Establish participative and collaborative management***

Réserve de biodiversité de la Moraine-d'Harricana extends about 65 km over its length. Its natural and human contexts are highly varied.

For this reason, the MELCC should engage the participation of the various users and holders of land rights (outfitter with non-exclusive rights, cottagers, hunters and trappers), the cities of Rouyn-Noranda and Val-d'Or, and the municipality of Rivière-Héva, in managing the reserve. The Algonquin communities will also be important partners in managing the reserve, since they practise traditional activities there, particularly in the beaver reserve.

The MELCC will encourage the creation of a conservation committee where stakeholders can discuss protection issues and the measures to take in response. An action plan will be prepared by the MELCC in collaboration with management partners. Among other things, the plan will determine actions to be taken, the means advocated, actors chosen to perform those actions, performance horizons, and a mechanism for evaluating results.

- ***Accord particular attention to the management of Lac Lemoine***

In view of the significant human presence at Lac Lemoine, its shores and immediate environs, a component specifically concerned with that part of the reserve should be incorporated in the participative management process.

## **3. Zoning**

Réserve de biodiversité de la Moraine-d'Harricana covers an area that is highly diverse in terms of natural habitats, modes of occupation and use, and the general state of the environment. Management of the territory should take into account the ease with which certain parts can be accessed, especially from the northeast. Based on the ecosystems present, the current state of the natural environment, the reserve's protection and management objectives, and to a lesser extent considerations of land use

and occupation, the reserve has been divided into five zones. All five have a protection level and the same activity framework. However, protection measures and development possibilities will reflect the specific features of each zone. All five have elements of ecological interest (or that must be preserved) that are specific to them, such as old hardwood forests, a variety of wetlands, kettles or sand dunes.

A map of the zones is provided in Appendix 4. This zoning, and the particular characteristics of each zone, will be taken into account in the MELCC's management of the reserve and when evaluating authorization requests for activities and improvements.

The five zones are:

- Zone I: Low hills of till
- Zone II: Moraine d'Harricana
- Zone III: Silty clay plain with mounds
- Zone IV: Lac Lemoine
- Zone V: Wet clay plain

#### **Zone I: Low hills of till**

This zone is part of a larger complex of low hills in the area between Lac Simard and Réservoir Decelles. Zone I covers 46 km<sup>2</sup>, or about 13% of the territory of the reserve.

Zone I can be considered a "natural" zone despite its visible human footprint, particularly in the northern part where logging was done in the 1990s. The portion south of the power transmission line is characterized by forests of medium age or older. Disturbed sections are mostly the result of burning in the late 1960s or early 1970s. Many of the low hills have very thin soil and steep slopes. The sizeable mound to the east of the zone, and certain slopes, favour the presence of yellow birch-balsam fir stands. The rest of the low hills, and the silty clay lowlands

south of Lac Godard, have ecosystems favourable to stands of balsam fir (with black spruce or white birch) and stands of black spruce (with peat moss, mosses or heaths). The more recently logged areas have been colonized by stands of shade-intolerant deciduous trees, while black spruce stands and jack pine stands occupy most of the rest of the zone. Also of interest is the presence of a stand of red maples along the southeast boundary of Zone I. This zone is the one with the fewest wetlands.

Though the forest landscape of Zone I is not entirely natural, the level of occupation is relatively low. Nonetheless, the fragmentation rate is high. There is a periodic but significant human presence (mostly for hunting). The network of trails and forest roads covers 110 linear km, but seems to be limited to access roads to buildings. There are just ten buildings in the zone, all hunting camps. The occupation rate is thus fairly low, at one building per 4.6 km<sup>2</sup>. The fragmentation index for Zone I is 2.4 km per km<sup>2</sup>, which is considered high (Quigley *et al.*, 2001).

The conservation objective for this zone to improve its natural character where logging has been done, and to reduce the fragmentation rate by limiting the number of roads and trails to those that are essential. Active management measures such as planting or restoration will not be needed.

#### **Zone II: Moraine d'Harricana**

Zone II is the largest zone in the biodiversity reserve. It covers 158 km<sup>2</sup>, or about 43% of the area of the reserve, and offers a great variety of ecosystems and landscapes. Zone II encompasses the portion of the Harricana moraine that crosses the reserve, along with all the natural environments associated with it, such as the complex of dunes and bogs. The map in Appendix 2 illustrates the large number of elements of ecological interest in this zone.

That variety is not reflected in the zone's forest ecosystems. On the contrary, the whole of Zone II is favourable to the development of just two types of woodland: on the moraine, to stands of balsam fir (with black spruce or white birch), and on the complex of dunes and bogs south of the moraine, to stands of black spruce (with mosses, heaths or peat moss). A few isolated ecosystems are favourable to balsam fir-red maple stands.

Nonetheless, the situation observed on the ground is quite different from what would be expected. The landscape is dominated by black spruce stands, a few stands of jack pine and white birch, and sections that have been logged. The central portions west of the Hydro-Québec property are dominated by forests of medium age, while young regenerating forests dominate the area southeast of Lac Lemoine. As with Zone I, mature and old forests are scattered and very rare.

Human presence and the traces of human use vary in density and intensity in different parts of the zone. There are forty buildings, including six cottage leases and over thirty hunting camps. The occupation rate is about one building per 4 km<sup>2</sup>, which is relatively low. This is because the boundaries of the reserve were drawn to exclude the resort areas concentrated around Lac Lemoine, which are encompassed by the reserve without being part of it. This encompassed human presence will nonetheless have to be taken into account in the management of the reserve. The network of forest roads and trails extends over about 415 linear km, which according to Quigley *et al.* (2001) represents a high fragmentation index. The density of roads is particularly high in the area where there are kettles.

No active management measures are anticipated in the short term. However, due to the high fragmentation rate and the numerous young stands repopulating logged areas, the

conservation objective for Zone II is to promote, as effectively as possible, a return to a high naturalness index, i.e. to natural landscapes. With regard to fragmentation, the roads and trails should be examined to determine which ones are essential for building access. Those that are not should be closed and renaturalized. Finally, some parts of Zone II have been planted with jack pine. Consideration should be given to monitoring the evolution of these ecosystems of non-natural origin.

Due to the marks it bears of human activity and its high fragmentation index, Zone II resembles a "developed natural" zone. However, the level of occupation is low and in significant portions the landscape is natural, especially where there is a concentration of wetlands. Management of this zone should therefore allow it to recover its natural character over the long term.

### **Zone III: Silty clay plain with mounds**

This zone is formed of an array of mounds on a plain of glaciolacustrine origin with deposits of clay and silt. It covers 64 km<sup>2</sup>, or about 18% of the territory of the reserve. The mounds offer an environment favourable to stands of balsam fir (with black spruce or white birch), while the silty clay lowlands favour stands of black spruce (with peat moss, mosses or heaths). A few portions of Zone III were clearcut in the 1980s. However, the main human footprint consists of sections that were logged with protection for regeneration in 2008-2009. Since the mounds were spared, today they are covered with white birch stands, a few yellow birch stands and even a stand of red maple. Moreover, despite the several cases of human disturbance, Zone III has the largest number of mature and old forests, which cover the mounds and hillocks of till.

There are thirty land rights in Zone III, including eight cottage leases on the shores of Réservoir Decelles, the remaining twenty-two being for temporary shelters. The level of occupation is high in this zone, at one building per 2 km<sup>2</sup>. There is little overland access to Zone III, but it is easily accessed by boat through Réservoir Decelles. The fragmentation index is high (Quigley *et al.* 2001). There are about 109 linear km of forest roads and trails, representing a fragmentation index of 1.7 km per km<sup>2</sup>. Many of the roads were built in preparation for the logging operations of 2008-2009. Their footprint will remain for a few more years.

The main conservation objective for this zone is to maintain the characteristics of mature and old forests and to promote the resilience of forests that were recently logged. Any new fragmentation must be limited, except for efforts to enhance the area's educational or ecotourism dimensions (e.g. hiking trails, shelters, interpretive panels). In the medium term, only roads to existing buildings should be maintained.

Zone III can be considered a "natural" zone. As such, it will be managed with a view toward increasing its naturalness, notably with respect to any new development or fragmentation, while pursuing objectives related to ecosystem resilience.

#### **Zone IV: Lac Lemoine**

Lac Lemoine constitutes a distinct zone on its own. With its proximity to downtown Val-d'Or, intensive use of the lake and the development of its shores, Lac Lemoine is under greater human pressure than the rest of the reserve. There are a great many cottages along its shores. Although most are excluded from the boundaries of the reserve, Zone IV must be managed as if that human presence were part of the reserve. The concentration of buildings along the shore could,

in places, have significant impacts on the lake, its water quality and the quality of its aquatic ecosystems.

Zone IV can be considered a "humanized" zone. The cottages and residences around Lac Lemoine are estimated at over 200, yet Zone IV only covers about 23 km<sup>2</sup>, for some 50 km of shoreline. The average occupation density is one building every 250 metres, which is very high. Not to mention the considerable human presence upstream and downstream from Lac Lemoine, along the Thompson and Piché rivers and at Lac Mourier. In short, the balance between this human presence and the quality of ecosystems is a matter of serious concern. Residents and cottagers could be important partners in protecting the lake effectively.

#### **Zone V: Wet clay plain**

The area north of Lac Lemoine is different from the rest of the reserve, primarily because of its relatively flat topography. Representative of the great silty-clay glaciolacustrine plain typical of Abitibi, the zone has numerous wetlands. Some hillocks of till and a few small eskers add diversity to the plain's homogeneity.

Zone V also offers an environment favourable to the development of stands of balsam fir (accompanied variously by white birch, black spruce, black spruce-peat moss), and stands of black spruce (accompanied by peat moss, mosses or heaths). The peculiarity of Zone V is that it has a few areas favourable to the establishment of balsam fir-yellow birch stands. This is where the reserve's rare stands of yellow birch are found. Apart from them, most of the present vegetation consists of young stands of conifers with regenerating hardwoods. This is why the few stands of black spruce are surrounded by stands of shade-intolerant deciduous trees.

The flat relief and its few depressions, combined with poor drainage, have resulted in the presence of a good number of wetlands. These include large ombrotrophic and minerotrophic bogs, as well as numerous shrubby and coniferous swamps.

Human presence and landscape fragmentation are primarily of note in the northern part of Zone V. There are numerous four-wheel, snowmobile and bicycle trails, and old access roads, entering the reserve from the north. Many of the roads are no longer passable and soon will no longer be visible. Nonetheless, the current fragmentation index for Zone V is 1.8 km per km<sup>2</sup>, or 132 linear km of forest roads and trails for an area of 73 km<sup>2</sup>. According to Quigley *et al.* (2001), this a high rate of fragmentation.

There are 24 buildings in the zone, including 6 cottages and 18 hunting camps. The occupation rate is one building per 3 km<sup>2</sup>, which is relatively low.

The conservation objective for this “natural” zone will be to reduce fragmentation by only maintaining roads and trails that currently provide access to buildings. However, educational/recreational trails for non-motorized outings could be developed, in keeping with the recreational vocation of Forêt Piché-Lemoine. Protection of the rare stands of yellow birch is of course among the specific conservation objectives of this zone.

#### **4. Activity framework applicable to Réserve de biodiversité de la Moraine-d’Harricana**

The purpose of the reserve is to protect natural environments and their components. For this reason, activities that could have a significant impact on ecosystems and biodiversity, especially of an industrial nature, are prohibited.

Less harmful activities and occupations, such as those involving recreation, wildlife, ecotourism or education, are however permitted in this type of protected area.

In sum, the biodiversity reserve should be considered as a territory dedicated to protecting the natural environment, to nature discovery and to recreation.

##### **4.1 Activity framework established by the Natural Heritage Conservation Act**

Activities carried out within the biodiversity reserve are primarily governed by the provisions of the *Natural Heritage Conservation Act* (chapter C-61.01).

Under the Act, the activities prohibited in an area with the status of biodiversity reserve are primarily the following:

- mining and gas or oil extraction;
- forest management within the meaning of section 4 of the *Sustainable Forest Development Act* (chapter A-18.1);
- the exploitation of hydraulic resources and any production of energy on a commercial or industrial basis.

Though fundamental to protecting the territory and its ecosystems, the above prohibitions do not cover all of the standards considered desirable to ensure the proper management of the reserve and the conservation of its natural environment. The *Natural Heritage Conservation Act* allows the Regulation to detail the legal framework applicable on the territory of a biodiversity reserve.



#### 4.2 Activity framework established by the Regulation respecting the Réserve de biodiversité de la Moraine-d'Harricana

The provisions contained in **Regulation respecting the Réserve de biodiversité de la Moraine-d'Harricana** set out additional prohibitions beyond those already stipulated in the *Natural Heritage Conservation Act* (chapter C-61.01). They also provide a framework for certain permitted activities, to ensure the protection of the natural environment in accordance with the principles of conservation and other management objectives of the reserve. Certain activities are therefore subject to prior authorization by the Minister.

The measures presented in Regulation concern new interventions in particular, and generally do not affect activities that are already being practised or facilities that are already present. Many existing uses are thus preserved.

In listing the activities requiring authorization, Regulation does not identify which ones would be considered incompatible with the vocation of the reserve and could therefore be refused authorization. Basic information about the compatibility or incompatibility of each type of activity is provided in the document *Activity Framework for Biodiversity Reserves and Aquatic Reserves*, which available on the website of the MELCC at

[http://www.mddelcc.gouv.qc.ca/biodiversite/aires\\_protegees/regime-activites/regime-activite-reserve-bio-aqua-en.pdf](http://www.mddelcc.gouv.qc.ca/biodiversite/aires_protegees/regime-activites/regime-activite-reserve-bio-aqua-en.pdf).

Note that certain activities are exempted from the requirement to obtain authorization. These exemptions are also presented in Regulation.

#### 5. Activities governed by other laws

Certain activities that could potentially be practised in the biodiversity reserve are also

governed by other applicable legislative and regulatory provisions, and some require a permit or authorization or the payment of certain fees. Certain activities could be prohibited or limited under other laws or regulations applicable on the territory of the reserve.

In the territory of Réserve de biodiversité de la Moraine-d'Harricana, a particular legal framework may govern permitted activities under the following categories:

- **Protection of the environment:** measures stipulated by the *Environment Quality Act* (chapter Q-2) and its regulations;
- **Archeological research and discoveries:** measures stipulated by the *Cultural Heritage Act* (chapter P-9.002);
- **Exploitation and conservation of wildlife resources:** measures stipulated by the *Act respecting the conservation and development of wildlife* (chapter C-61.1) and its regulations, including provisions related to threatened or vulnerable wildlife species, outfitters and beaver reserves, and measures in the applicable federal laws and regulations, including the legislation and regulations on fisheries;
- **Plant species designated as threatened or vulnerable:** measures prohibiting the harvesting of such species under the *Act respecting threatened or vulnerable species* (chapter E-12.01);
- **Access and property rights related to the domain of the State:** measures stipulated by the *Act respecting the lands in the domain of the State* (chapter T-8.1) and by the *Watercourses Act* (chapter R-13);

- **Issuance and oversight of forest development permits** (harvesting of firewood for domestic purposes, wildlife development, recreational development); and **delivery of authorizations** (forest roads): measures stipulated by the *Sustainable Forest Development Act* (chapter A-18.1);
- **Travel:** measures stipulated by the *Act respecting the lands in the domain of the State* and by the regulations on motor vehicle travel in fragile environments, under the *Environment Quality Act*;
- **Construction and development standards:** regulatory measures adopted by local and regional municipal authorities in accordance with the applicable laws.

## 6. Management

### 6.1 Responsibilities of the Minister of Environment and the Fight against Climate Change

The Minister of Environment and the Fight against Climate Change is responsible for the management of the reserve. Among other things, the Minister sees to the application of the *Natural Heritage Conservation Act* (chapter C-61.01) and the Regulation respecting the Réserve de biodiversité de la Moraine-d'Harricana. In managing the reserve, the MELCC enjoys the collaboration and participation of other government representatives that have specific responsibilities in or adjacent to the territory.

### 6.2 Monitoring

As mentioned in section 2, "Conservation and development of Réserve de biodiversité de la Moraine-d'Harricana", measures will be taken toward monitoring the status of the natural

environment, in collaboration with the following local and regional partners: municipal stakeholders, partners in the areas of environment, recreation and education, and residents, cottagers, hunters, fishers, trappers, etc.

### 6.3 Participation of stakeholders

As mentioned in section 2, "Conservation and development of Réserve de biodiversité de la Moraine-d'Harricana", the MELCC will seek the collaboration and participation of stakeholders in managing the reserve. Its intention is to draw up an action plan to guide management in protecting and enhancing the territory and its resources. The MELCC will prepare the plan in collaboration with the regional actors concerned. A participation and consultation mechanism for local stakeholders will be worked out by the MELCC on the basis of local and regional territorial realities.

Management of the biodiversity reserve will respect the following conservation principles:

- maintain natural ecosystem dynamics;
- restore or facilitate the restoration of disturbed ecosystems in the short and medium terms;
- respect the support capacity of ecosystems;
- maintain non-industrial harvesting activities, without encouraging their development;
- gather and disseminate knowledge about the natural and cultural heritage;
- participate in the management of adjacent areas to ensure harmonization with the conservation objectives pursued within Réserve de biodiversité de la Moraine-d'Harricana.

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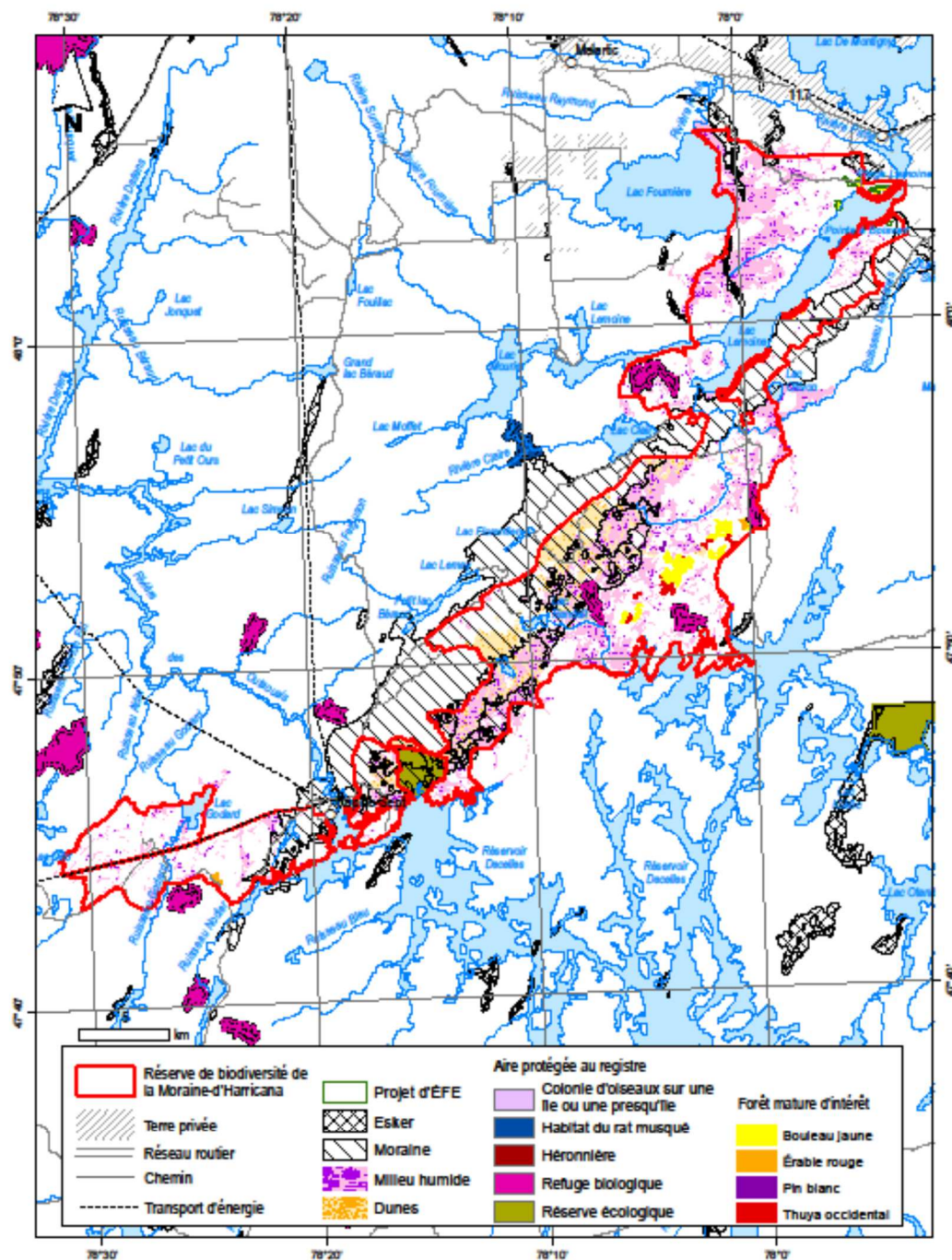
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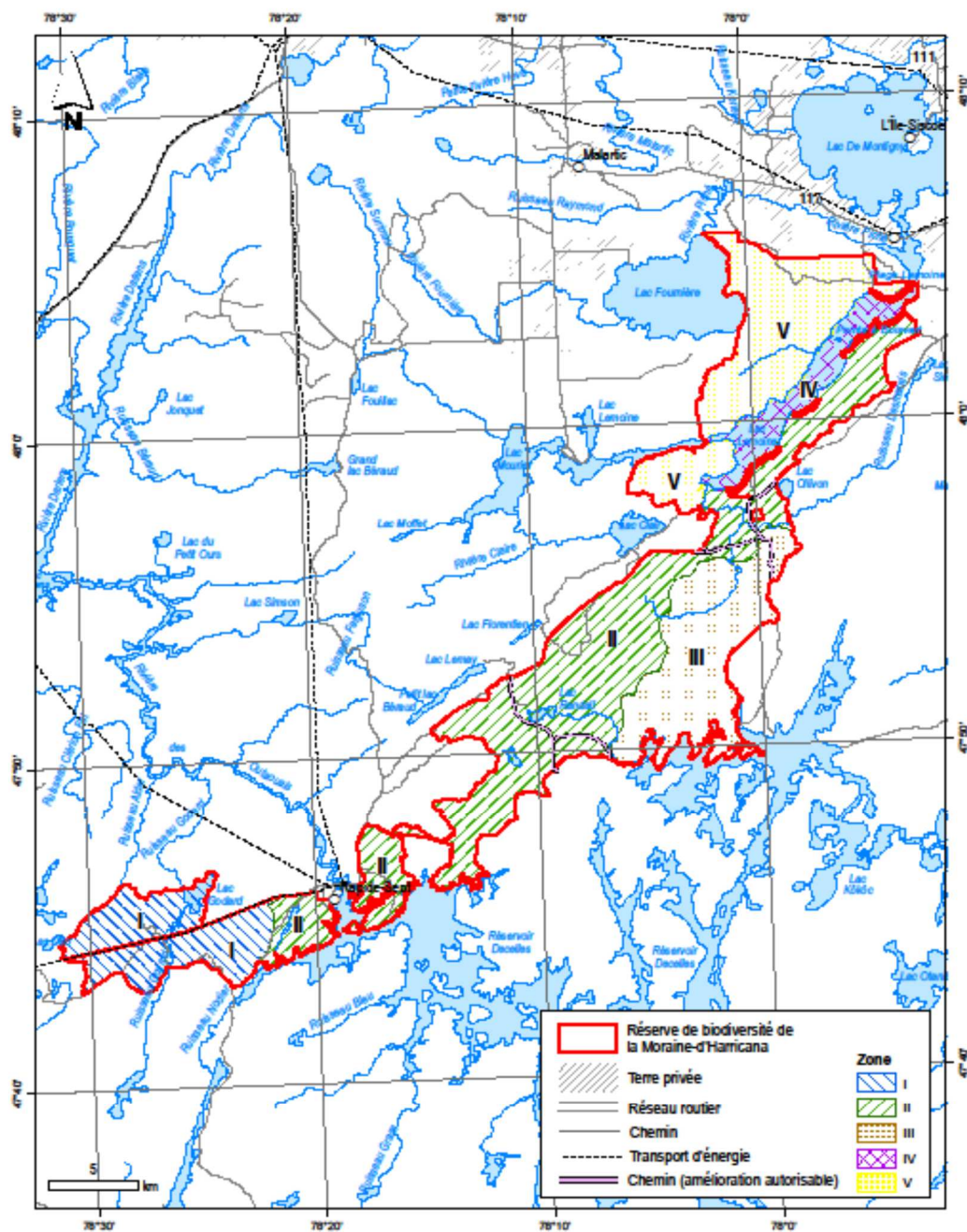
## Appendix 2 — Réserve de biodiversité de la Moraine-d'Harricana: Elements of ecological interest







## Appendix 4 — Réserve de biodiversité de la Moraine-d'Harricana: Zoning



Gouvernement du Québec

**O.C. 115-2019, 13 February 2019**

Natural Heritage Conservation Act  
(chapter C-61.01)

Permanent status of the Réserve de biodiversité Katnukamat, the Regulation respecting that reserve and its conservation plan

WHEREAS, under the first paragraph of section 43 of the Natural Heritage Conservation Act (chapter C-61.01), the Minister of Environment and the Fight Against Climate Change may recommend to the Government that all or part of land set aside under section 27 of the Act be assigned a permanent protection status as biodiversity reserve;

WHEREAS, under the second paragraph of section 43 of the Act, the Minister is to submit at the same time to the Government for its approval the conservation plans for the land;

WHEREAS, under the first paragraph of section 90 of the Act, the territory of the Réserve de biodiversité Katnukamat, that is, the protected area project for the Lac aux Sauterelles knolls, is deemed to have been set aside as a proposed biodiversity reserve in accordance with Title III of the Act, for a period of 4 years starting on 19 June 2003;

WHEREAS, by Order in Council 1269-2003 dated 3 December 2003, the Government approved the plan of the proposed Lac aux Sauterelles knolls biodiversity reserve and the proposed conservation plan for that reserve;

WHEREAS, by Order in Council 136-2008 dated 20 February 2008, the Government approved the amendments to the conservation plan of that reserve;

WHEREAS the setting aside of the territory was extended for 4 years, under the Order of the Minister of Sustainable Development, Environment and Parks dated 20 February 2007 (2007, *G.O.* 2, 1195) and 6 years under the Order of the Minister of Sustainable Development, Environment and Parks dated 21 April 2011 (2012, *G.O.* 2, 1048);

WHEREAS, in accordance with the first paragraph of section 39 of the Natural Heritage Conservation Act, the Minister of Sustainable Development, Environment and Parks entrusted the mandate to hold a public consultation on the proposed Lac aux Sauterelles knolls

biodiversity reserve to the Bureau d'audiences publiques sur l'environnement and its inquiry and public hearing report was made public on 16 July 2008;

WHEREAS the report concludes, among other things, that permanent protection status should be assigned to the territory of the proposed Lac aux Sauterelles knolls biodiversity reserve;

WHEREAS the limits of the proposed Lac aux Sauterelles knolls biodiversity reserve were reassessed by the Minister and changed after the public consultation to ensure to rely on natural elements easily visible on the site to facilitate management;

WHEREAS the plan of the proposed Lac aux Sauterelles knolls biodiversity reserve and its conservation plan were adjusted based on the changed limits and the technical description corresponding to the new limits has been prepared;

WHEREAS the land included in the territory forms part of the domain of the State and is not part of a reserved area or an agricultural zone established under the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1);

WHEREAS, in accordance with the first paragraph of section 151 of the Act respecting land use planning and development (chapter A-19.1), the Minister of Sustainable Development, the Environment and the Fight Against Climate Change notified an opinion describing the planned intervention to the council of Municipalité régionale de comté de Minganie;

WHEREAS, in accordance with the first paragraph of section 152 of that Act, the council of Municipalité régionale de comté de Minganie, by resolution No. 176-15 dated 15 September 2015, confirmed that the project for the establishment of the Réserve de biodiversité Katnukamat complies with the objectives of the land use planning and development plan in force in its territory;

WHEREAS the Commission de toponymie sent to the Minister its approval of the name "Réserve de biodiversité Katnukamat" to designate that permanent biodiversity reserve;

WHEREAS, under subparagraph *f* of paragraph 1 of section 46 of the Natural Heritage Conservation Act, in an aquatic reserve and a biodiversity reserve, any activity which the Government may prohibit by regulation is prohibited;

WHEREAS, under subparagraph g of paragraph 1 of section 46 of the Act, in an aquatic reserve and a biodiversity reserve, subject to measures in the conservation plan authorizing the activities and specifying the conditions on which they may be carried on, any allocation of a right to occupy land for vacation resort purposes, earthwork, backfilling or construction work and commercial activities are prohibited;

WHEREAS, under paragraph 2 of section 46 of the Act, all other activities are permitted, in addition to those prohibited by paragraph 1 of that section, subject to the applicable conditions;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), the draft Regulation respecting the Réserve de biodiversité Katnukamat was published in Part 2 of the *Gazette officielle du Québec* of 10 May 2017 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 respecting the Réserve de biodiversité Katnukamat with amendments, in particular to include the technical description of the territory and to make technical adjustments;

WHEREAS, under paragraph 3 of section 44 of the Natural Heritage Conservation Act, the establishment of a biodiversity reserve and a change in its limits, or its abolishment, is effected by order of the Government, on a proposal by the Minister, subject to the publication of a notice of the decision of the Government to establish a biodiversity reserve in the *Gazette officielle du Québec* with the plan of the area and the conservation plan;

WHEREAS the publication in the *Gazette officielle du Québec* of this Order in Council, of the Regulation respecting the Réserve de biodiversité Katnukamat and of its conservation plan constitutes the notice required by that paragraph, including the documents that must accompany it;

WHEREAS, under section 45 of the Natural Heritage Conservation Act, permanent protection status for land, conservation plans and applicable agreements, and amendments or revocations take effect on the date of publication of the order in the *Gazette officielle du Québec* or on any later date specified in the order;

IT IS ORDERED, therefore, on the recommendation of the Minister of Environment and the Fight Against Climate Change:

THAT permanent biodiversity reserve status be assigned to the territory described in the Regulation attached to Schedule I to this Order in Council, under the name “Réserve de biodiversité Katnukamat”;

THAT the Regulation respecting the Réserve de biodiversité Katnukamat, attached to Schedule I to this Order in Council, be made;

THAT the conservation plan applicable to the Réserve de biodiversité Katnukamat, attached to Schedule II to this Order in Council, be approved;

THAT permanent status of the Réserve de biodiversité Katnukamat and its conservation plan take effect on the fifteenth day following the date of their publication in the *Gazette officielle du Québec*.

YVES OUELLET,  
*Clerk of the Conseil exécutif*

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## SCHEDULE I

### Regulation respecting the Réserve de biodiversité Katnukamat

Natural Heritage Conservation Act  
(chapter C-61.01, s. 43 and s. 46, par. 1, subpars. e, f and g, and par. 2)

1. The Réserve de biodiversité Katnukamat is constituted in the territory described in the Schedule.

2. For the purpose of this Regulation

(1) the words or terms “high-water mark”, “littoral zone”, “floodplain”, “lakeshore” and “riverbank” have the same meaning as the meaning given in the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains (chapter Q-2, r. 35);

(2) the term “wetlands and bodies of water” has the same meaning as the meaning given in section 46.0.2 of the Environment Quality Act (chapter Q-2);

(3) the term “forest development activity” has the same meaning as the meaning given in the Sustainable Forest Development Act (chapter A-18.1).

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

3. Subject to the prohibition in the second paragraph, no person may introduce any individuals of a native or non-native species of fauna into the biodiversity reserve, including by stocking, unless the person has been authorized by the Minister.

No person may stock lake or watercourse for aquaculture, commercial fishing or any other commercial purpose.

Except with the authorization of the Minister, no person may introduce non-native species of flora into the biodiversity reserve.

4. No person may use fertilizers in the biodiversity reserve. Compost for domestic purposes is however permitted if it is used at least 20 metres from a lake or watercourse, measured from the high-water mark.

5. No person may remove from the biodiversity reserve species of flora, small fruits or any other non-timber forest product by mechanical means.

6. No person may in the biodiversity reserve, unless the person has been authorized by the Minister,

(1) intervene in a wetland area, including a marsh, swamp or peat bog;

(2) modify the natural drainage or water regime, including by creating or developing lakes and watercourses;

(3) dig, fill, obstruct or divert a lake or watercourse;

(4) install or erect any construction, infrastructure or new works littoral zone, on the banks or shores or the floodplains of a lake or watercourse; no authorization is however required for minor works — quay or platform, boat shelter — installed for private purposes and may be 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 an activity other than those referred to in paragraphs 1 to 4 likely to directly and substantially affect the biochemical characteristics or quality of wetlands and bodies of water in the biodiversity reserve, including by discharging or dumping residual materials or contaminants into the wetlands or bodies of water;

(6) carry out soil development work or an activity likely to degrade the soil or a geological formation, or to damage the vegetation cover, in particular by stripping, the digging of trenches or excavation work, including any burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose;

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

(8) reconstruct or demolish a structure, infrastructure or works;

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

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

(11) hold a sports event, tournament, rally or any other similar event where

(a) fauna or flora species are taken or are likely to be taken; or

(b) motor vehicles or craft are used.

7. Despite paragraphs 6, 7 and 8 of section 6, if the requirements provided for in the second paragraph are met, no authorization is required to carry out the following work:

(1) the maintenance, repair or improvement of any construction, infrastructure or works, including a camp, a cabin, a road or a trail, including an ancillary facility such as a lookout or stairs;

(2) the construction or installation

(a) of a dependency or a facility ancillary to a trapping camp, a rough shelter, a shelter or a cabin, including a shed, a water withdrawal facility or a discharge and disposal of waste water, grey water and toilet effluents; or

(b) of a trapping camp, a rough shelter, a shelter or a cabin if, on the date of coming into force of this Regulation, such a building was allowed under the right of use or occupancy granted, but was not yet carried out; or

(3) the demolition or reconstruction of a trapping camp, a rough shelter, a shelter or a cabin, including a dependency or a facility ancillary to such a construction, including a shed, a water withdrawal facility or a discharge and disposal of waste water, grey water and toilet effluents.

The carrying out of the work referred to in the first paragraph must comply with the following:

(1) the work involves a construction, infrastructure or works whose presence is allowed in the biodiversity reserve;

(2) the work is carried out within the area of the land or right of way covered by the right of use or occupancy in the biodiversity reserve, whether the right results from a lease, a servitude or another form of title, permit or authorization;



(3) 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 allowed by 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 set under an authorization issued in connection with that construction, works or infrastructure;

(4) the work is carried out in accordance with the prescriptions of any permit or authorization issued for the work or in connection with the construction, infrastructure or works to which they are related, as well as in compliance with the applicable legislative and regulatory measures;

(5) in the case of forest roads, the work must not result in altering or exceeding the existing right of way, enlarging the driving roadway or converting the road into a higher class road.

For the purposes of this section, repair and improvement work includes work to replace or install structures or facilities with a view to complying with the requirements of environmental regulations.

**8.** No person may bury, incinerate, abandon or dispose of residual materials or snow, except if they are disposed of in waste disposal containers, facilities or sites determined by the Minister or, in other cases, with the authorization of the Minister.

Despite the first paragraph, an outfitter holding a lease for accommodation purposes in the reserve does not need an authorization to use a disposal facility or site, in compliance with the Environment Quality Act (chapter Q-2) and its regulations, if the outfitter was already using the facility or site on the date of coming into force of this Regulation.

## **DIVISION II**

### **RULES OF CONDUCT FOR USERS**

**9.** No person may enter, carry on an activity or operate a vehicle in a given sector of the biodiversity reserve if the signage erected by the Minister restricts access, traffic or certain activities in the sector 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.

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

## **DIVISION III**

### **ACTIVITIES REQUIRING AN AUTHORIZATION**

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

For the purposes of the first paragraph,

(1) the occupation or use of a site includes

(a) staying or settling in the biodiversity reserve, for instance for vacation purposes;

(b) setting up a camp or a shelter; and

(c) installing, burying or abandoning any property in the reserve, including equipment, a device or a vehicle; and

(2) the expression “same site” includes any other site within a radius of 1 kilometre from the site.

Despite the first paragraph, an authorization is not required if a person,

(1) on the date of coming into force of this Regulation, was a party to a lease or had already obtained another form of right or another authorization allowing the person to legally occupy the land under the Act respecting the lands in the domain of the State (chapter T-8.1) or, if applicable, the Act respecting the conservation and development of wildlife (chapter C-61.1), and whose right to occupy the land is renewed or extended on the same conditions, subject to possible changes in fees; or

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

**12.** No person may carry on forest management activities to meet domestic needs or for the purpose of maintaining biodiversity, unless the person has been authorized by the Minister.

Despite the first paragraph, persons staying or residing in the biodiversity reserve and who collect wood required to make a campfire are not required to obtain the authorization of the Minister.

No such authorization is required if a person collects firewood to meet domestic needs to supply a trapping camp or a rough shelter permitted within the biodiversity reserve in the following cases and on the following conditions:

(1) 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 under the Sustainable Forest Development Act (chapter A-18.1);

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

In addition, no authorization to carry on a forest management activity is required if a person authorized by lease to occupy land within the biodiversity reserve in accordance with this Regulation carries on the forest management activity for the purpose of

(1) clearing, maintaining or creating visual openings, and any other similar removal work permitted under the provisions governing the sale, lease and granting of immovable rights under the Act respecting the lands in the domain of the State (chapter T-8.1), including for access roads, stairs or other trails permitted under those provisions; or

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

If the work referred to in subparagraph 2 of the fourth paragraph is carried on for or under the responsibility of an enterprise providing any of those services, the work requires the prior authorization of the Minister, other than in the case of the exemptions provided for in sections 14 and 16.

**13.** No person may carry on commercial activities in the biodiversity reserve, except with the authorization of the Minister.

Despite the first paragraph, no authorization is required

(1) if the activity does not involve the taking of fauna or flora resources, or the use of a motor vehicle; or

(2) to carry on commercial activities if, on the date on which protection status as a biodiversity reserve takes effect, the activities were the subject of a right of use of the land for such purpose, whether or not the right results from a lease or another form of title, permit or authorization, within the limits of what the right allows.

#### **DIVISION IV** **AUTHORIZATION EXEMPTIONS**

**14.** Despite the preceding provisions, an authorization is not required for an activity or other form of intervention within the biodiversity reserve if urgent action is necessary to prevent harm to the health or safety of persons, or to repair or prevent damage caused by a real or apprehended catastrophe. The person concerned must, however, immediately inform the Minister of the activity or intervention that has taken place.

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

**16.** Despite the preceding provisions, the following activities and interventions carried out by Hydro-Québec (hereinafter the “Société”) or by any other person for Hydro-Québec do not require the prior authorization of the Minister under this Regulation:

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

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

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

For the purposes of this section, the activities and interventions of the Société include but are not restricted to pre-project studies, analysis work or field research, work required to study and monitor the impact of power transmission and distribution line corridors and rights of way, geological or geophysical surveys and survey lines, and the opening and maintenance of roads required for the purpose of access, construction or traffic incidental to the work.

**DIVISION V****FINAL**

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

**SCHEDULE****TECHNICAL DESCRIPTION****RÉSERVE DE BIODIVERSITÉ KATNUKAMAT**  
(s. 1)

[Translation of the technical description filed in French only in the office of the Surveyor-General of Québec of the Ministère de l'Énergie et des Ressources naturelles.]

A territory of irregular shape in the Municipalité du Lac-Jérôme, in Municipalité régionale de comté de Minganie, in the administrative region of Côte-North and included in part of Bassin-de-la-Rivière-Romaine and part of Bassin-de-la-Rivière-Saint-Jean (de Mingan). The perimeter of the territory may be described as follows, namely:

Starting from point 1 situated at the western limit of Bassin-de-la-Rivière-Romaine, more specifically situated at its intersection with a straight line starting from point 2 (5 773 180 m north, 321 474 m east), a straight line having a bearing of 251°13'30";

Thence, easterly, following the said line segment to the western shore of the unnamed lake, that is, point 2 (5 773 180 m north, 321 474 m east);

Thence, in an average easterly direction, following the northern shore of the unnamed lake, that is, point 3 (5 773 177 m north, 321 528 m east);

Thence, easterly, following a straight line having a bearing of 88° 09' 04" over a distance of about 419 metres to the intersection with the northwestern shore of the unnamed lake, that is, point 4 (5 773 191 m north, 321 946 m east);

Thence, in an average easterly and southwesterly direction, following the northern and southwestern shore of the unnamed lake to the intersection with the eastern bank of the unnamed stream, that is, point 5 (5 773 060 m north, 322 406 m east);

Thence, in an average southeasterly direction, following the northeastern bank of the unnamed stream to the intersection with the northern shore of the unnamed lake, that is, point 6 (5 770 132 m north, 324 005 m east);

Thence, in an average southeasterly direction, following the northern and northeastern shore of the unnamed lake to the intersection with the eastern bank of the unnamed stream, that is, point 7 (5 768 046 m north, 325 687 m east);

Thence, in an average southerly direction, following the eastern bank of the unnamed stream to the intersection with the northern shore of the unnamed lake, that is, point 8 (5 767 808 m north, 325 614 m east);

Thence, in an average southeasterly direction, following the northern and northeastern shore of the unnamed lake to the intersection with the northern bank of the unnamed stream, that is, point 9 (5 765 012 m north, 327 347 m east);

Thence, in an average southeasterly direction, following the northeastern bank and shore of unnamed streams and lakes to point 10 (5 756 827 m north, 331 261 m east);

Thence, southerly, following a straight line having a bearing of 166° 37' 59" over a distance of about 886 metres to the intersection with the northern shore of the unnamed lake, that is, point 11 (5 755 965 m north, 331 466 m east);

Thence, in an average southeasterly direction, following the northern and eastern shore of the unnamed lake, to point 12 (5 755 921 m north, 331 495 m east);

Thence, southerly, following a straight line having a bearing of 166° 58' 44" over a distance of about 101 metres to the intersection of the northeastern bank of an unnamed stream, that is, point 13 (5 755 822 m north, 331 518 m east);

Thence, in an average southeasterly direction, following the northeastern shore and bank of unnamed lakes and streams and the northwestern bank of rivière aux Sauterelles, to point 14 (5 748 639 m north, 337 368 m east);

Thence, easterly, following a straight line having a bearing of 105° 45' 34" over a distance of about 99 metres to the eastern bank of rivière aux Sauterelles, that is, point 15 (5 748 612 m north, 337 463 m east);

Thence, in an average southerly direction, following the eastern bank of rivière aux Sauterelles to the intersection with the southeastern bank of the unnamed stream, that is, point 16 (5 748 445 m north, 337 506 m east);

Thence, in an average southeasterly direction, following the northeastern bank of the unnamed stream, to point 17 (5 744 379 m north, 339 389 m east);

Thence, southerly, following a straight line having a bearing of 179° 00' 36" over a distance of about 886 metres to the intersection of the eastern bank of the unnamed stream, that is, point 18 (5 743 493 m north, 339 404 m east);

Thence, in an average southerly direction, following the eastern bank and shore of unnamed streams and lakes to the intersection with the northern shore of the unnamed lake, that is, point 19 (5 739 660 m north, 340 001 m east);

Thence, in an average westerly direction, following the southern shore of the unnamed lake to the intersection with the southeastern bank of the unnamed stream, that is, point 20 (5 739 342 m north, 338 544 m east);

Thence, in an average westerly direction, following the southern bank of the unnamed stream to point 21 (5 739 144 m north, 337 890 m east);

Thence, westerly, following a straight line having a bearing of  $282^{\circ} 10' 01''$  over a distance of about 437 metres to the intersection of the unnamed stream, that is, point 22 (5 739 236 m north, 337 462 m east);

Thence, westerly, following a straight line having a bearing of  $276^{\circ} 25' 55''$  over a distance of about 326 metres to the intersection of the southeastern bank of the unnamed stream, that is, point 23 (5 739 273 m north, 337 138 m east);

Thence, in an average southwesterly direction, following the southeastern bank of the unnamed stream and the southern shore of the unnamed lake to point 24 (5 737 316 m north, 336 033 m east);

Thence, southwesterly, following a straight line having a bearing of  $220^{\circ} 47' 20''$  over a distance of about 291 metres to the intersection of the northern shore of the unnamed lake, that is, point 25 (5 737 096 m north, 335 843 m east);

Thence, in an average southerly direction, following the eastern shore of the unnamed lake to point 26 (5 737 040 m north, 335 836 m east);

Thence, southwesterly, following a straight line having a bearing of  $227^{\circ} 13' 03''$  over a distance of about 408 metres to the intersection of the northeastern shore of the unnamed lake, that is, point 27 (5 736 763 m north, 335 537 m east);

Thence, in an average southwesterly direction, following the southeastern shore of the unnamed lake to the intersection with the eastern bank of the unnamed stream, that is, point 28 (5 736 090 m north, 334 972 m east);

Thence, in an average southerly direction, following the eastern bank of unnamed streams and the eastern shore of unnamed lakes, to point 29 (5 733 800 m north, 334 701 m east);

Thence, westerly, following a straight line having a bearing of  $263^{\circ} 11' 08''$  over a distance of about 376 metres, to point 30 (5 733 756 m north, 334 328 m east);

Thence, southwesterly, following a straight line having a bearing of  $227^{\circ} 33' 57''$  over a distance of about 300 metres to the intersection of the northeastern shore of the unnamed lake, that is, point 31 (5 733 553 m north, 334 106 m east);

Thence, in an average southwesterly direction, following the eastern shore of the unnamed lake and the southeastern bank of the unnamed stream to the intersection with the eastern bank of another unnamed stream, that is, point 32 (5 732 963 m north, 333 207 m east);

Thence, in an average southerly direction, following the eastern bank of the unnamed stream and the eastern shore of the unnamed lake to point 33 (5 730 418 m north, 333 241 m east);

Thence, westerly, following a straight line having a bearing of  $252^{\circ} 56' 59''$  over a distance of about 383 metres to the intersection of the eastern shore of the unnamed lake, that is, point 34 (5 730 306 m north, 332 876 m east);

Thence, in an average westerly direction, following the southeastern shore of the unnamed lake and the southern bank of the unnamed stream, to point 35 (5 730 285 m north, 332 425 m east);

Thence, westerly, following a straight line having a bearing of  $274^{\circ} 10' 53''$  over a distance of about 98 metres, to point 36 (5 730 292 m north, 332 327 m east);

Thence, westerly, following a straight line having a bearing of  $255^{\circ} 16' 44''$  over a distance of 649.31 metres, to point 37 (5 730 127 m north, 331 699 m east);

Thence, southwesterly, following a straight line having a bearing of  $246^{\circ} 59' 15''$  over a distance of about 466 metres to the northeastern bank of the unnamed stream, that is, point 38 (5 729 945 m north, 331 270 m east);

Thence, in an average southwesterly direction, following the northern bank of unnamed streams and the northwestern shore of the unnamed lake, whose beds are excluded from the biodiversity reserve, to the intersection with the northeastern bank of another unnamed stream, that is, point 39 (5 729 128 m north, 330 374 m east);

Thence, in an average northerly direction, following the western bank of the unnamed stream and the western shore of the unnamed lake, to point 40 (5 730 104 m north, 330 269 m east);

Thence, northerly, following a straight line having a bearing of  $348^{\circ} 43' 40''$  over a distance of about 1 049 metres to the intersection of the southwestern shore of the unnamed lake, that is, point 41 (5 731 133 m north, 330 064 m east);

Thence, in an average northerly direction North, following the western shore of the unnamed lake, to point 42 (5 731 223 m north, 330 092 m east);

Thence, northerly, following a straight line having a bearing of 357° 31' 08" over a distance of about 732 metres to the intersection of the southern shore of the unnamed lake, that is, point 43 (5 731 954 m north, 330 060 m east);

Thence, in an average northwesterly direction, following the southwestern shore of the unnamed lake to the intersection with the eastern bank of the unnamed stream, that is, point 44 (5 732 098 m north, 329 956 m east);

Thence, in an average southwesterly direction, following the southeasterly bank of the unnamed stream to the intersection with the northeastern shore of the unnamed lake, that is, point 45 (5 731 297 m north, 328 936 m east);

Thence, in an average southwesterly direction, following the southeastern shore of the unnamed lake, to point 46 (5 731 236 m north, 328 887 m east);

Thence, westerly, following a straight line having a bearing of 292° 26' 15" over a distance of about 319 metres to the intersection of the eastern shore of the unnamed lake, that is, point 47 (5 731 357 m north, 328 592 m east);

Thence, in an average westerly direction, following the southern shore of the unnamed lake to the intersection with the southern bank of the unnamed stream, that is, point 48 (5 731 298 m north, 328 306 m east);

Thence, in an average northerly direction, following the southern bank of the unnamed stream, the western shore of the unnamed lake and bank of the unnamed stream to the intersection with the southeastern shore of the unnamed lake, that is, point 49 (5 732 539 m north, 328 163 m east);

Thence, in an average southwesterly and northerly directions, following the southeastern and western shore of the unnamed lake to the intersection with the western bank of the unnamed stream, that is, point 50 (5 732 826 m north, 327 750 m east);

Thence, in an average northerly direction, following the western bank of the unnamed stream to the intersection with the southern shore of the unnamed lake, that is, point 51 (5 732 907 m north, 327 756 m east);

Thence, in an average northerly direction, following the western shore of the unnamed lake to point 52 (5 733 080 m north, 327 779 m east);

Thence, northerly, following a straight line having a bearing of 14° 58' 24" over a distance of about 581 metres to the intersection of the southern shore of the unnamed lake, that is, point 53 (5 733 641 m north, 327 939 m east);

Thence, in an average northerly direction, following the western shore of the unnamed lake and the unnamed stream to the intersection with the southeastern bank of another unnamed stream, that is, point 54 (5 734 653 m north, 328 159 m east);

Thence, in an average westerly direction, following the southern bank of the unnamed stream, to point 55 (5 734 579 m north, 327 731 m east);

Thence, northerly, following a straight line having a bearing of 8° 07' 00" over a distance of about 362 metres to the western bank of the unnamed stream, that is, point 56 (5 734 937 m north, 327 782 m east);

Thence, in an average northwesterly direction, following the northeastern bank of the unnamed stream to point 57 (5 736 104 m north, 326 237 m east);

Thence, northwesterly, following a straight line having a bearing of 304° 01' 23" over a distance of about 294 metres to the southern bank of the unnamed stream, that is, point 58 (5 736 268 m north, 325 993 m east);

Thence, in an average northwesterly direction, following the southwestern bank of the unnamed stream to the intersection with the southern bank of another unnamed stream, that is, point 59 (5 738 790 m north, 324 352 m east);

Thence, in an average northwesterly direction, following the southwestern bank of the unnamed stream and shore of the unnamed lake, to point 60 (5 739 814 m north, 323 581 m east);

Thence, northerly, following a straight line having a bearing of 341° 46' 21" over a distance of about 391 metres to the eastern bank of the unnamed stream, that is, point 61 (5 740 185 m north, 323 459 m east);

Thence, in an average northerly direction, following the western bank and shore of unnamed streams and lakes, to point 62 (5 741 315 m north, 323 170 m east);

Thence, westerly, following a straight line having a bearing of 284° 35' 51" over a distance of about 143 metres to the southern shore of the unnamed lake, that is, point 63 (5 741 352 m north, 323 032 m east);

Thence, in an average northwesterly direction, following the southwestern shore of the unnamed lake, to point 64 (5 741 457 m north, 322 973 m east);



Thence, westerly, following a straight line having a bearing of 281° 42' 34" over a distance of about 263 metres to the southern shore of the unnamed lake, that is, point 65 (5 741 511 m north, 322 715 m east);

Thence, in an average northerly direction, following the western shore and bank of unnamed lakes and streams to point 66 (5 742 270 m north, 322 595 m east);

Thence, westerly, following a straight line having a bearing of 271° 23' 28" over a distance of about 172 metres to the southern shore of the unnamed lake, that is, point 67 (5 742 274 m north, 322 422 m east);

Thence, in an average northerly direction, following the western shore and bank of unnamed lakes and streams to point 68 (5 743 482 m north, 322 246 m east);

Thence, northerly, following a straight line having a bearing of 6° 36' 52" over a distance of about 82 metres to the intersection of the southwestern shore of lac Thévet, that is, point 69 (5 743 564 m north, 322 274 m east);

Thence, northwesterly, following the southwestern shore of lac Thévet to point 70 (5 744 156 m north, 321 579 m east);

Thence, in an average northwesterly direction, following the southeastern bank of an unnamed stream and the southwestern shore of the unnamed lake, to point 71 (5 744 538 m north, 320 869 m east);

Thence, northwesterly, following a straight line having a bearing of 324° 37' 15" over a distance of about 93 metres to the southeastern shore of lac Thévet, that is, point 72 (5 744 614 m north, 320 816 m east);

Thence, in an average northwesterly direction, following the southwestern shore of lac Thévet, to point 73 (5 744 821 m north, 320 580 m east);

Thence, southwesterly, following a straight line having a bearing of 234° 42' 25" over a distance of about 72 metres to the southeastern shore of the unnamed lake, that is, point 74 (5 744 779 m north, 320 521 m east);

Thence, in an average northwesterly direction, following the southwestern shore of the unnamed lake, to point 75 (5 745 046 m north, 319 986 m east);

Thence, westerly, following a straight line having a bearing of 283° 00' 53" over a distance of about 125 metres to the eastern shore of lac Thévet, that is, point 76 (5 745 074 m north, 319 864 m east);

Thence, in an average westerly direction, following the southwestern shore of lac Thévet to the intersection with the southwestern bank of the unnamed stream, that is, point 77 (5 745 680 m north, 317 799 m east);

Thence, in an average southwesterly direction, following the southeastern bank of the unnamed stream to the eastern limit of Bassin-de-la-Rivière-Romaine, that is, point 78;

Thence, in an average northern direction, following the eastern limit of Bassin-de-la-Rivière-Romaine, to starting point 1;

Having an area of 533.07 km<sup>2</sup>.

#### NOTES:

—The limit described in this description constitutes a limit only for the purposes of land management relating to the use of the mandate concerned and may not be invoked for border delineation purposes.

—The limit of the biodiversity reserve shown on the plan accompanying the technical description was determined from the digital files of the CanVec series of the map database at a scale of 1:50,000 of Natural Resources Canada for 2012 and an excerpt of the surveys officialized in the Registre du domaine de l'État effective on 26 April 2017.

—Generally, all the beds of watercourses, rivers and lakes are included in the biodiversity reserve. Only those excluded are mentioned in this technical description.

—The limits defined by the shore of a lake or the bank of a river or stream correspond to the high-water mark.

—The coordinates and areas used in this technical description are approximate. They were graphically determined from the said data used to determine the limit of the biodiversity reserve. They are given in metres in reference to the Québec plane coordinate system (SCOPQ), Modified Transverse Mercator projection (MTM), Time Zone 5 (central meridian 64°30'), North American Datum 1983 (NAD83).

—The measures comply with the International System of Units.

—The limit of the biodiversity reserve is based on the actual layout of the elements described in this document and must be legally interpreted in such a way. It was prepared by the Direction des aires protégées of the Ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques of Québec.



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

—The territory is represented on a plan at a scale of 1:40,000.

—In accordance with the instructions of the Direction des aires protégées of the Ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques, the information contained in the fundamental documents provided by the mandator, from which this technical description was prepared, is accepted as fact.

The whole as shown on the plan prepared by the undersigned on 10 October 2017 and filed with the office of the Surveyor-General of Québec of the Ministère de l'Énergie et des Ressources naturelles of Québec under document number 536737.

Prepared in Trois-Rivières, on 10 October 2017 under number 17-525 of my records and under number sixteen thousand four hundred and eighty-eight of my minutes.

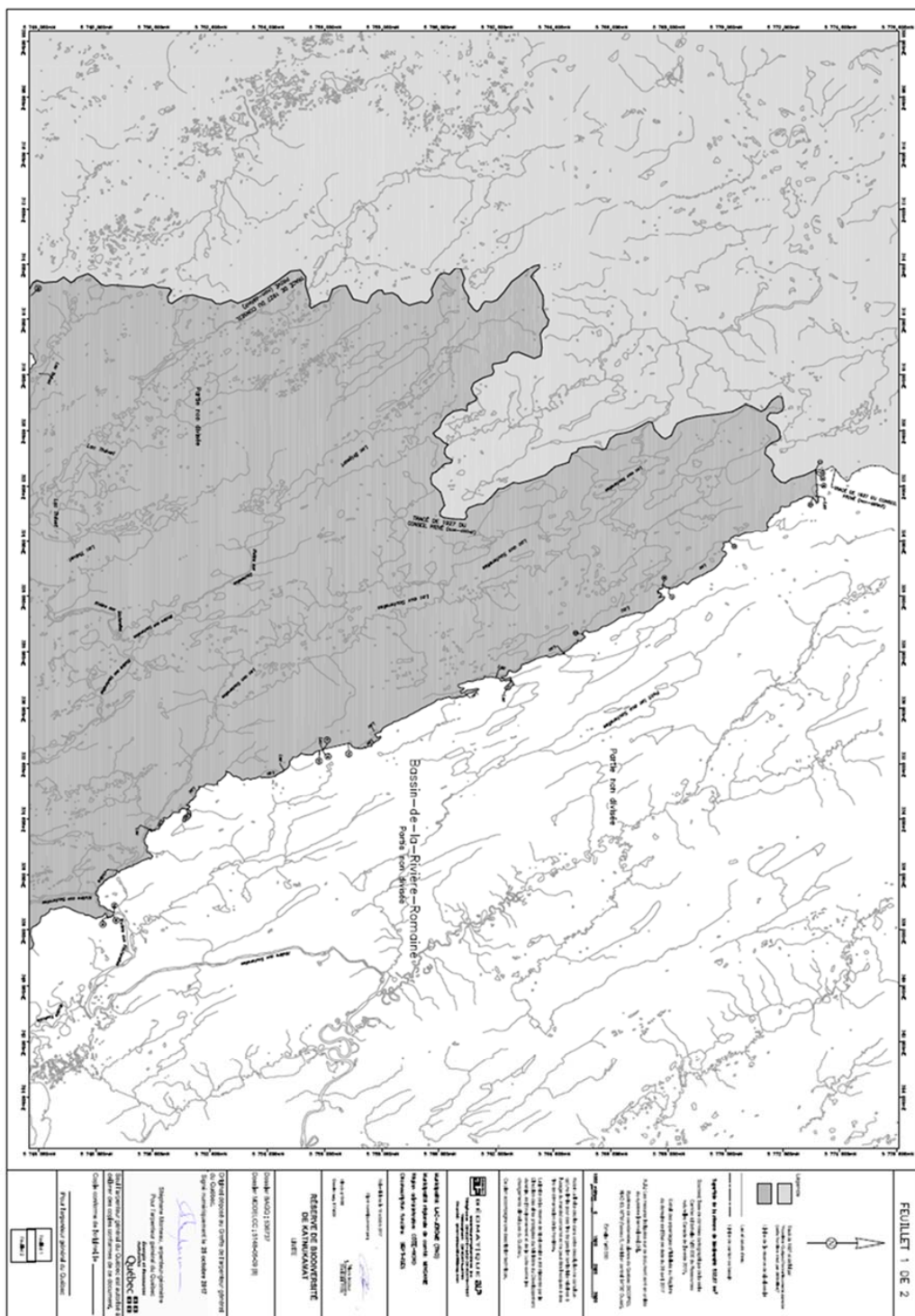
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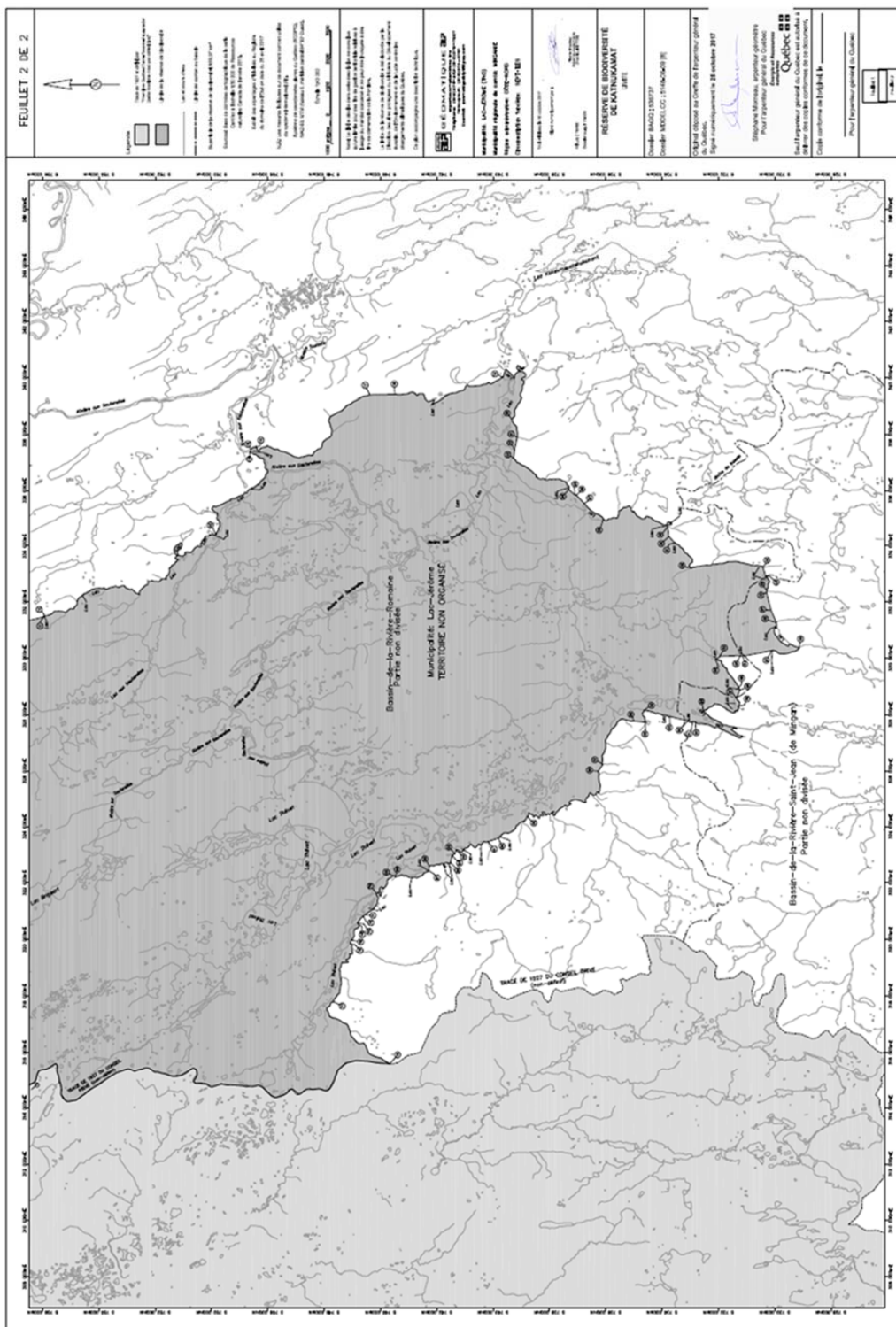
PIERRE BRODEUR,  
*Land Surveyor*

Ministère du Développement durable,  
de l'Environnement et de la Lutte contre  
les changements climatiques

Direction des aires protégées

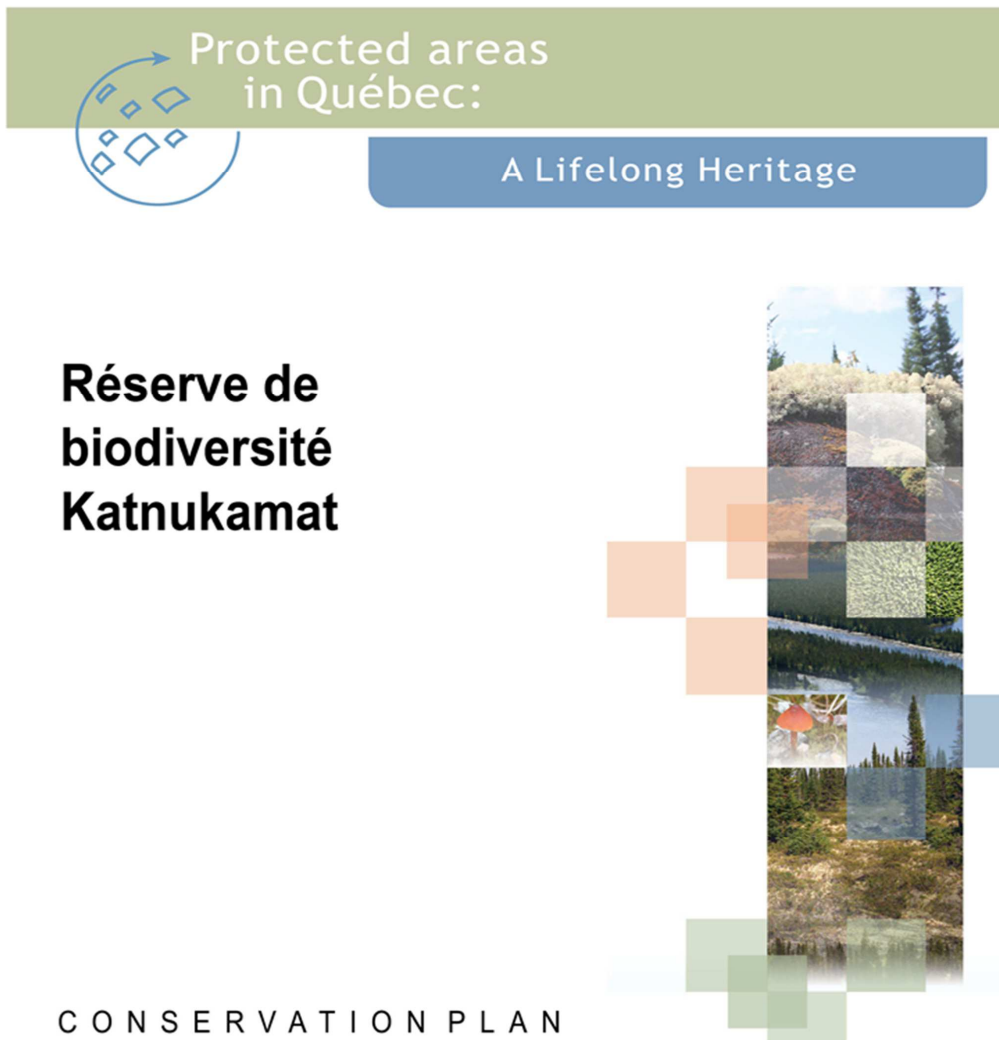
MDDELCC report: 5148-06-09 (08)





## SCHEDULE II

## CONSERVATION PLAN OF THE RÉSERVE DE BIODIVERSITÉ KATNUKAMAT

Québec 

Cover photos: Dominic Boisjoly

Reference to cite:

Gouvernement du Québec. 2018. Conservation Plan, Réserve de biodiversité Katnukamat. Québec, Ministère de l'Environnement et de la Lutte contre les Changements Climatiques, Direction des aires protégées. 21 pages.

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## Introduction

In 2002, the Gouvernement du Québec moved to protect the territory of the Lac aux Sauterelles mounds by prohibiting the principal industrial activities that could threaten conservation of the area (forest, hydroelectric and mining development).

The territory was officially accorded the legal provisional status of proposed biodiversity reserve on June 19, 2003 under section 90 of the *Natural Heritage Conservation Act* (chapter C-61.01). The proposed biodiversity reserve was given the temporary name of Réserve de biodiversité projetée des buttes du lac aux Sauterelles.

By giving permanent protected status to Réserve de biodiversité Katnukamat, the Gouvernement du Québec ensures the definitive protection of representative samples of the biological diversity of the central Labrador natural province, and more specifically of the Lacs Brûlé-Fournier plateau natural region.

The purpose of the reserve is to preserve the ecosystems of a landscape shaped by glaciers and undisturbed by human activity. By excluding industrial activities from the reserve, its landscapes and ecosystems will be safeguarded for future generations.

The new biodiversity reserve joins a vast network of protected areas aimed at protecting the various types of representative and exceptional ecosystems across Québec.

On August 10, 2006 the Minister of Sustainable Development, Environment and Parks (MDDEP)

mandated the Bureau d'audiences publiques sur l'environnement (BAPE) to hold a public consultation on four proposed biodiversity reserves: du massif des lacs Belmont et Magpie, des buttes du lac aux Sauterelles (Katnukamat), des basses collines du lac Guernesé, and des collines de Brador. This mandate was given to the BAPE pursuant to section 39 of the *Natural Heritage Conservation Act*, which provides for a public consultation process before a proposal is made to the Government on permanent protection status for land set aside as a proposed protected area. The BAPE's mandate began on September 14, 2006 and concluded on February 14, 2007. The first part of the consultation was held from October 16 to 19, 2006 in the municipalities of Rivière-Saint-Jean, Blanc-Sablon and Saint-Augustin, and in the Innu community of Pakua Shipu. The second part of the consultation was held from November 21 to 23, 2006 in the municipalities of Havre-Saint-Pierre and Blanc-Sablon and in the Innu community of Pakua Shipu. The BAPE's inquiry and public hearing report (No. 236) was submitted to the Minister of the MDDEP on February 14, 2007 and made public on July 16, 2008 (BAPE, 2007). In its report, the commission recommended giving permanent protection status to Réserve de biodiversité projetée des buttes du lac aux Sauterelles, which is now Réserve de biodiversité Katnukamat.

The present conservation plan was drawn up by the Ministère de l'Environnement et de la Lutte contre les changements climatiques (MELCC) after the BAPE's consultation. It sets out the ministerial vision for the conservation of the territory of Réserve de biodiversité Katnukamat. Incorporating a large part of the document prepared by the MDDEP in September 2006 for

the public consultation, it takes into account the conclusions of BAPE report #236 (BAPE, 2007). Thus, the conservation plan reflects the concerns of all governmental and non-governmental partners involved in implementing the strategic action plan on protected areas.

The purpose of this conservation plan is to inform the public as to the legislative framework applying within the biodiversity reserve (see sections 4 and 5). The plan is also intended to guide management by detailing conservation objectives specific to Réserve de biodiversité Katnukamat. These objectives, discussed in sections 2.1 and 2.2, can be summarized as follows:

- Maintain the ecological integrity of the biodiversity reserve
- Encourage the acquisition of knowledge and carry out monitoring

## 1. Description of the biodiversity reserve

### 1.1 Official toponym

Réserve de biodiversité Katnukamat: the name refers to Lac aux Sauterelles, which is also called *Katnukamat* or *Katnukamaht* in the Innu language, meaning “long lake”.

### 1.2 Geographical location, boundaries and area

The location and regional context of Réserve de biodiversité Katnukamat are shown in Appendix 1. The boundaries, vegetation and occupation are illustrated in Appendix 2.

**Location:** Réserve de biodiversité Katnukamat is located in the backcountry of the administrative region of Côte-Nord, and is part of the

unorganized territory of Lac-Jérôme in the regional county municipality (MRC) of Minganie. More precisely, the protected area lies between 51°41' and 52°05' north latitude and between 63°59' and 64°22' west longitude. It is about 165 km north-northwest of Havre-Saint-Pierre and about 155 km north of Mingan, home of an Innu community (Ekuanishit).

**Area and boundaries:** The initial area of the proposed reserve, when it was set aside as such in 2003, was 481 km<sup>2</sup>. The final boundaries were defined on the basis of natural elements that are easily identified on the ground, to facilitate management. After these adjustments, Réserve de biodiversité Katnukamat now covers an area of 532.91 km<sup>2</sup>. The northwest boundary of the reserve corresponds to the northwest boundary of the Romaine river watershed boundary as defined by the primitive land surveying.

The legal boundaries of Réserve de biodiversité Katnukamat are defined in the technical description and the survey map prepared by land surveyor Pierre Brodeur with the following minutes 16488 (October 10, 2017) and filed in the surveying archives of the Surveyor General of Québec (Greffé de l'arpenteur général du Québec), Ministère de l'Énergie et des Ressources naturelles under document number 536737.

**Accessibility:** No roads provide access to the biodiversity reserve. There are however numerous lakes that are large enough for seaplanes to land, particularly Lac aux Sauterelles in the northern part of the reserve. It can also be accessed by snowmobile.

### 1.3 Ecological portrait

Réserve de biodiversité Katnukamat is in the central Labrador natural province, except a small portion in the south that is in the Basse-Côte-Nord plateau. The reserve protects a geomorphological complex and associated biodiversity representative of the Lacs Brûlé-Fournier plateau natural region, or more precisely the Lac-Brulé knolls physiographic complex.

#### 1.3.1 Representative elements

**Geology and geomorphology:** The territory is entirely in Grenville geological province and is part of the Canadian Shield geological complex. In the west, the geological foundation consists of mafic rocks, more precisely anorthosite. In the east, it consists of felsic rocks, in this case undeformed granite, and on the southern edge, syenite and monzonite.

The landscape of the region was shaped by glaciers. The ice sheet advanced in a northwest/southeast direction, as shown by the spatial organization of landscape elements, which allow the reserve to be divided into four ecological units (see Appendix 3). The first, in the centre, is associated with the glacial advance. Drumlins dominate, composed of well drained till interspersed with poorly drained areas. The second ecological unit is to the west and displays a geomorphology characteristic of subglacial water flow. Three eskers were formed here, oriented in the same direction as the glacier. They are separated by large bogs and slightly higher areas composed of thick till eroded laterally by

glacial meltwaters. The third ecological unit is in the southwest, a valley bottom downstream from the fluvioglacial flow zone, where Lac Thévet is located. Traversed by eskers, the fluvioglacial terraces of sand and gravel were created by proglacial outwash, though there are also fluvial sediments from present-day watercourses. The fourth unit is in the eastern part of the reserve and displays a geomorphology characteristic of glacial melting, namely a jumble of terrestrial and aquatic elements with no spatial organization. The stagnation moraines that blanket the area are intermingled with deposits of fluvioglacial origin. At the southern extremity of the reserve, outcrops of bedrock surface from the till. The elevation of the reserve ranges from 526 m to 796 m, with an average elevation of 582 m.

**Hydrography:** The biodiversity reserve is in the Rivière Romaine watershed, protecting about 3.7% of it. There are just over fifteen lakes of glacial origin, covering nearly 15% of the territory. Most are elongated, entrenched in narrow valleys. The largest is Lac aux Sauterelles with an area of 17 km<sup>2</sup> and a length of about 20 km. It is in the north of the protected area, at an elevation of 542 m. Like lakes Brigeart and Thévet, it drains into Rivière aux Sauterelles, which has a Strahler number of 4<sup>1</sup>. Rivière aux Sauterelles in turn empties into Rivière Romaine, about 40 km to the east. Mostly composed of headwater elements, the hydrographic network has an overall northwest-southeast orientation.

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<sup>1</sup> The Strahler number is a way of ranking a watercourse by its position in the watershed. Streams with no tributaries have a Strahler number of 1. The confluence of two streams of the same rank raises that of the water downstream. The longest rivers in Québec have a Strahler number of 8.

**Climate:** The territory of the reserve is subject to a cold continental subarctic climate, subhumid with a short growing season. For the most part it is in the bioclimatic domain of black spruce/lichen forests. A small part in the south is in the bioclimatic domain of black spruce/moss forests.

**Flora:** The territory is a mosaic of several types of vegetation. Conifer stands cover 42% of it, consisting primarily of black spruce (*Picea mariana*) commonly accompanied by balsam fir (*Abies balsamea*), particularly on higher places like eskers and drumlins. On the terraces, 11% of the territory is coniferous heath with a ground cover of lichens and cup lichens (e.g. *Cladonia stellaris*, *C. mitis* and *C. rangiferina*), while 2% is heath with an understory of shrubs, including Labrador tea (*Rhododendron groenlandicum*), lowbush blueberry (*Vaccinium angustifolium*), velvet-leaf huckleberry (*Vaccinium myrtilloides*) and lingonberry (*Vaccinium vitis-idaea*). Taking up 4% of the territory, bogs occupy the hollows. Around these wetlands and in poorly drained places there are tamarack (*Larix laricina*), bog-laurel (*Kalmia polifolia*), dwarf bilberry (*Vaccinium cespitosum*) and leatherleaf (*Cassandra calyculata*), together with speckled alder (*Alnus rugosa*).

Bryophytes (non-vascular plants) like red-stemmed feather moss (*Pleurozium schreberi*) and knight's plume moss (*Ptilium crista-castrensis*), and herbaceous plants like savin-leaved clubmoss (*Diphasiastrum x sabinifolium*) and creeping snowberry (*Gaultheria hispidula*) have been found in the biodiversity reserve. The most recent surveys for the general area date from 1998 and were conducted by the Ministère des Ressources naturelles (now the Ministère des Forêts, de la Faune et des Parcs). Some of the species found in the region could be present

on the territory of the reserve, such as three-lobed whipwort (*Bazzania trilobata*, a species of liverwort), velvetleaf huckleberry (*Vaccinium myrtilloides*) and bunchberry (*Cornus canadensis*). Between 2005 and 2010 the area was ravaged by forest fires. A large burned area of about 118 km<sup>2</sup>, more than a fifth of the biodiversity reserve, stretches from north to south and includes the area west of Lac aux Sauterelles.

**Wildlife:** Since no wildlife survey has been done, very little information is available. Most of what is known comes from traditional sources. For example, members of the Innu community say that a wolf pack (*Canis lupus*) has been observed in the biodiversity reserve.

### 1.3.2 Outstanding elements

According to the Centre de données sur le patrimoine naturel du Québec, no plant species that is threatened or vulnerable or likely to be so designated has been observed in the reserve (CDPNQ, 2014). However, woodland caribou (*Rangifer tarandus caribou*), designated vulnerable in Québec, do occupy the territory. More precisely, the reserve is in the range of the Lac Joseph herd, which uses it for calving, rearing and overwintering (Schmelzer *et al.*, 2004). The Ekuanitshit Innu say they have hunted woodland caribou in the area around Lac aux Sauterelles.

The territory is noteworthy from a geomorphological point of view, since four parts of the reserve exemplify different phases in the passage of the continental ice sheet. One zone is characteristic of glacial advance, a second of subglacial water flow, a third of fluvio-glacial outwash, while the fourth is clearly indicative of

glacial melting. All these geomorphological signs follow a northwest/southeast axis, revealing the orientation of the glacier.

#### 1.4 Land occupation and uses

The boundaries and vegetation of Réserve de biodiversité Katnukamat, and the occupations exercised on its territory, are illustrated in Appendix 2.

No land rights have been granted within the boundaries of the reserve, and no archeological sites have been identified, probably because no survey has been done.

Thanks to its location north of the boundary for commercial logging and in an area, the territory of the reserve is free of anthropic disturbances of an industrial nature. Since there is little access to it, there are no recreotourism activities in the protected area.

The entire territory is within the Saguenay beaver reserve and is part of fur-bearing animal management unit 62. The Innu community of Ekuanitshit, at the confluence of Rivière Mingan and the St. Lawrence 200 km east of Sept-Îles, has a population of about 600. It holds specific rights on the territory of the reserve in respect of hunting and the trapping of fur-bearing animals. The Innu of Ekuanitshit frequent the territory and have established camps in the areas around Lac aux Sauterelles and Lac Thévet, where they practise traditional activities including hunting, fishing, trapping and gathering for food, ritual and social purposes.

The biodiversity reserve is also located within the hunting zone 19 south. Sport hunting for caribou has been prohibited throughout the entire zone

since 2001, but the Innu hunt for subsistence purposes. They also hunt moose (*Alces americanus*), ruffed grouse (*Bonasa umbellus*), spruce grouse (*Falcipennis canadensis*), snowshoe hare (*Lepus americanus*), porcupine (*Erethizon dorsatum*), beaver (*Castor canadensis*), Canadian lynx (*Lynx canadensis*) and American marten (*Martes americana*). The Canada goose (*Branta canadensis*) and black duck (*Anas rubripes*) are the most heavily hunted bird species. The most frequently caught fish species is the brook trout or speckled trout (*Salvelinus fontinalis*).

## 2. Conservation objectives

This section presents guidelines and conservation objectives specific to Réserve de biodiversité Katnukamat.

### 2.1 Protection of biodiversity

To maintain the viability of ecological processes, management of the reserve should give priority to protecting the ecosystems present and the species that depend on them.

The biodiversity reserve is also intended to protect landscapes and modes of occupation and use that are compatible with biodiversity protection objectives. Existing occupations and uses should be managed to ensure that they have as little impact as possible on biodiversity.

Each biodiversity reserve in the Québec network presents unique conservation challenges. In the case of Réserve de biodiversité Katnukamat, the ecosystems and their associated biodiversity are ecologically intact, thanks to the lack of human disturbance. Management of the reserve should therefore be focused on maintaining this ecological integrity, which will also facilitate protection of the woodland caribou.

Specific objective:**Maintain the reserve's ecological integrity**

Industrial activities are prohibited in the reserve. This status does however allow the development and pursuit of non-industrial activities of a recreational, traditional or cultural nature. At present the reserve is relatively unfrequented. Nonetheless, should existing activities increase in intensity or new activities be authorized, it will be important to ensure the continued integrity of protected ecosystems. Projects should be evaluated with a view toward biodiversity, the support capacity of ecosystems<sup>2</sup> and the harmonization of uses. Projects must also be compatible with the reserve's conservation objectives.

Attention must also be paid to conserving the habitats of sensitive species, and especially to protecting the species themselves, such as woodland caribou. Since part of the boundary of the reserve is close to Newfoundland and Labrador, it will be important to collaborate with officials of that province in monitoring biodiversity and the Lac Joseph caribou population who use this territory.

**2.2 Knowledge acquisition and environmental monitoring**

To provide the information and tools needed for good management, and to ensure the conservation of the area's specific biodiversity, ecological knowledge should be developed.

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<sup>2</sup> *Support capacity* is defined as follows: in a sustainable development perspective, the support capacity of an ecosystem is the maximum pressure that can be exerted on it by human activities without jeopardizing its integrity, to ensure its continued viability.

Specific objective:**Promote knowledge acquisition and conduct monitoring**

Since Réserve de biodiversité Katnukamat is relatively inaccessible, knowledge about its plants and wildlife is incomplete. Besides contributing to specific objectives stemming from the principle of natural heritage protection, knowledge acquisition will lead to a more detailed portrait of the area's biodiversity. Within available budgets, surveys should be carried out under a knowledge acquisition and monitoring program, covering human activities as well as biodiversity. Ecological, historical, human, social and traditional information should be compiled, and the impacts of permitted activities documented. Data on the status of the Lac Joseph caribou herd should also be updated. The knowledge so acquired will help to ensure that authorized activities do not compromise biodiversity maintenance. It could also serve in the development of discovery, education and awareness activities. Lastly, it will give managers a better understanding of how the ecosystems present function and evolve, and will facilitate a common understanding of the issues.

**3. Zoning**

The MELCC does not propose any zoning to guide the management of Réserve de biodiversité Katnukamat, since ecological knowledge is still too fragmentary and the territory is little used.



#### 4. Activity framework applicable to the biodiversity reserve

The purpose of the reserve is to protect natural environments and their components. For this reason, activities that could have a significant impact on ecosystems and biodiversity, especially of an industrial nature, are prohibited. Less harmful activities and occupations, such as those involving recreation, wildlife, ecotourism or education, are however permitted in this type of protected area.

In sum, the biodiversity reserve should be considered as a territory dedicated to protecting the natural environment, to nature discovery and to recreation.

##### 4.1 Activity framework established by the Natural Heritage Conservation Act

Activities carried out within the biodiversity reserve are primarily governed by the provisions of the *Natural Heritage Conservation Act* (chapter C-61.01).

Under the Act, the activities prohibited in an area with the status of biodiversity reserve are primarily the following:

- mining and gas or oil extraction;
- forest management within the meaning of section 4 of the *Sustainable Forest Development Act* (chapter A-18.1);
- the exploitation of hydraulic resources and any production of energy on a commercial or industrial basis.

Though fundamental to protecting the territory and its ecosystems, the above prohibitions do not cover all of the standards considered desirable to ensure the proper management of reserve and

the conservation of its natural environment. The *Natural Heritage Conservation Act* allows the Regulation to detail the legal framework applicable on the territory of a biodiversity reserve.

##### 4.2 Activity framework established by the Regulation respecting the Réserve de biodiversité Katnukamat

The provisions contained in Regulation respecting the Réserve de biodiversité Katnukamat set out additional prohibitions beyond those already stipulated in the *Natural Heritage Conservation Act* (chapter C-61.01). They also provide a framework for certain permitted activities, to ensure the protection of the natural environment in accordance with the principles of conservation and other management objectives of the reserve. Certain activities are therefore subject to prior authorization by the Minister.

The measures presented in Regulation concern new interventions in particular, and generally do not affect activities that are already being practised or facilities that are already present. Many existing uses are thus preserved.

In listing the activities requiring authorization, Regulation does not identify which ones would be considered incompatible with the vocation of the reserve and could therefore be refused authorization. Basic information about the compatibility or incompatibility of each type of activity is provided in the document *Activity Framework for Biodiversity Reserves and Aquatic Reserves*, which is available on the website of the MELCC, at:

[http://www.mddelcc.gouv.qc.ca/biodiversite/aires\\_protegees/regime-activites/regime-activite-reserve-bio-aqua-en.pdf](http://www.mddelcc.gouv.qc.ca/biodiversite/aires_protegees/regime-activites/regime-activite-reserve-bio-aqua-en.pdf).

Note that certain activities are exempted from the requirement to obtain authorization. These exemptions are also presented in Regulation.

## 5. Activities governed by other laws

Certain activities that could potentially be practised in the biodiversity reserve are also governed by other applicable legislative and regulatory provisions, and some require a permit or authorization or the payment of certain fees. Certain activities could be prohibited or limited under other laws or regulations applicable on the territory of the reserve.

In the territory of Réserve de biodiversité Katnukamat, a particular legal framework may govern permitted activities under the following categories:

- **Protection of the environment:** measures stipulated by the *Environment Quality Act* (chapter Q-2) and its regulations;
- **Archeological research and discoveries:** measures stipulated by the *Cultural Heritage Act* (chapter P-9.002);
- **Exploitation and conservation of wildlife resources:** measures stipulated by the *Act respecting the conservation and development of wildlife* (chapter C-61.1) and its regulations, including provisions related to threatened or vulnerable wildlife species, outfitters and beaver reserves, and measures in the applicable federal laws and regulations, including the legislation and regulations on fisheries;
- **Plant species designated as threatened or vulnerable:** measures prohibiting the harvesting of such species under the *Act respecting threatened or vulnerable species* (chapter E-12.01);
- **Access and property rights related to the domain of the State:** measures stipulated by the *Act respecting the lands in the domain of the State* (chapter T-8.1) and by the *Watercourses Act* (chapter R-13);
- **Issuance and oversight of forest development permits** (harvesting of firewood for domestic purposes, wildlife development, recreational development); and **delivery of authorizations** (forest roads): measures stipulated by the *Sustainable Forest Development Act* (chapter A-18.1);
- **Travel:** measures stipulated by the *Act respecting the lands in the domain of the State* and by the regulations on motor vehicle travel in fragile environments, under the *Environment Quality Act*;
- **Construction and development standards:** regulatory measures adopted by local and regional municipal authorities in accordance with the applicable laws.

## 6. Management

### 6.1 Responsibilities of the Minister of Environment and the Fight against Climate Change

The Minister of Environment and the Fight against Climate Change is responsible for the management of Réserve de biodiversité Katnukamat. Among other things, the Minister sees to the control and supervision of activities that take place there, and to the application of the *Natural Heritage Conservation Act* (chapter C-61.01) and Regulation respecting the Réserve de biodiversité Katnukamat. Operational management of the reserve is assigned to the

Direction régionale of the MELCC. In his management, the Minister enjoys the collaboration and participation of other government representatives that have specific responsibilities in or adjacent to the territory.

The MELCC will establish a mechanism for the participation of local stakeholders interested in the future of Réserve de biodiversité Katnukamat.

The MELCC considers that the management needs of Réserve de biodiversité Katnukamat come down to overseeing the territory, knowledge acquisition, and monitoring biodiversity and land use.

## **6.2 Adaptive management**

As mentioned in section 2, "Conservation objectives", knowledge acquisition and environmental monitoring will be undertaken in collaboration with the local and regional partners concerned. The knowledge acquired will serve to guide management activities.

A mechanism should be put in place to monitor the conservation objectives, and if necessary, to rectify the minimal management planned for this territory.

## **6.3 Stakeholder participation and integrated management**

While the MELCC considers that Réserve de biodiversité Katnukamat has minimal management needs, the question of zoning could be reviewed with local stakeholders when preparing the action plan, to provide a framework for the possible development and practice of activities in the protected area.

Management of the biodiversity reserve should respect the following conservation principles:

- maintain natural ecosystem dynamics;
- allow activities to be practised, and the territory to be developed, within the limits of the support capacity of ecosystems, paying particular attention to the sensitivity of woodland caribou to all forms of disturbance;
- promote the acquisition and dissemination of knowledge about the natural and cultural heritage.

In addition, to ensure responsible management of the reserve, the precautionary principle must be applied.

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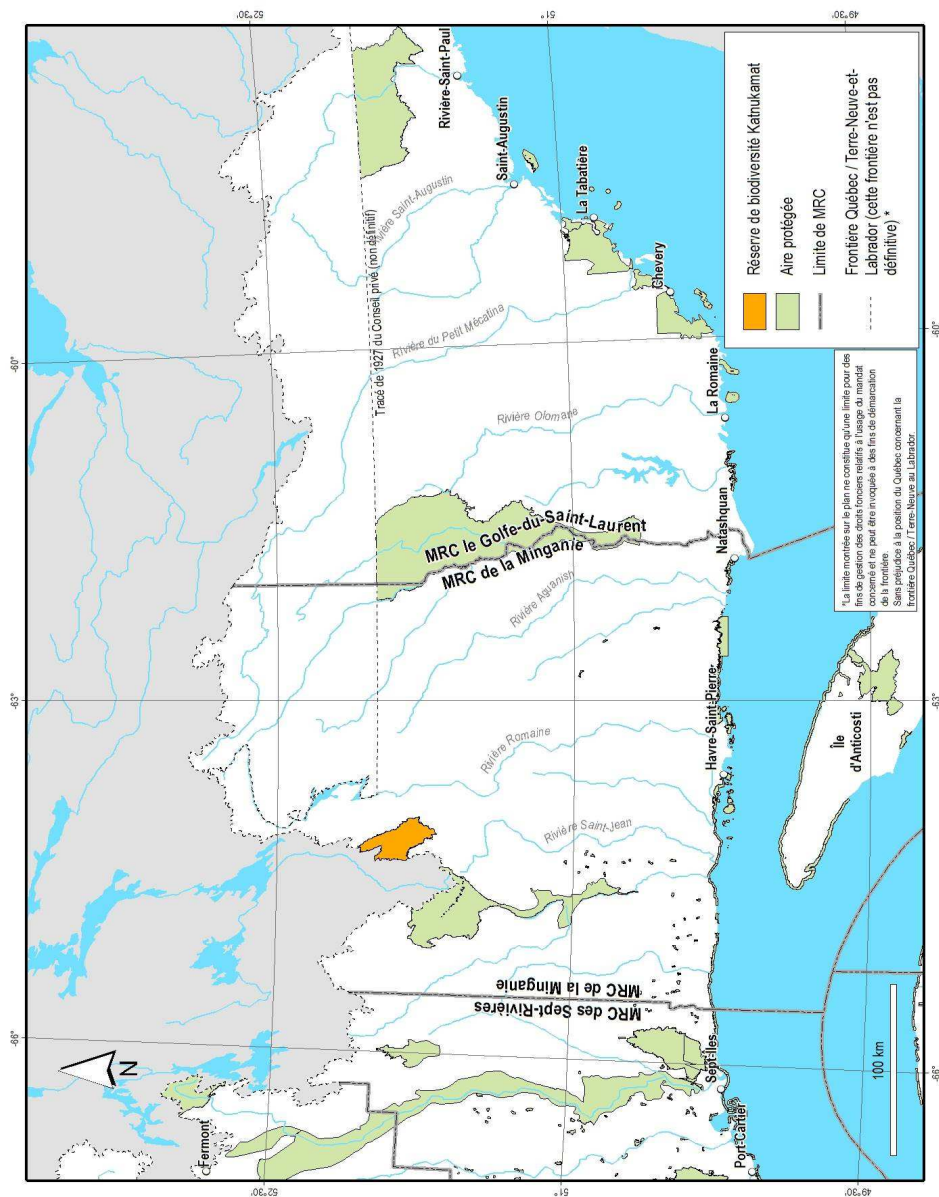
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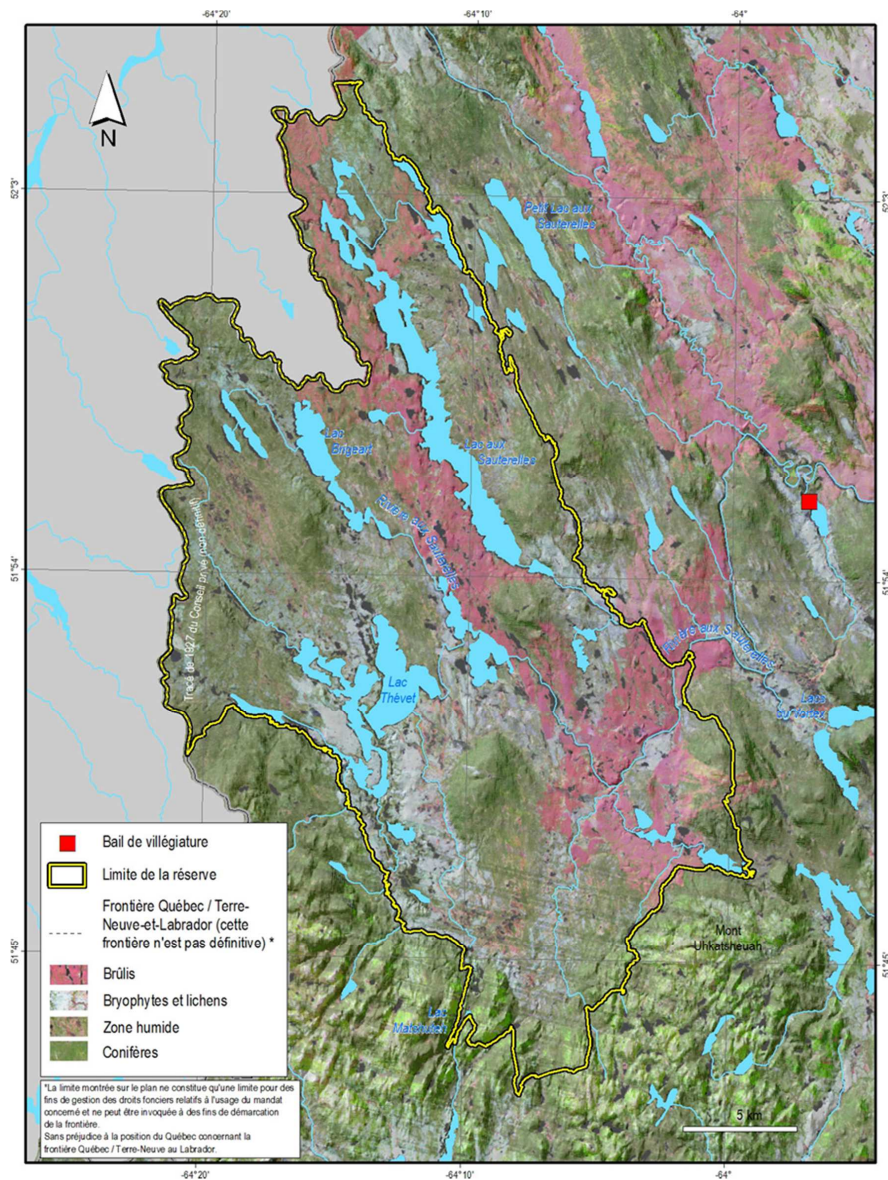
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# Appendix 1: Réserve de biodiversité Katnukamat: Location and regional context



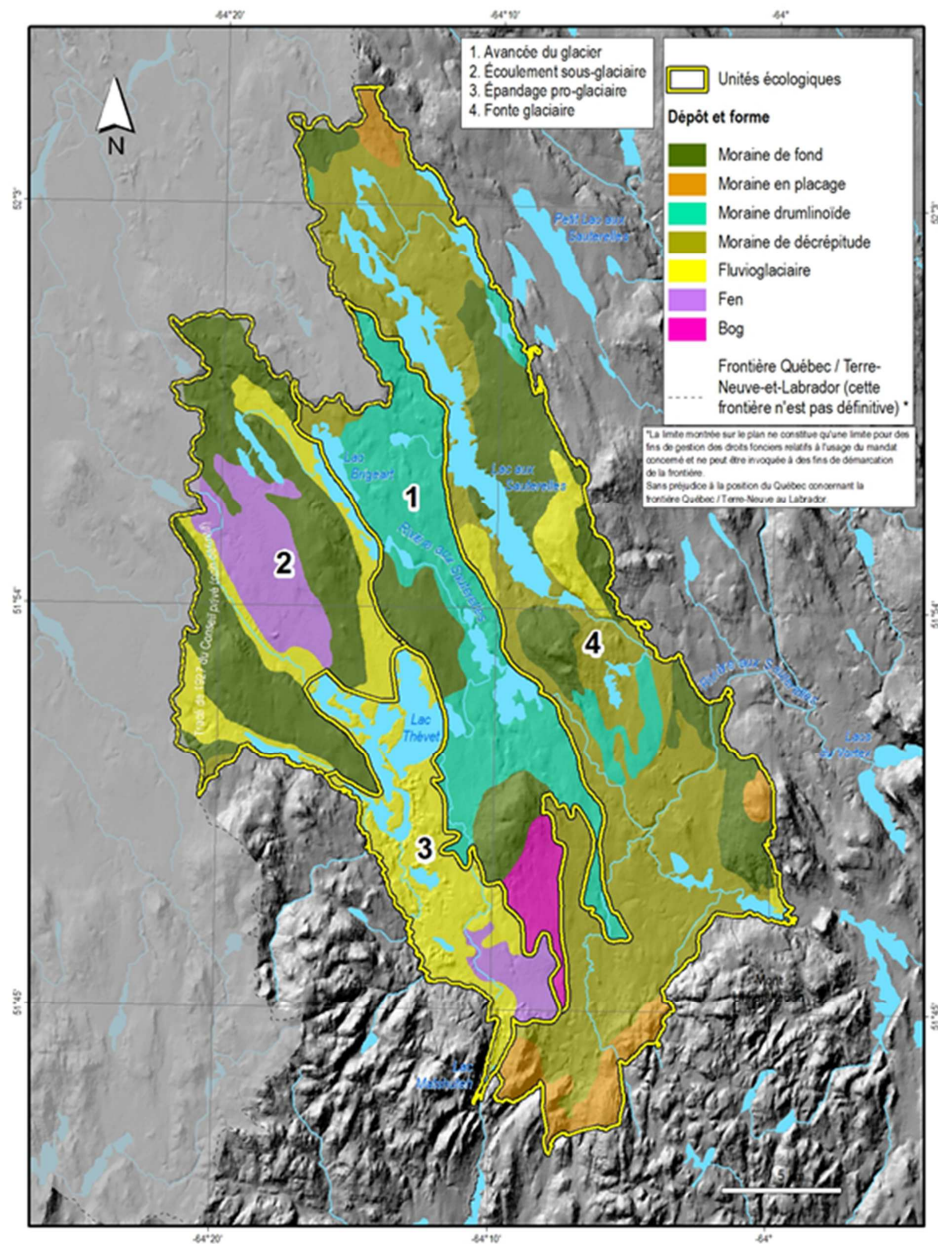


## Réserve de biodiversité Katnukamat: Boundaries, vegetation and occupation





## Appendix 3: Réserve de biodiversité Katnukamat: Ecological units



Gouvernement du Québec

## O.C. 116-2019, 13 February 2019

Natural Heritage Conservation Act  
(chapter C-61.01)

Permanent status of the Réserve de biodiversité des Méandres-de-la-Taitaipenistouc, the Regulation respecting that reserve and its conservation plan

WHEREAS, under the first paragraph of section 43 of the Natural Heritage Conservation Act (chapter C-61.01), the Minister of Environment and the Fight Against Climate Change may recommend to the Government that all or part of land set aside under section 27 of the Act be assigned a permanent protection status as biodiversity reserve;

WHEREAS, under the second paragraph of section 43 of the Act, the Minister is to submit at the same time to the Government for its approval the conservation plans for the land;

WHEREAS, under the first paragraph of section 90 of the Act, the territory of the Réserve de biodiversité des Méandres-de-la-Taitaipenistouc, that is, the protected area project for lac Bright Sand, is deemed to have been set aside as a proposed biodiversity reserve in accordance with Title III of the Act, for a period of 4 years starting on 19 June 2003;

WHEREAS, by Order in Council 1269-2003 dated 3 December 2003, the Government approved the plan of the proposed Bright Sand lake biodiversity reserve and the proposed conservation plan for that reserve;

WHEREAS, by Order in Council 136-2008 dated 20 February 2008, the Government approved the amendments to the conservation plan of that reserve;

WHEREAS the setting aside of that territory was extended for 4 years under the Order of the Minister of Sustainable Development, Environment and Parks dated 20 February 2007 (2007, *G.O.* 2, 1195) and 6 years under the Order of the Minister of Sustainable Development, Environment and Parks dated 21 April 2011 (2012, *G.O.* 2, 1048);

WHEREAS, in accordance with the first paragraph of section 39 of the Natural Heritage Conservation Act, the Minister of Sustainable Development, Environment and Parks entrusted the mandate to hold a public consultation on the proposed Bright Sand lake biodiversity reserve to the Bureau d'audiences publiques sur l'environnement and its inquiry and public hearing report was made public on 10 November 2006;

WHEREAS the report concludes, among other things, that permanent protection status should be assigned to the territory of the proposed Bright Sand lake biodiversity reserve;

WHEREAS the limits of the proposed Bright Sand lake biodiversity reserve were reassessed by the Minister and changed after the public consultation to better protect the watershed of rivière Taitaipenistouc and to rely on natural elements easily visible on the site to facilitate management;

WHEREAS the plan of the proposed Bright Sand lake biodiversity reserve and its conservation plan were adjusted based on the changed limits and the technical description corresponding to the new limits has been prepared;

WHEREAS the land included in the territory forms part of the domain of the State and is not part of a reserved area or an agricultural zone established under the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1);

WHEREAS, in accordance with the first paragraph of section 151 of the Act respecting land use planning and development (chapter A-19.1), the Minister of Sustainable Development, the Environment and the Fight Against Climate Change notified an opinion describing the planned intervention to the council of Municipalité régionale de comté de Sept-Rivières;

WHEREAS, in accordance with the first paragraph of section 152 of the Act, the council of Municipalité régionale de comté de Sept-Rivières, by resolution No. 2015-07-114 dated 21 July 2015, confirmed that the project for the establishment of the Réserve de biodiversité des Méandres-de-la-Taitaipenistouc complies with the objectives of the land use planning and development plan in force in its territory;

WHEREAS the Commission de toponymie sent to the Minister its approval of the name “Réserve de biodiversité des Méandres-de-la-Taitaipenistouc” to designate that permanent biodiversity reserve;

WHEREAS, under subparagraph *f* of paragraph 1 of section 46 of the Natural Heritage Conservation Act, in an aquatic reserve and a biodiversity reserve, any activity which the Government may prohibit by regulation is prohibited;

WHEREAS, under subparagraph *g* of paragraph 1 of section 46 of the Act, in an aquatic reserve and a biodiversity reserve, subject to measures in the conservation plan authorizing the activities and specifying the conditions on

which they may be carried on, any allocation of a right to occupy land for vacation resort purposes, earthwork, backfilling or construction work and commercial activities are prohibited;

WHEREAS, under paragraph 2 of section 46 of the Act, all other activities are permitted, in addition to those prohibited by paragraph 1 of that section, subject to the applicable conditions;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), the draft Regulation respecting the Réserve de biodiversité des Méandres-de-la-Taitaipenistouc was published in Part 2 of the *Gazette officielle du Québec* of 10 May 2017 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 respecting the Réserve de biodiversité des Méandres-de-la-Taitaipenistouc with amendments, in particular to include the technical description of the territory and to make technical adjustments;

WHEREAS, under paragraph 3 of section 44 of the Natural Heritage Conservation Act, the establishment of a biodiversity reserve and a change in its limits, or its abolishment, is effected by order of the Government, on a proposal by the Minister, subject to the publication of a notice of the decision of the Government to establish a biodiversity reserve in the *Gazette officielle du Québec* with the plan of the area and the conservation plan;

WHEREAS the publication in the *Gazette officielle du Québec* of this Order in Council, of the Regulation respecting the Réserve de biodiversité des Méandres-de-la-Taitaipenistouc and of its conservation plan constitutes the notice required by that paragraph, including the documents that must accompany it;

WHEREAS, under section 45 of the Natural Heritage Conservation Act, permanent protection status for land, conservation plans and applicable agreements, and amendments or revocations take effect on the date of publication of the order in the *Gazette officielle du Québec* or on any later date specified in the order;

IT IS ORDERED, therefore, on the recommendation of the Minister of Environment and the Fight Against Climate Change:

THAT permanent biodiversity reserve status be assigned to the territory described in the Regulation attached to Schedule I to this Order in Council, under the name “Réserve de biodiversité des Méandres-de-la-Taitaipenistouc”;

THAT the Regulation respecting the Réserve de biodiversité des Méandres-de-la-Taitaipenistouc, attached to Schedule I to this Order in Council, be made;

THAT the conservation plan applicable to the Réserve de biodiversité des Méandres-de-la-Taitaipenistouc, attached to Schedule II to this Order in Council, be approved;

THAT permanent status of the Réserve de biodiversité des Méandres-de-la-Taitaipenistouc and its conservation plan take effect on the fifteenth day following the date of their publication in the *Gazette officielle du Québec*.

YVES OUELLET,  
*Clerk of the Conseil exécutif*

## SCHEDULE I

### Regulation respecting the Réserve de biodiversité Des Méandres-de-la-Taitaipenistouc

Natural Heritage Conservation Act  
(chapter C-61.01, s. 43 and s. 46, par. 1, subpars. e, f  
and g, and par. 2)

1. The Réserve de biodiversité des Méandres-de-la-Taitaipenistouc is constituted in the territory described in the Schedule.

2. For the purpose of this Regulation

(1) the words or terms “high-water mark”, “littoral zone”, “floodplain”, “lakeshore” and “riverbank” have the same meaning as the meaning given in the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains (chapter Q-2, r. 35);

(2) the term “wetlands and bodies of water” has the same meaning as the meaning given in section 46.0.2 of the Environment Quality Act (chapter Q-2);

(3) the term “forest development activity” has the same meaning as the meaning given in the Sustainable Forest Development Act (chapter A-18.1).

## DIVISION I

### PROTECTION OF RESOURCES AND THE NATURAL ENVIRONMENT

3. Subject to the prohibition in the second paragraph, no person may introduce any individuals of a native or non-native species of fauna into the biodiversity reserve, including by stocking, unless the person has been authorized by the Minister.

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

Except with the authorization of the Minister, no person may introduce non-native species of flora into the biodiversity reserve.

4. No person may use fertilizers in the biodiversity reserve. Compost for domestic purposes is however permitted if it is used at least 20 metres from a lake or watercourse, measured from the high-water mark.

5. No person may remove from the biodiversity reserve species of flora, small fruits or any other non-timber forest product by mechanical means.

6. No person may in the biodiversity reserve, unless the person has been authorized by the Minister,

(1) intervene in a wetland area, including a marsh, swamp or peat bog;

(2) modify the natural drainage or water regime, including by creating or developing lakes or watercourses;

(3) dig, fill, obstruct or divert a lake or watercourse;

(4) install or erect any construction, infrastructure or new works in the littoral zone, on the banks or shores or the floodplains of a lake or watercourse; no authorization is however required for minor works — quay or platform, boat shelter — installed for private purposes and may be 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 an activity other than those referred to in paragraphs 1 to 4 likely to directly and substantially affect the biochemical characteristics or quality of wetlands and bodies of water in the biodiversity reserve, including by discharging or dumping residual materials or contaminants into the wetlands or bodies of water;

(6) carry out soil development work or an activity likely to degrade the soil or a geological formation, or to damage the vegetation cover, in particular by stripping, the digging of trenches or excavation work, including any burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose;

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

(8) reconstruct or demolish a structure, infrastructure or works;

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

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

(11) hold a sports event, tournament, rally or any other similar event where

(a) fauna or flora species are taken or are likely to be taken; or

(b) motor vehicles or craft are used.

7. Despite paragraphs 6, 7 and 8 of section 6, if the requirements provided for in the second paragraph are met, no authorization is required to carry out the following work:

(1) the maintenance, repair or improvement of any construction, infrastructure or works, including a camp, a cabin, a road or a trail, including an ancillary facility such as a lookout or stairs;

(2) the construction or installation

(a) of a dependency or a facility ancillary to a trapping camp, a rough shelter, a shelter or a cabin, including a shed, a water withdrawal facility or a discharge and disposal of waste water, grey water and toilet effluents; or

(b) of a trapping camp, a rough shelter, a shelter or a cabin if, on the date of coming into force of this Regulation, such a building was allowed under the right of use or occupancy granted, but was not yet carried out; or

(3) the demolition or reconstruction of a trapping camp, a rough shelter, a shelter or a cabin, including a dependency or a facility ancillary to such a construction, including a shed, a water withdrawal facility or a discharge and disposal of waste water, grey water and toilet effluents.

The carrying out of the work referred to in the first paragraph must comply with the following:

(1) the work involves a construction, infrastructure or works whose presence is allowed in the biodiversity reserve;

(2) the work is carried out within the area of the land or right of way covered by the right of use or occupancy in the biodiversity reserve, whether the right results from a lease, a servitude or another form of title, permit or authorization;



(3) 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 allowed by 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 set under an authorization issued in connection with that construction, works or infrastructure;

(4) the work is carried out in accordance with the prescriptions of any permit or authorization issued for the work or in connection with the construction, infrastructure or works to which they are related, as well as in compliance with the applicable legislative and regulatory measures;

(5) in the case of forest roads, the work must not result in altering or exceeding the existing right of way, enlarging the driving roadway or converting the road into a higher class road.

For the purposes of this section, repair and improvement work includes work to replace or install structures or facilities with a view to complying with the requirements of environmental regulations.

**8.** No person may bury, incinerate, abandon or dispose of residual materials or snow, except if they are disposed of in waste disposal containers, facilities or sites determined by the Minister or, in other cases, with the authorization of the Minister.

Despite the first paragraph, an outfitter holding a lease for accommodation purposes in the reserve does not need an authorization to use a disposal facility or site, in compliance with the Environment Quality Act (chapter Q-2) and its regulations, if the outfitter was already using the facility or site on the date of coming into force of this Regulation.

## **DIVISION II**

### **RULES OF CONDUCT FOR USERS**

**9.** No person may enter, carry on an activity or operate a vehicle in a given sector of the biodiversity reserve if the signage erected by the Minister restricts access, traffic or certain activities in that sector 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.

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

## **DIVISION III**

### **ACTIVITIES REQUIRING AN AUTHORIZATION**

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

For the purposes of the first paragraph,

(1) the occupation or use of a site includes

(a) staying or settling in the biodiversity reserve, for instance for vacation purposes;

(b) setting up a camp or a shelter; and

(c) installing, burying or abandoning any property in the reserve, including equipment, a device or a vehicle; and

(2) the expression “same site” includes any other site within a radius of 1 kilometre from the site.

Despite the first paragraph, an authorization is not required if a person,

(1) on the date of coming into force of this Regulation, was a party to a lease or had already obtained another form of right or another authorization allowing the person to legally occupy the land under the Act respecting the lands in the domain of the State (chapter T-8.1) or, if applicable, the Act respecting the conservation and development of wildlife (chapter C-61.1), and whose right to occupy the land is renewed or extended on the same conditions, subject to possible changes in fees; or

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

**12.** No person may carry on forest management activities to meet domestic needs or for the purpose of maintaining biodiversity, unless the person has been authorized by the Minister.

Despite the first paragraph, persons staying or residing in the biodiversity reserve and who collect wood required to make a campfire are not required to obtain the Minister’s authorization.

No such authorization is required if a person collects firewood to meet domestic needs to supply a trapping camp or a rough shelter permitted within the reserve in the following cases and on the following conditions:

(1) 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 under the Sustainable Forest Development Act (chapter A-18.1);

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

In addition, no authorization to carry on a forest management activity is required if a person authorized by lease to occupy land within the biodiversity reserve in accordance with this Regulation carries on the forest management activity for the purpose of

(1) clearing, maintaining or creating visual openings, and any other similar removal work permitted under the provisions governing the sale, lease and granting of immovable rights under the Act respecting the lands in the domain of the State (chapter T-8.1), including for access roads, stairs or other trails permitted under those provisions; or

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

If the work referred to in subparagraph 2 of the fourth paragraph is carried on for or under the responsibility of an enterprise providing any of those services, the work requires the prior authorization of the Minister, other than in the case of the exemptions provided for in sections 14 and 16.

**13.** No person may carry on commercial activities in the biodiversity reserve, except with the authorization of the Minister.

Despite the first paragraph, no authorization is required

(1) if the activity does not involve the taking of fauna or flora resources, or the use of a motor vehicle; or

(2) to carry on commercial activities if, on the date on which protection status as a biodiversity reserve takes effect, the activities were the subject of a right of use of the land for such purpose, whether or not the right results from a lease or another form of title, permit or authorization, within the limits of what the right allows.

#### **DIVISION IV** **AUTHORIZATION EXEMPTIONS**

**14.** Despite the preceding provisions, an authorization is not required for an activity or other form of intervention within the biodiversity reserve if urgent action is necessary to prevent harm to the health or safety of

persons, or to repair or prevent damage caused by a real or apprehended catastrophe. The person concerned must, however, immediately inform the Minister of the activity or intervention that has taken place.

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

**16.** Despite the preceding provisions, the following activities and interventions carried out by Hydro-Québec (hereinafter the “Société”) or by any other person for Hydro-Québec do not require the prior authorization of the Minister under this Regulation:

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

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

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

For the purposes of this section, the activities and interventions of the Société include but are not restricted to pre-project studies, analysis work or field research, work required to study and monitor the impact of power transmission and distribution line corridors and rights of way, geological or geophysical surveys and survey lines, and the opening and maintenance of roads required for the purpose of access, construction or traffic incidental to the work.

#### **DIVISION V** **FINAL**

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



**SCHEDULE****TECHNICAL DESCRIPTION****RÉSERVE DE BIODIVERSITÉ DES MÉANDRES-DE-LA-TAITAIPIENISTOUC**  
(s. 1)

[Translation of the technical description filed in French only in the office of the Surveyor-General of Québec of the Ministère de l'Énergie et des Ressources naturelles.]

A territory of irregular shape in the of Municipalité de la Rivière-Nipississ, in Municipalité régionale de comté de Sept-Rivières, in the administrative region of Côte-Nord included in part of bassin de la Rivière-Moisie. The perimeter of the territory may be described as follows, namely:

**PARCEL 1**

From a point situated on the eastern shore of the unnamed lake, whose bed is excluded from the biodiversity reserve, that is, point 1 (5 761 101 m north, 408 336 m east);

Thence, easterly, following a straight line having a bearing of 92° 02' 39" over a distance of about 944 metres to the western shore of the unnamed lake, that is, point 2 (5 761 068 m north, 409 279 m east);

Thence, in an average southeasterly direction following the northeastern shore of unnamed lakes and streams to the intersection of the northeastern bank of rivière Taitaipenistouc, that is, point 3 (5 760 655 m north, 409 723 m east);

Thence, in an average southeasterly direction following the northeastern bank of rivière Taitaipenistouc, to point 4 (5 760 616 m north, 409 844 m east);

Thence, southeasterly, following a straight line having a bearing of 117° 45' 58" over a distance of about 32 metres to the intersection with the northeastern shore of an unnamed island, that is, point 5 (5 760 601 m north, 409 872 m east);

Thence, in an average easterly direction, following the northern shore of the island, to point 6 (5 760 592 m north, 409 896 m east);

Thence, southeasterly, following a straight line having a bearing of 120° 55' 56" over a distance of about 28 metres to the intersection of the eastern bank of rivière Taitaipenistouc, that is, point 7 (5 760 577 m north, 409 920 m east);

Thence, southerly, following a straight line having a bearing of 182° 22' 01" over a distance of about 311 metres to the intersection with the northern shore of the unnamed lake that is, point 8 (5 760 267 m north, 409 907 m east);

Thence, in an average southerly direction, following the eastern shore of the unnamed lake, that is, point 9 (5 760 236 m north, 409 906 m east);

Thence, southerly, following a straight line having a bearing of 174° 15' 12" over a distance of about 26 metres to the intersection with the eastern shore of the unnamed lake, that is, point 10 (5 760 210 m north, 409 909 m east);

Thence, in an average southerly direction, following the eastern shore of the unnamed lake, to the intersection with the northern bank of an unnamed stream, that is, point 11 (5 757 795 m north, 410 226 m east);

Thence, in an average southeasterly direction following the northeastern bank of an unnamed stream and shore of an unnamed lake, to point 12 (5 757 306 m north, 411 550 m east);

Thence, southeasterly, following a straight line having a bearing of 129° 28' 51" over a distance of about 144 metres to the intersection with the southeastern bank of the unnamed stream, that is, point 13 (5 757 215 m north, 411 661 m east);

Thence, in an average southerly direction following the eastern bank and shore of unnamed streams and lakes, to point 14 (5 754 427 m north, 411 781 m east);

Thence, southwesterly, following a straight line having a bearing of 209° 52' 39" over a distance of about 14 metres to the intersection with the northern shore of the unnamed lake, that is, point 15 (5 754 415 m north, 411 774 m east);

Thence, in an average southerly direction, following the eastern shore of the unnamed lake to the intersection with the northern limit of block P of Bassin-de-la-Rivière-Moisie, that is, point 16 (5 754 393 m north, 411 774 m east);

Thence, westerly, along the northern limit of block P of Bassin-de-la-Rivière-Moisie, referring to availability 120-T in favour of Hydro-Québec for widening the 315-kV power transmission line between the Normand and Montagnais stations of a total width of 66.71 metres, to point 17 (5 754 515 m north, 410 427 m east);

Thence, westerly, along the northern limit of block P of Bassin-de-la-Rivière-Moisie, referring to availability 120-T in favour of Hydro-Québec for widening

the 315-kV power transmission line between the Normand and Montagnais stations of a total width of 66.71 metres, to the intersection of the southwestern bank of the unnamed stream, that is, point 18 (5 755 009 m north, 407 389 m east);

Thence, in an average northwesterly direction, following the southwestern bank of the unnamed stream, to point 19 (5 755 559 m north, 407 142 m east);

Thence, northeasterly, following a straight line having a bearing of 46° 10' 54" over a distance of about 378 metres to the intersection with the southwestern bank of the unnamed stream, that is, point 20 (5 755 821 m north, 407 415 m east);

Thence, in an average northeasterly direction, following the northwestern bank of the unnamed stream, that is, point 21 (5 756 406 m north, 407 706 m east);

Thence, in an average northwesterly direction, following the southwestern of the unnamed stream to point 22 (5 757 145 m north, 407 385 m east);

Thence, easterly, following a straight line having a bearing of 69° 02' 27" over a distance of about 157 metres to the western shore of the unnamed lake, that is, point 23 (5 757 201 m north, 407 531 m east);

Thence, in an average northeasterly direction, following the northwestern shore of the unnamed lake to point 24 (5 757 214 m north, 407 550 m east);

Thence, northerly, following a straight line having a bearing of 17° 57' 52" over a distance of about 66 metres to the southern shore of the unnamed lake, that is, point 25 (5 757 277 m north, 407 571 m east);

Thence, in an average northerly direction, following the western shore of the unnamed lake to point 26 (5 757 292 m north, 407 575 m east);

Thence, northeasterly, following a straight line having a bearing of 50° 32' 34" over a distance of about 318 metres to the intersection with the southwestern bank of the unnamed stream, that is, point 27 (5 757 495 m north, 407 821 m east);

Thence, in an average northerly direction, following the western bank of the unnamed stream and the southeaster shore of the unnamed lake, so as to exclude it, to starting point 1.

Having an area of 21.06 square kilometres.

## PARCEL 2

A territory of irregular shape in Municipalité de la Rivière-Nipissis, in Municipalité régionale de comté de Sept-Rivières, in the administrative region of Côte-Nord included in part of bassin de la Rivière-Moisie. The perimeter of the territory may be described as follows, namely:

From a point situated in an undivided part of Bassin-de-la-Rivière-Moisie, corresponding to the southern right of way of the 315-kV power transmission line between the Normand and Montagnais stations of a total width of 66.71 metres, that is, point 28 (5 755 378 m north, 404 703 m east);

Thence, easterly, along an undivided part of Bassin-de-la-Rivière-Moisie, corresponding to the southern right of way of the 315-kV power transmission line between the Normand and Montagnais stations of a total width of 66.71 metres, to point 29 (5 754 449 m north, 410 418 m east);

Thence, easterly, along an undivided part of Bassin-de-la-Rivière-Moisie, corresponding to the southern right of way of the 315-kV power transmission line between the Normand and Montagnais stations of a total width of 66.71 metres, to the intersection of the eastern shore of the unnamed lake, that is, point 30 (5 754 321 m north, 411 834 m east);

Thence, in an average southerly direction following the eastern shore and bank of unnamed lakes and streams to the intersection of the southeastern shore of the unnamed lake and the northeastern bank of the unnamed stream, that is, point 31 (5 750 705 m north, 412 546 m east);

Thence, southwesterly, following a straight line having a bearing of 218° 28' 02" over a distance of about 406 metres to the intersection with the northeastern shore of the unnamed lake, that is, point 32 (5 750 386 m north, 412 293 m east);

Thence, in an average southwesterly direction, following the southeastern shore of the unnamed lake, to point 33 (5 750 353 m north, 412 272 m east);

Thence, southwesterly, following a straight line having a bearing of 223° 40' 04" over a distance of about 324 metres to the intersection of the southwestern bank of the unnamed stream, that is, point 34 (5 750 118 m north, 412 048 m east);

Thence, in an average westerly direction following the southern bank and shore of an unnamed bank and lake to the intersection of the eastern bank of another unnamed stream, that is, point 35 (5 749 971 m north, 410 581 m east);

Thence, in an average southerly direction, following the eastern bank and shore of unnamed streams and lake, to point 36 (5 747 119 m north, 410 707 m east);

Thence, southerly, following a straight line having a bearing of 199° 48' 02" over a distance of about 159 metres to the intersection of the northern shore of the unnamed lake, that is, point 37 (5 746 970 m north, 410 653 m east);

Thence, in an average southerly direction, following the eastern shore of the unnamed lake, to point 38 (5 746 607 m north, 410 671 m east);

Thence, westerly, following a straight line having a bearing of 260° 20' 46" over a distance of about 113 metres to the intersection of the eastern shore of the unnamed lake, that is, point 39 (5 746 588 m north, 410 559 m east);

Thence, in an average southwesterly, following the southeastern shore of the unnamed lake, to the intersection with the eastern bank of the unnamed stream, that is, point 40 (5 746 564 m north, 410 524 m east);

Thence, in an average southerly direction, following the eastern bank of the unnamed stream, to the intersection of the northern shore of the unnamed lake, that is, point 41 (5 746 521 m north, 410 529 m east);

Thence, in an average southerly direction, following the eastern shore of the unnamed lake, to the intersection with the eastern bank of the unnamed stream, that is, point 42 (5 746 236 m north, 410 511 m east);

Thence, in an average southerly direction, following the eastern bank of the unnamed stream, to the intersection of the northern shore of the unnamed lake, that is, point 43 (5 746 201 m north, 410 516 m east);

Thence, in an average southeasterly and northwesterly direction, following the eastern shore and bank of unnamed lakes and streams and the northwestern bank of another unnamed stream to point 44 (5 745 021 m north, 412 668 m east);

Thence, easterly, following a straight line having a bearing of 82° 52' 27" over a distance of about 434 metres to the intersection of the western shore of the unnamed lake, that is, point 45 (5 745 075 m north, 413 099 m east);

Thence, in an average easterly direction, following the northern shore of the unnamed lake, to point 46 (5 745 069 m north, 413 156 m east);

Thence, easterly, following a straight line having a bearing of 97° 52' 38" over a distance of about 148 metres to the intersection of the western shore of the unnamed lake, that is, point 47 (5 745 049 m north, 413 303 m east);

Thence, in an average easterly direction following the northern shore and bank of an unnamed lake and streams to the intersection of the northern shore of the unnamed lake, that is, point 48 (5 744 990 m north, 413 811 m east);

Thence, in an average southeasterly direction, following the northeastern shore of the unnamed lake to the intersection of the eastern bank of the unnamed stream, that is, point 49 (5 742 296 m north, 415 390 m east);

Thence, in an average southerly direction following the eastern bank and shore of unnamed streams and lakes to the intersection of the northwestern shore of the unnamed lake, that is, point 50 (5 734 379 m north, 416 465 m east);

Thence, in an average southeasterly direction following the northeastern shore of the unnamed lake to the intersection with the northeastern bank of the unnamed stream, that is, point 51 (5 733 760 m north, 416 951 m east);

Thence, in an average southwesterly direction, following the southeastern bank and shore of unnamed streams and lake, to point 52 (5 731 366 m north, 415 631 m east);

Thence, southerly, following a straight line having a bearing of 198° 06' 19" over a distance of about 891 metres to the intersection with the northern shore of the unnamed lake, that is, point 53 (5 730 519 m north, 415 354 m east);

Thence, in an average southwesterly direction, following the southeastern shore of the unnamed lake, to point 54 (5 730 456 m north, 415 297 m east);

Thence, southerly, following a straight line having a bearing of 201° 31' 11" over a distance of about 715 metres to the intersection of the northern shore of the unnamed lake, that is, point 55 (5 729 790 m north, 415 035 m east);

Thence, in an average southerly direction following the eastern shore and bank of unnamed streams and lakes, to point 56 (5 727 196 m north, 413 946 m east);

Thence, southwesterly, following a straight line having a bearing of 213° 41' 43" over a distance of about 452 metres to the intersection of the northern shore of the unnamed lake, that is, point 57 (5 726 819 m north, 413 695 m east);

Thence, in an average southerly direction following the eastern shore and bank of unnamed lakes and streams, to point 58 (5 724 600 m north, 413 090 m east);

Thence, southerly, following a straight line having a bearing of 189° 36' 49" over a distance of about 414 metres to the intersection of the southern bank of the unnamed stream, that is, point 59 (5 724 192 m north, 413 021 m east);

Thence, in an average southwesterly direction following the eastern bank of unnamed streams and lakes to the intersection of the eastern shore of the unnamed lake, that is, point 60 (5 723 206 m north, 411 486 m east);

Thence, in an average northwesterly direction, following the northeastern of the unnamed lake, whose bed is excluded from the biodiversity reserve, to the intersection of the southern bank of the unnamed stream, that is, point 61 (5 724 101 m north, 410 543 m east);

Thence, in an average westerly direction following the southern bank and shore of an unnamed stream and lake, to point 62 (5 724 256 m north, 410 083 m east);

Thence, southwesterly, following a straight line having a bearing of 235° 20' 18" over a distance of about 68 metres to the intersection of the northeastern shore of the unnamed lake, that is, point 63 (5 724 217 m north, 410 026 m east);

Thence, in an average southerly direction following the eastern bank and shore of unnamed streams and lakes to the intersection of the southwestern bank of another unnamed stream, that is, point 64 (5 723 215 m north, 409 827 m east);

Thence, in an average westerly direction, following the southern bank of the unnamed stream, to the intersection of the southeastern shore of the unnamed lake, that is, point 65 (5 723 174 m north, 408 444 m east);

Thence, in an average northwesterly direction following the southwestern bank and shore of unnamed streams and lakes, to point 66 (5 724 410 m north, 407 170 m east);

Thence, northerly, following a straight line having a bearing of 356° 22' 26" over a distance of about 119 metres to the intersection of the southern shore of the unnamed lake, that is, point 67 (5 724 529 m north, 407 163 m east);

Thence, in an average northeasterly direction, following the northwestern shore of the unnamed lake, to point 68 (5 724 546 m north, 407 192 m east);

Thence, southeasterly, following a straight line having a bearing of 115° 36' 57" over a distance of about 33 metres to the intersection of the western shore of the unnamed lake, that is, point 69 (5 724 532 m north, 407 221 m east);

Thence, in an average easterly direction, following the northern shore of the unnamed lake, to point 70 (5 724 536 m north, 407 244 m east);

Thence, easterly, following a straight line having a bearing of 68° 08' 27" over a distance of about 117 metres to the intersection of the southern shore of the unnamed lake, that is, point 71 (5 724 580 m north, 407 352 m east);

Thence, in an average northwesterly direction, following the southwestern shore of the unnamed lake, to point 72 (5 724 752 m north, 407 281 m east);

Thence, northwesterly, following a straight line having a bearing of 323° 05' 18" over a distance of about 94 metres to the intersection of the southeastern shore of the unnamed lake, that is, point 73 (5 724 827 m north, 407 225 m east);

Thence, in an average northwesterly direction, following the southwestern shore of the unnamed lake, to point 74 (5 724 862 m north, 407 179 m east);

Thence, northwesterly, following a straight line having a bearing of 308° 11' 44" over a distance of about 55 metres, to the intersection of the western bank of the unnamed stream, that is, point 75 (5 724 896 m north, 407 136 m east);

Thence, in an average northerly direction following the western shore and bank of unnamed lakes and streams and rivière Taitaipenistouc, to point 76 (5 734 624 m north, 405 466 m east);

Thence, westerly, following a straight line having a bearing of 271° 00' 58" over a distance of about 29 metres, to the intersection of the eastern shore of the unnamed lake, that is, point 77 (5 734 624 m north, 405 437 m east);

Thence, in an average southwesterly direction following the southeastern shore of the unnamed lake, to the intersection of the southeastern bank of the unnamed stream, that is, point 78 (5 734 476 m north, 405 350 m east);

Thence, in an average westerly direction following the southern bank of the unnamed stream, to the intersection of the southeastern shore of the unnamed lake, that is, point 79 (5 734 690 m north, 403 965 m east);

Thence, in an average northwesterly direction following the southwestern shore of the unnamed lake, to point 80 (5 734 709 m north, 403 930 m east);

Thence, southwesterly, following a straight line having a bearing of  $242^{\circ} 15' 49''$  over a distance of about 409 metres to the intersection of the northeastern shore of the unnamed lake, that is, point 81 (5 734 519 m north, 403 568 m east);

Thence, in an average southwesterly direction, following the southeastern shore of the unnamed lake, to point 82 (5 734 315 m north, 403 464 m east);

Thence, westerly, following a straight line having a bearing of  $280^{\circ} 24' 21''$  over a distance of about 281 metres to the intersection with the eastern shore of the unnamed lake, that is, point 83 (5 734 366 m north, 403 188 m east);

Thence, in an average southwesterly direction, following the southeastern shore of the unnamed lake, to point 84 (5 734 353 m north, 403 166 m east);

Thence, westerly, following a straight line having a bearing of  $258^{\circ} 34' 41''$  over a distance of about 87 metres to the intersection of the eastern shore of the unnamed lake, that is, point 85 (5 734 336 m north, 403 081 m east);

Thence, in an average northwesterly direction, following the southwestern shore of the unnamed lake, to point 86 (5 734 352 m north, 403 055 m east);

Thence, westerly, following a straight line having a bearing of  $269^{\circ} 40' 17''$  over a distance of about 38 metres to the intersection of the eastern shore of the unnamed lake, that is, point 87 (5 734 351 m north, 403 017 m east);

Thence, in an average westerly direction, following the southern shore of the unnamed lake, to point 88 (5 734 344 m north, 402 985 m east);

Thence, westerly, following a straight line having a bearing of  $270^{\circ} 59' 52''$  over a distance of about 32 metres to the intersection of the eastern shore of the unnamed lake, that is, point 89 (5 734 345 m north, 402 953 m east);

Thence, in an average northwesterly direction, following the south shore of the unnamed lake, to point 90 (5 734 356 m north, 402 937 m east);

Thence, northwesterly, following a straight line having a bearing of  $292^{\circ} 48' 38''$  over a distance of about 62 metres to the intersection of the southwestern bank of the unnamed stream, that is, point 91 (5 734 380 m north, 402 880 m east);

Thence, in an average northwesterly direction following the southwestern bank and shore of unnamed streams and lakes to the intersection of the southwestern bank of rivière Taitaipenistouc, that is, point 92 (5 738 196 m north, 401 254 m east);

Thence, in an average northwesterly direction, following the southwestern bank of rivière Taitaipenistouc, to point 93 (5 738 428 m north, 401 004 m east);

Thence, northerly, following a straight line having a bearing of  $11^{\circ} 42' 00''$  over a distance of about 71 metres to the intersection of the northern bank of rivière Taitaipenistouc and the western bank of an unnamed stream, that is, point 94 (5 738 498 m north, 401 018 m east);

Thence, in an average northerly direction following the western shore and bank of unnamed lakes and streams to the intersection of the southern shore of the unnamed lake, that is, point 95 (5 739 598 m north, 400 807 m east);

Thence, in an average northerly direction, following the western shore of the unnamed lake to the intersection the western bank of the unnamed stream, that is, point 96 (5 741 838 m north, 400 294 m east);

Thence, in an average northeasterly direction following the northwestern bank and shore of unnamed streams and lakes to point 97 (5 745 168 m north, 401 463 m east);

Thence, easterly, following a straight line having a bearing of  $103^{\circ} 44' 19''$  over a distance of about 207 metres to the intersection of the northwestern shore of the unnamed lake, that is, point 98 (5 745 119 m north, 401 664 m east);

Thence, in an average southeasterly direction, following the northeastern shore of the unnamed lake, to point 99 (5 745 083 m north, 401 724 m east);

Thence, easterly, following a straight line having a bearing of  $84^{\circ} 31' 21''$  over a distance of about 974 metres to the intersection of the western shore of the unnamed lake, that is, point 100 (5 745 175 m north, 402 693 m east);

Thence, in an average easterly direction, following the northern shore of the unnamed lake, to point 101 (5 745 173 m north, 402 752 m east);

Thence, northeasterly, following a straight line having a bearing of  $40^{\circ} 18' 13''$  over a distance of about 102 metres to the intersection of the southwestern shore of the unnamed lake, that is, point 102 (5 745 251 m north, 402 818 m east);

Thence, in an average northerly direction following the western bank and shore of unnamed streams and lakes, to the intersection of the southwestern shore of the unnamed lake, that is, point 103 (5 745 617 m north, 402 937 m east);



Thence, in an average easterly direction, following the northern shore of the unnamed lake, to the intersection of the northern bank of the unnamed stream, that is, point 104 (5 745 661 m north, 403 188 m east);

Thence, in an average northerly direction following the western bank and shore of the unnamed stream and lake, to point 105 (5 746 714 m north, 403 361 m east);

Thence, northeasterly, following a straight line having a bearing of 67° 13' 11" over a distance of about 263 metres to the western shore of the unnamed lake, that is, point 106 (5 746 816 m north, 403 604 m east);

Thence, in an average southeasterly direction, following the northeastern shore of the unnamed lake, to the intersection of the eastern bank of the unnamed stream, that is, point 107 (5 746 789 m north, 403 626 m east);

Thence, in an average southeasterly direction, following the northeastern bank of the unnamed stream, to the intersection of the western shore of the unnamed lake, that is, point 108 (5 744 773 m north, 404 994 m east);

Thence, in an average northeasterly direction following the northwestern bank and shore of unnamed streams and lakes to the intersection of the southwestern bank of another unnamed stream, that is, point 109 (5 746 332 m north, 406 388 m east);

Thence, in an average northwesterly direction, following the southwestern bank of the unnamed stream, to point 110 (5 748 495 m north, 405 136 m east);

Thence, northerly, following a straight line having a bearing of 348° 02' 56" over a distance of about 2 073 metres to the intersection of the southeastern bank of the unnamed stream, that is, point 111 (5 750 522 m north, 404 707 m east);

Thence, in an average northwesterly direction, following the southwestern of the unnamed stream, to point 112 (5 752 172 m north, 403 293 m east);

Thence, northeasterly, following a straight line having a bearing of 47° 15' 13" over a distance of about 872 metres to the intersection of the northeastern bank of the unnamed stream, that is, point 113 (5 752 764 m north, 403 934 m east);

Thence, in an average southeasterly direction, following the northeastern bank of an unnamed stream, to the intersection of the southwestern bank of another unnamed stream, that is, point 114 (5 752 620 m north, 404 170 m east);

Thence, in an average northerly direction, following the western bank of the unnamed stream, to the intersection of the southern shore of the unnamed lake, that is, point 115 (5 752 985 m north, 404 052 m east);

Thence, in an average northerly direction, following the western shore of the unnamed lake, to the intersection of the western bank of the unnamed stream, that is, point 116 (5 753 993 m north, 404 404 m east);

Thence, in an average northerly direction, following the western bank of the unnamed stream, to point 117 (5 755 053 m north, 404 517 m east);

Thence, northeasterly, following a straight line having a bearing of 29° 49' 23" over a distance of about 374 metres to starting point 28.

Having an area of 305.48 square kilometres.

Having a total area of 326.54 square kilometres for all of the biodiversity reserve.

#### NOTES:

—The limit of the biodiversity reserve shown on the plan accompanying the technical description was determined from the digital files in Canada's National Topographic Data Base (NTDB) at a scale of 1:50,000 prepared by Natural Resources Canada and the digital compilation of surveys produced by the Ministère de l'Énergie et des Ressources naturelles du Québec.

—Generally, all the beds of watercourses, rivers and lakes are included in the biodiversity reserve. Only those excluded are mentioned in this technical description.

—The limits defined by the shore of a lake or the bank of a river or stream correspond to the high-water mark.

—The coordinates and areas used in this technical description are approximate. They were graphically determined from the said data used to determine the limit of the biodiversity reserve. They are given in metres in reference to the Québec plane coordinate system (SCOPQ), Modified Transverse Mercator projection (MTM), Time Zone 6 (central meridian 67°30'), North American Datum 1983 (NAD83).

—The measures comply with the International System of Units.

—The limit of the biodiversity reserve is based on the actual layout of the elements described in this document and must be legally interpreted in such a way. It



was prepared by the Direction des aires protégées of the Ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques of Québec.

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

—The territory is represented on a plan at a scale of 1:40,000.

—In accordance with the instructions of the Direction des aires protégées of the Ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques, the information contained in the fundamental documents provided by the mandator, from which this technical description was prepared, is accepted as fact.

The whole as shown on the plan prepared by the undersigned on 14 November 2017 and filed with the office of the Surveyor-General of Québec of the Ministère de l'Énergie et des Ressources naturelles under document number 536738.

Prepared in Trois-Rivières, on 14 November 2017 under number 17-525 of my records and under number 16 591 of my minutes.

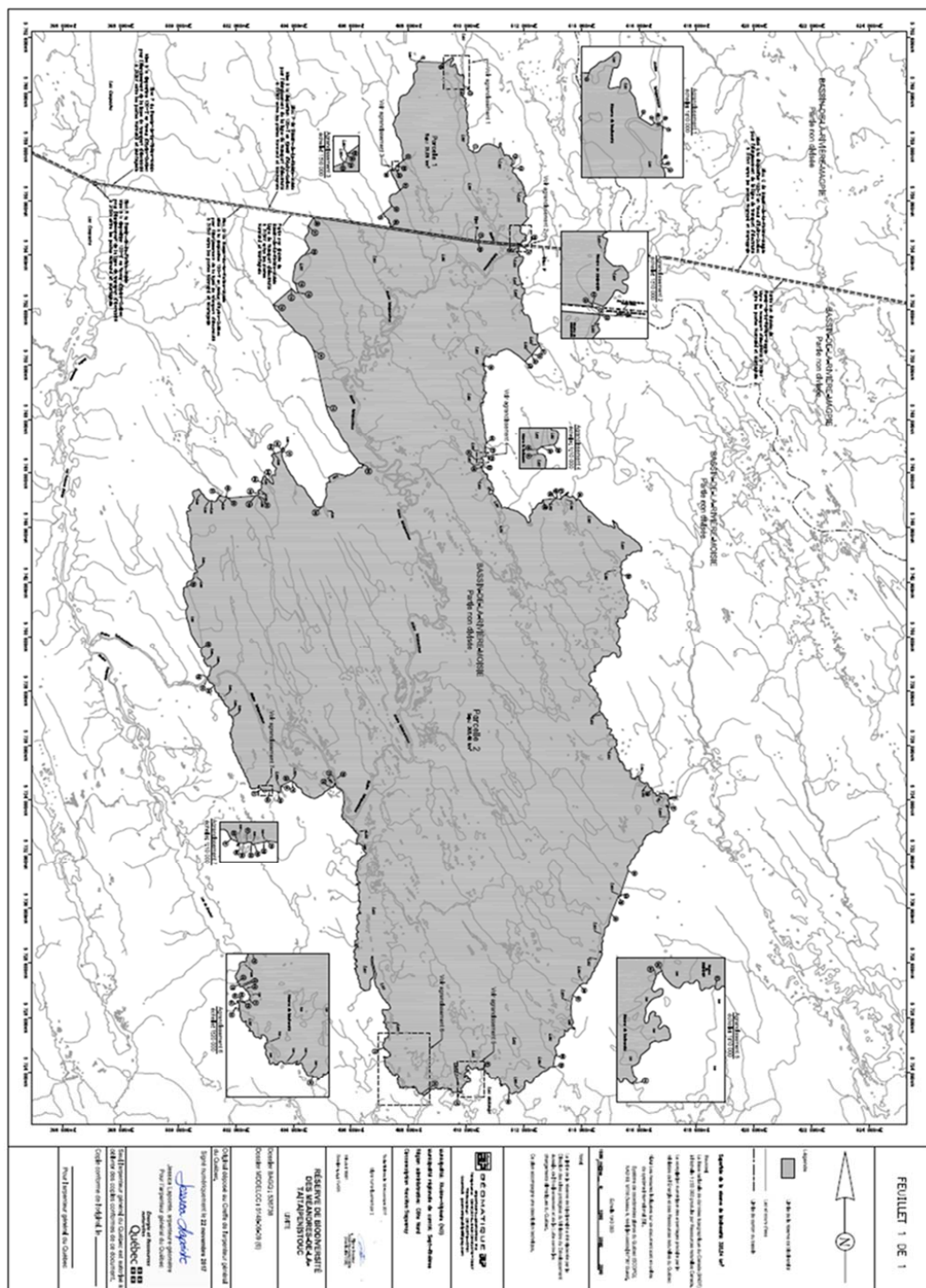
Digitally signed by:

PIERRE BRODEUR,  
*Land Surveyor*

Ministère du Développement durable,  
de l'Environnement et de la Lutte contre  
les changements climatiques du Québec

Direction des aires protégées

MDDELCC record: 5148-06-09 (06)



## SCHEDULE II

CONSERVATION PLAN OF THE RÉSERVE DE BIODIVERSITÉ DES  
MÉANDRES-DE-LA-TAITAIPENISTOUC



A Lifelong Heritage

# Réserve de biodiversité des Méandres-de-la- Taitaipenistouc



CONSERVATION PLAN

Québec 

Cover photos: Dominic Boisjoly

Reference to cite:

Gouvernement du Québec. 2018. Conservation Plan, Réserve de biodiversité des Méandres-de-la-Taitaipenistouc. Québec, Ministère de l'Environnement et de la Lutte contre les changements climatiques, Direction des aires protégées. 20 pages.

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#### Bibliographical references

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## Introduction

In 2002, the Gouvernement du Québec moved to protect a portion of the Rivière Taitaipenistouc watershed by prohibiting the principal industrial activities that could threaten conservation of the area (forest, hydroelectric and mining development).

The territory was officially accorded the legal provisional status of proposed biodiversity reserve on June 19, 2003 under section 90 of the *Natural Heritage Conservation Act* (chapter C-61.01). The proposed biodiversity reserve was given the temporary name of Réserve de biodiversité projetée du lac Bright Sand.

By giving permanent protected status to Réserve de biodiversité des Méandres-de-la-Taitaipenistouc, the Gouvernement du Québec ensures the definitive protection of representative samples of the biological diversity of the central Labrador natural province, and more specifically of the Lacs Brûlé-Fournier plateau natural region.

The purpose of the reserve is to protect ecosystems that are representative of the natural region and undisturbed by human activity. By excluding industrial activities from the reserve, its landscapes and ecosystems will be safeguarded for future generations. It must be noted that in 2013 a major forest fire raged through the territory. Since the essential plant surveys date from before the fire, this conservation plan presents what was known by the Ministère de l'Environnement et de la Lutte contre les changements climatiques about the state of things prior to the forest fire.

The new biodiversity reserve joins a vast network of protected areas aimed at protecting the various types of representative and exceptional ecosystems across Québec.

On March 17, 2005 the Minister of Sustainable Development, Environment and Parks (MDDEP) mandated the Bureau d'audiences publiques sur l'environnement (BAPE) to hold a public consultation on Réserve aquatique projetée de la rivière Moisie and three proposed biodiversity reserves: du lac Pasteur, du lac Gensart and du lac Bright Sand (des Méandres-de-la-Taitaipenistouc). This mandate was given to the BAPE pursuant to section 39 of the *Natural Heritage Conservation Act*, which provides for a public consultation process before a proposal is made to the Government on permanent protection status for land set aside as a proposed protected area. The BAPE's mandate began on March 30, 2005 and concluded on September 30 of the same year. The consultation was held in May and June 2005 in Port-Cartier, Sept-Îles and Fermont. The BAPE's inquiry and public hearing report (No. 213) was submitted to the Minister of the MDDEP on September 30, 2005 and made public on November 10, 2006 (BAPE, 2005). In its report, the commission recommended giving permanent protection status to Réserve de biodiversité projetée du lac Bright Sand, which is now Réserve de biodiversité des Méandres-de-la-Taitaipenistouc.

The present conservation plan was drawn up by the Ministère de l'Environnement et de la Lutte contre les changements climatiques (MELCC) after the BAPE's consultation. It sets out the ministerial vision for the conservation of the territory of Réserve de biodiversité des Méandres-de-la-Taitaipenistouc. Incorporating a



large part of the document prepared by the MDDEP in March 2005 for the public consultation, it takes into account the conclusions of BAPE report #213 (BAPE, 2005). Thus, the conservation plan reflects the concerns of all government and non-government partners involved in implementing the strategic action plan on protected areas.

The purpose of this conservation plan is to inform the public as to the legislative framework applying within the biodiversity reserve (see sections 4 and 5). The plan is also intended to guide management by detailing conservation objectives specific to Réserve de biodiversité des Méandres-de-la-Taitaipenistouc. These objectives, discussed in sections 2.1 and 2.2, may be summarized as follows:

- Maintain the ecological integrity of the biodiversity reserve.
- Promote knowledge acquisition and conduct monitoring.

## **1. Description of the biodiversity reserve**

### **1.1 Official toponym**

Réserve de biodiversité des Méandres-de-la-Taitaipenistouc: the name reflects the Innu name for the meandering river that drains a large part of the reserve.

### **1.2 Geographical location, boundaries and area**

The location and regional context of Réserve de biodiversité des Méandres-de-la-Taitaipenistouc are shown in Appendix 1. The boundaries, vegetation and occupation are illustrated in Appendix 2.

**Location:** Réserve de biodiversité des Méandres-de-la-Taitaipenistouc is located in the backcountry of the administrative region of Côte-Nord, and is part of the unorganized territory of Rivière-Nipississ in the regional county municipality (MRC) of Sept-Rivières. More precisely, the protected area lies between 51°38' and 51°58' north latitude and between 65°52' and 66°7' west longitude. It is 117 km southeast of Fermont and 161 km northeast of Sept-Îles. The reserve is also 15 km east of Réserve aquatique projetée de la rivière Moisie.

**Area and boundaries:** The initial area of the proposed reserve, when it was set aside in 2003, was 278 km<sup>2</sup>. The final boundaries were defined partly to optimize protection of the Rivière Taitaipenistouc watershed, and partly on the basis of natural elements that are easily identified on the ground, to facilitate management. In some places the boundaries follow a river or lakeshore. After these adjustments, Réserve de biodiversité des Méandres-de-la-Taitaipenistouc now covers an area of 326.53 km<sup>2</sup>. The right of way of the 315 kV Montagnais-Normand electrical transmission line was excluded from the boundaries of the reserve.

The legal boundaries of Réserve de biodiversité des Méandres-de-la-Taitaipenistouc are defined in the technical description and the survey map prepared by land surveyor Pierre Brodeur with the following minutes 16591 (November 14, 2017) and filed in the surveying archives of the Surveyor General of Québec (Greffé de l'arpenteur général du Québec), Ministère de l'Énergie et des Ressources naturelles, under document number 536738.

**Accessibility:** No roads provide access to the biodiversity reserve. The railroad belonging to Quebec North Shore and Labrador Railway Company Inc., which connects Sept-Îles and Labrador City, passes about 13 kilometres to the east of the reserve. However, several of the reserve's lakes are long enough for seaplanes to land, and the area can be accessed by snowmobile.

### 1.3 Ecological portrait

Réserve de biodiversité des Méandres-de-la-Taitaipenistouc is in the central Labrador natural province. It protects natural environments that are representative of the Lacs Brûlé–Fournier plateau natural region, a vast plateau whose undulating plains are covered with drumlins, stagnation moraines, till and bogs, and are scattered with mounds and lakes (Li, 2013).

#### 1.3.1 Representative elements

Half of the territory of the reserve was ravaged by a major forest fire in 2013. As mentioned earlier, the information presented here about vegetation and wildlife reflects what was known before the forest fire.

**Geology and geomorphology:** The territory lies entirely within Grenville geological province. The geological foundation is primarily composed of metamorphic rocks, specifically gneiss with tonalite commonly present. In the northern part the bedrock also includes paragneiss, marble and quartzite.

From a geomorphological point of view, the reserve is chiefly notable for its relief of glacial origin, in the form of hills parallel to the flow of the glacier: undulating terrain with drumlins. A few areas in the west and centre have rough or hilly terrain topped with a thin or thick deposit of till. The central part of the territory has hummocky terrain, partly due to the stagnation moraine. The bottom of the Rivière Taitaipenistouc valley is partially covered with well-drained sand/gravel deposits of fluvioglacial origin. The minimum, maximum and average elevation are respectively 584 m, 766 m and 636 m.

**Hydrography:** Most of the territory of the reserve is in the Rivière Taitaipenistouc watershed, which in turn is in the Rivière Caopacho watershed. The eastern and southern extremities of the reserve are in the Rivière Nipissis watershed. All drain into the Rivière Moisie watershed.

The hydrographic network of Réserve de biodiversité des Méandres-de-la-Taitaipenistouc consists essentially of headwater rivers. Rivière Taitaipenistouc, the main watercourse, is an exception, and has a Strahler number of 4<sup>1</sup>. Rivière Taitaipenistouc arises from a small lake north of the reserve, emptying into Rivière Caopacho after winding through the protected area from north to south. The reserve also has around twenty unnamed lakes. They cover less than 11% of the territory and stand at an elevation of around 600 m. The largest lakes are in the south of the protected area and have an average area of 3.6 km<sup>2</sup>. The general orientation of the lakes and watercourses is north-northeast/south-southwest.

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<sup>1</sup> The Strahler number is a way of ranking a watercourse by its position in the watershed. Streams with no tributaries have a Strahler number of 1. The confluence of two streams of the same rank increases that of the water downstream. The longest rivers in Québec have a Strahler number of 8.

**Climate:** The territory of the reserve is subject to a cold continental subarctic climate, subhumid with a short growing season, and is typical of the bioclimatic domain of black spruce/moss forests. The climate of the Lacs Brûlé-Fournier plateau natural region is favourable to the development of open stands of black spruce, frequently disturbed by forest fires, on fluvioglacial deposits and ablation moraines.

**Flora:** The plant cover subsequent to the forest fire of 2013 is illustrated in Appendix 2. As mentioned earlier, the description below reflects what was known by the MELCC about the state of things before the fire. Nearly half the territory is occupied by open conifer stands, with a ground cover of lichen (18% of the territory) or moss (3%), and by medium conifer stands with a ground cover of moss (17% of the territory) or lichen (10%). Coniferous heaths with a ground cover of lichen cover 12% of the territory, while those with moss take up 4%. Heaths occupy a sixth of the territory of the biodiversity reserve. Almost devoid of trees, these plant communities are composed of shrubby species, flowering plants, grasses and lichens. In the biodiversity reserve, heaths cover the steepest slopes and upland areas where the bedrock surfaces. Scattered here and there, especially on relief elements, dense stands of old conifers cover 6% of the protected area. In the Rivière Taitaipenistouc valley and some of the hollows, there are bogs, accounting for 3% of the territory.

The dominant species is black spruce (*Picea mariana*). Beyond that, the information presented here is far from complete. Many species could be present on the territory of the reserve. In 1998 the Ministère des Ressources naturelles performed surveys at observation points in the ecoforestry

information system, not within what is now the reserve, but in the ecological district in which it is located. It could well be that the species inventoried are also present in the protected area. The main species of lichen found were reindeer lichen (*Cladonia mitis* and *Cladonia rangiferina*) and star-tipped reindeer lichen (*Cladonia stellaris*). Also observed were a few species of bryophyte, including Schreber's big red stem moss (*Pleurozium schreberi*), knight's plume moss (*Ptilium crista-castrensis*) and rusty peat moss (*Sphagnum fuscum*). The surveys showed that black spruce (*Picea mariana*), Labrador tea (*Rhododendron groenlandicum*) and lowbush blueberry (*Vaccinium angustifolium*) were the dominant species. The principal natural disturbance in this region is fire. The oldest burned areas (2% of the territory) are dominated by jack pine (*Pinus banksiana*).

**Wildlife:** Very little information is available since no wildlife survey has been done.

Lake trout (*Salvelinus namaycush*), brook trout (*Salvelinus fontinalis*), northern pike (*Esox lucius*), landlocked Atlantic salmon (*Salmo salar ouananiche*), whitefish (*Coregonus albula*) and landlocked Arctic char (*Salvelinus alpinus oquassa*), a species likely to be designated threatened, are present in the natural region. Moose (*Alces alces*), black bear (*Ursus americanus*), snowshoe hare (*Lepus americanus*), partridge and Canada goose (*Branta canadensis*) also frequent the natural region. Since the reserve is in the range of the woodland caribou (*Rangifer tarandus caribou*), it could well frequent the area, but this has not been confirmed by any survey.

### 1.3.2 Outstanding elements

According to the Centre de données sur le patrimoine naturel du Québec, no plant species that is threatened or vulnerable or likely to be so designated has been observed in the reserve (CDPNQ, 2014). However, golden eagle (*Aquila chrysaetos*), a vulnerable species, and woodland caribou (*Rangifer tarandus caribou*), designated vulnerable in Québec, could use the territory of the reserve. Arctic char *oquassa* (*Salvelinus alpinus oquassa*), a species likely to be designated threatened or vulnerable, has been caught some fifteen kilometres northeast of the reserve, so it could also be present within the reserve. Since there have been no industrial activities in the area, its natural environments are totally intact.

### 1.4 Land occupation and uses

The boundaries of Réserve de biodiversité des Méandres-de-la-Taitaipenistouc, along with the occupations exercised on its territory, are illustrated in Appendix 2.

A single land right covering an area of 4000 m<sup>2</sup> has been granted on the shores of the headwater lake in the northern part of the reserve. It is a lease for personal resort purposes.

A canoe-kayak course through Lac Matinipi and across part of Lac du Brochet skirts the southern boundary of the reserve, following a string of small lakes interconnected by watercourses. Though no archeological sites have been identified in the reserve, Lac Matinipi (directly to the south) is considered sacred by the Innu. Thousands of poles that had served for poling upstream by canoe-kayak are stuck into the lakebed, being no longer needed further up.

A 315 kV electrical transmission line crosses the northern section of the reserve over a distance of 4.5 km. Its right of way, excluded from the boundaries of the reserve, is 66.71 metres in width.

The protected area is in the Saguenay beaver reserve and is part of fur-bearing animal management unit 60. The Innu of Uashat mak Mani-Utenam hold specific rights in respect of hunting and the trapping of fur-bearing animals. The reserve's protected status will not affect their rights or traditional practices. The reserve is also located within the hunting zone 19 south, where sport hunting for caribou has been prohibited east of the railway connecting Sept-Îles to Fermont since 1979 and throughout the entire zone since 2001.

Thanks to its location north of the boundary for commercial logging, and in an area where no mining claims have been granted, the territory of Réserve de biodiversité des Méandres-de-la-Taitaipenistouc is free of human disturbances of an industrial nature.

## 2. Conservation objectives

This section presents guidelines and conservation objectives specific to Réserve de biodiversité des Méandres-de-la-Taitaipenistouc.

### 2.1 Protection of biodiversity

To maintain the viability of ecological processes, management of the reserve should give priority to protecting the ecosystems present and the species that depend on them.

The biodiversity reserve is also intended to protect landscapes and modes of occupation and use that are compatible with biodiversity

protection objectives. Existing occupations and uses should be managed to ensure that they have as little impact as possible on biodiversity.

Each biodiversity reserve in the Québec network has unique conservation challenges. In the case of Réserve de biodiversité des Méandres-de-la-Taitaipenistouc, the ecosystems and their associated biodiversity are ecologically intact, thanks to the lack of human disturbance. Management of the reserve should therefore be focused on maintaining this ecological integrity.

Specific objective:

**Maintain the ecological integrity of the biodiversity reserve**

Industrial activities are prohibited in the reserve. This status does however allow the development and pursuit of non-industrial activities of a recreational, traditional or cultural nature. At present the reserve is relatively unfrequented. Nonetheless, should existing activities increase in intensity or new activities be authorized, it will be important to ensure the continued integrity of protected ecosystems. Projects should be evaluated with a view toward biodiversity, the support capacity of ecosystems<sup>2</sup> and the harmonization of uses. Projects must also be compatible with the reserve's conservation objectives.

Attention must also be paid to conserving the habitats of sensitive species, and should the need arise, to protecting the species themselves.

## **2.2 Knowledge acquisition and environmental monitoring**

Ecological knowledge needs be developed, and in particular brought up to date since the forest fire of 2013, particularly with regard to vegetation. This information will be used in developing management tools for conservation purposes.

Specific objective:

**Promote knowledge acquisition and conduct monitoring**

Since Réserve de biodiversité des Méandres-de-la-Taitaipenistouc is relatively inaccessible, knowledge about its plants and wildlife is incomplete, particularly with regard to developments since the forest fire. Besides contributing to specific objectives stemming from the principle of natural heritage protection, knowledge acquisition will lead to a more detailed portrait of the area's biodiversity. Within available budgets, surveys should be carried out under a knowledge acquisition and monitoring program. Ecological, historical, social and traditional information should be compiled, and if new activities are permitted in future, their impacts should be documented.

The knowledge acquired will help to ensure that authorized activities do not compromise biodiversity maintenance. It will give managers a better understanding of how the ecosystems present function and evolve, and will facilitate a common understanding of the issues.

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<sup>2</sup> *Support capacity* is defined as follows: in a sustainable development perspective, the support capacity of an ecosystem is the maximum pressure that can be exerted on it by human activities without jeopardizing its integrity, to ensure its continued viability.

### 3. Zoning

The MELCC does not propose any zoning to guide the management of Réserve de biodiversité des Méandres-de-la-Taitaipenistouc, since ecological knowledge is still too fragmentary and the territory is little used.

### 4. Activity framework applicable to the biodiversity reserve

The purpose of the reserve is to protect natural environments and their components. For this reason, activities that could have a significant impact on ecosystems and biodiversity, especially of an industrial nature, are prohibited. Less harmful activities and occupations, such as those involving recreation, wildlife, ecotourism or education, are however permitted in this type of protected area.

In sum, the biodiversity reserve should be considered as a territory dedicated to protecting the natural environment, to nature discovery and to recreation.

#### 4.1 Activity framework established by the Natural Heritage Conservation Act

Activities carried out within the biodiversity reserve are primarily governed by the provisions of the *Natural Heritage Conservation Act* (chapter C-61.01).

Under the Act, the activities prohibited in an area with the status of biodiversity reserve are primarily the following:

- mining and gas or oil extraction;
- forest management within the meaning of section 4 of the *Sustainable Forest Development Act* (chapter A-18.1);

- the exploitation of hydraulic resources and any production of energy on a commercial or industrial basis.

Though fundamental to protecting the territory and its ecosystems, the above prohibitions do not cover all of the standards considered desirable to ensure the proper management of the reserve and the conservation of its natural environment. The *Natural Heritage Conservation Act* allows the Regulation to detail the legal framework applicable on the territory of a biodiversity reserve.

#### 4.2 Activity framework established by the Regulation respecting the Réserve de biodiversité des Méandres-de-la-Taitaipenistouc

The provisions contained in Regulation respecting the Réserve de biodiversité des Méandres-de-la-Taitaipenistouc set out additional prohibitions beyond those already stipulated in the *Natural Heritage Conservation Act* (chapter C-61.01). They also provide a framework for certain permitted activities, to ensure the protection of the natural environment in accordance with the principles of conservation and other management objectives of the reserve. Certain activities are therefore subject to prior authorization by the Minister.

The measures presented in Regulation concern new interventions in particular, and generally do not affect activities that are already being practised or facilities that are already present. Many existing uses are thus preserved.

In listing the activities requiring authorization Regulation does not identify which ones would be considered incompatible with the vocation of the reserve and could therefore be refused



authorization. Basic information about the compatibility or incompatibility of each type of activity is provided in the document *Activity Framework for Biodiversity Reserves and Aquatic Reserves*, which is available on the website of the MELCC, at:

[http://www.mddelcc.gouv.qc.ca/biodiversite/aires\\_protegees/regime-activites/regime-activite-reserve-bio-aqua-en.pdf](http://www.mddelcc.gouv.qc.ca/biodiversite/aires_protegees/regime-activites/regime-activite-reserve-bio-aqua-en.pdf).

Note that certain activities are exempted from the requirement to obtain authorization. These exemptions are also presented in Regulation.

## 5. Activities governed by other laws

Certain activities that could potentially be practised in the biodiversity reserve are also governed by other applicable legislative and regulatory provisions, and some require a permit or authorization or the payment of certain fees. Certain activities could be prohibited or limited under other laws or regulations applicable on the territory of the reserve.

In the territory of Réserve de biodiversité des Méandres-de-la-Taitaipenistouc, a particular legal framework may govern permitted activities under the following categories:

- **Protection of the environment:** measures stipulated by the *Environment Quality Act* (chapter Q-2) and its regulations;
- **Archeological research and discoveries:** measures stipulated by the *Cultural Heritage Act* (chapter P-9.002);
- **Exploitation and conservation of wildlife resources:** measures stipulated by the *Act respecting the conservation and development of wildlife* (chapter C-61.1) and its regulations, including provisions related to threatened or vulnerable wildlife species, outfitters and beaver reserves, and measures in the applicable federal laws and regulations, including the legislation and regulations on fisheries;
- **Plant species designated as threatened or vulnerable:** measures prohibiting the harvesting of such species under the *Act respecting threatened or vulnerable species* (chapter E-12.01);
- **Access and property rights related to the domain of the State:** measures stipulated by the *Act respecting the lands in the domain of the State* (chapter T-8.1) and by the *Watercourses Act* (chapter R-13);
- **Issuance and oversight of forest development permits** (harvesting of firewood for domestic purposes, wildlife development, recreational development); and **delivery of authorizations** (forest roads): measures stipulated by the *Sustainable Forest Development Act* (chapter A-18.1);
- **Travel:** measures stipulated by the *Act respecting the lands in the domain of the State* and by the regulations on motor vehicle travel in fragile environments, under the *Environment Quality Act*;
- **Construction and development standards:** regulatory measures adopted by local and regional municipal authorities in accordance with the applicable laws.

## 6. Management

### 6.1 Responsibilities of the Minister of Environment and the Fight against Climate Change

The Minister of Environment and the Fight against Climate Change is responsible for the management of Réserve de biodiversité des Méandres-de-la-Taitaipenistouc. Among other things, the Minister sees to the control and supervision of activities that take place there, and to the application of the *Natural Heritage Conservation Act* (chapter C-61.01) and Regulation respecting the Réserve de biodiversité des Méandres-de-la-Taitaipenistouc. Operational management of the reserve is assigned to the Direction régionale of the MELCC. In his management, the Minister enjoys the collaboration and participation of other government representatives that have specific responsibilities in or adjacent to the territory.

The MELCC will establish a mechanism for the participation of local stakeholders interested in the future of Réserve de biodiversité des Méandres-de-la-Taitaipenistouc.

The MELCC considers that the management needs of Réserve de biodiversité des Méandres-de-la-Taitaipenistouc come down to overseeing the territory, knowledge acquisition, and monitoring biodiversity and land use.

### 6.2 Adaptive management

As mentioned in section 2, “Conservation objectives”, knowledge acquisition and environmental monitoring will be undertaken in collaboration with the local and regional partners concerned. The knowledge acquired will serve to guide management activities.

A mechanism should be put in place to monitor the conservation objectives, and if necessary, to rectify the minimal management planned for this territory.

### 6.3 Stakeholder participation and integrated management

While the MELCC considers that Réserve de biodiversité des Méandres-de-la-Taitaipenistouc has minimal management needs, it could work with local stakeholders to draw up an action plan if management needs become greater. It could also review whether zoning is needed to provide a framework for the possible development and practice of activities in the protected area.

Management of the biodiversity reserve should respect the following conservation principles:

- maintain natural ecosystem dynamics;
- allow activities to be practised, and the territory to be developed, within the limits of the support capacity of ecosystems;
- authorize non-industrial harvesting activities, but without supporting them;
- promote the acquisition and dissemination of knowledge about the natural and cultural heritage.

In addition, to ensure responsible management of the reserve, the precautionary principle must be applied.

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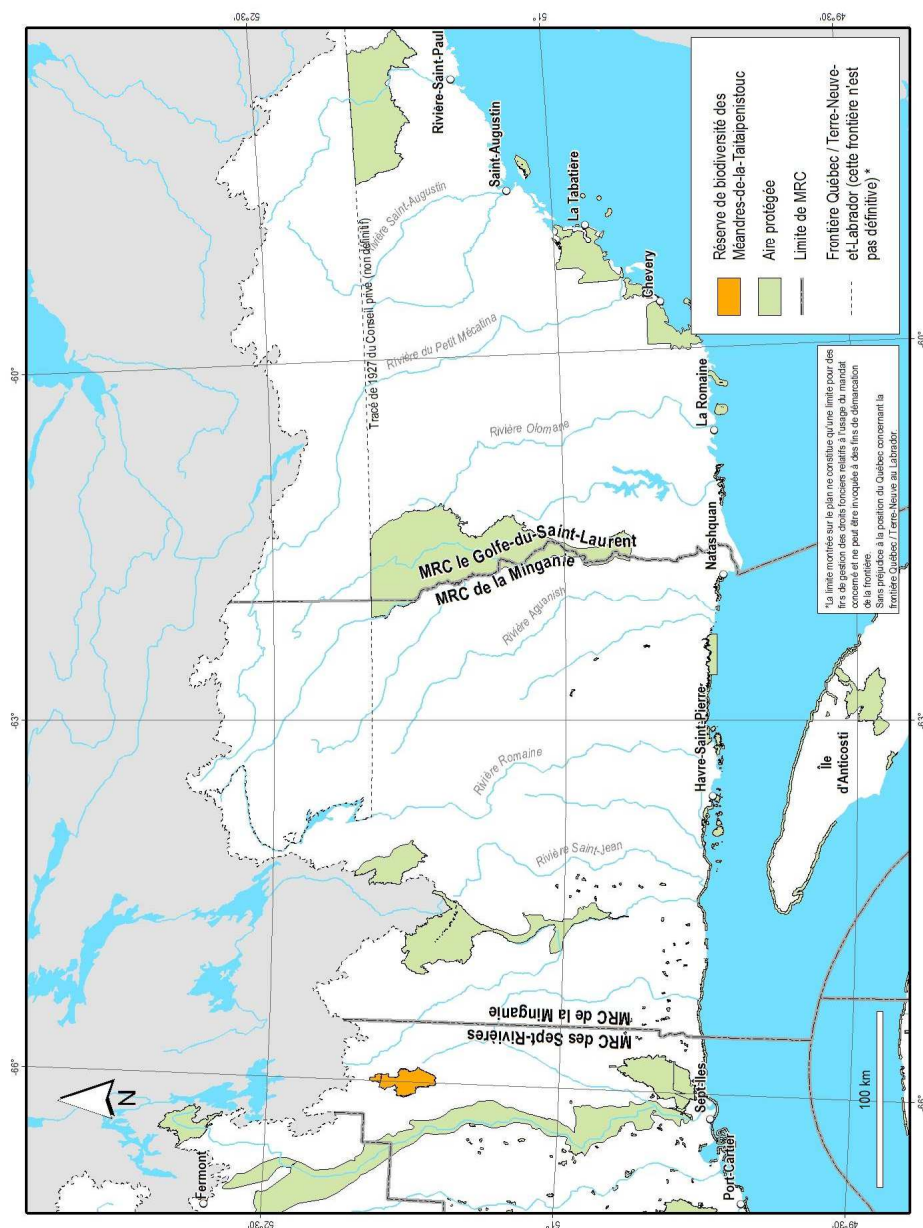
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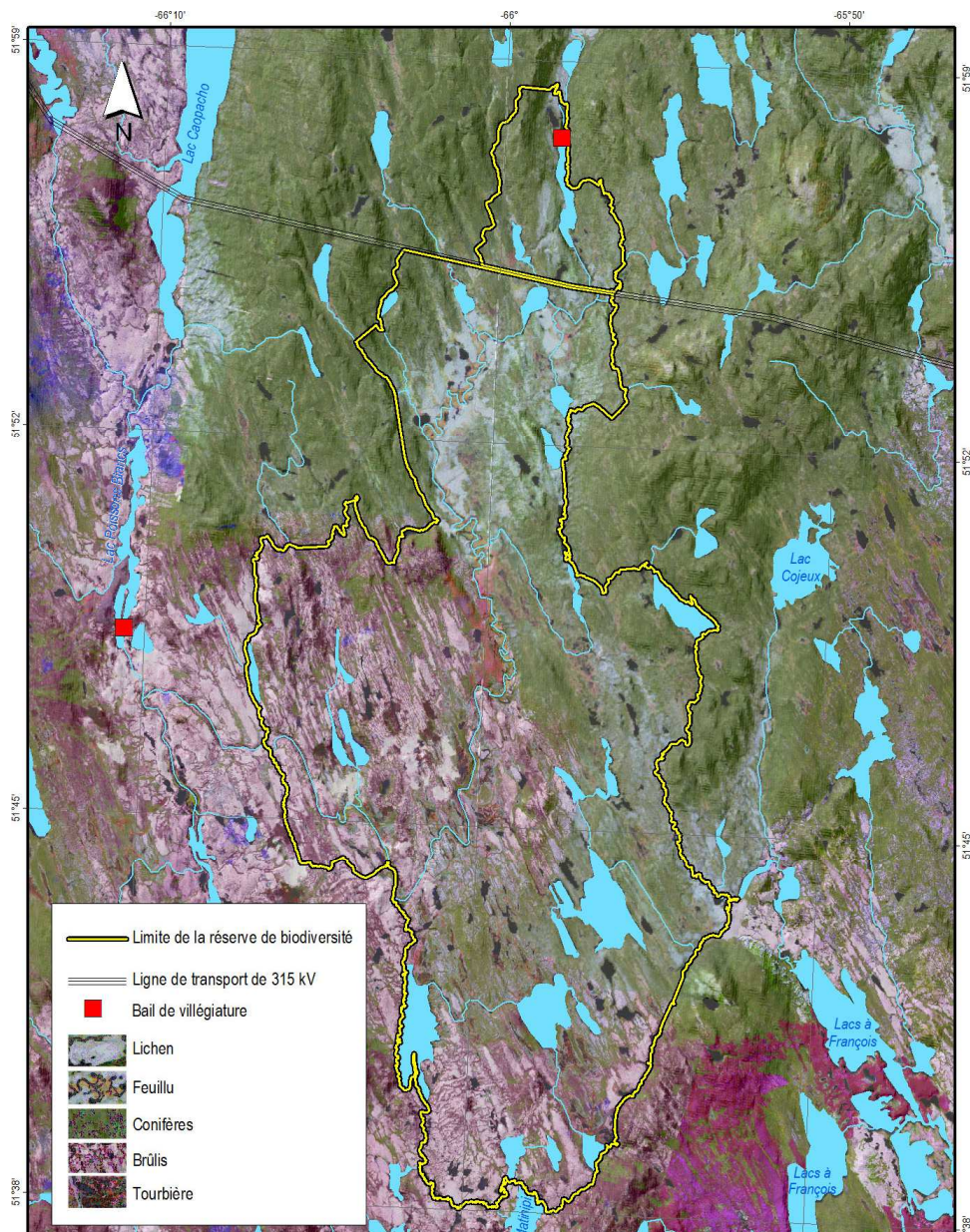
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# Appendix 1: Réserve de biodiversité des Méandres-de-la-Taitaipenistouc: Location and regional context





**Appendix 2: Réserve de biodiversité des Méandres-de-la-Taitaipenistouc:  
Boundaries, vegetation and occupation – portrait after the 2013  
forest fire**



Gouvernement du Québec

## O.C. 117-2019, 13 February 2019

Tax Administration Act  
(chapter A-6.002)

### Various regulations of a fiscal nature — Amendment

Regulations to amend various regulations of a fiscal nature

WHEREAS, under the second paragraph of section 31 of the Tax Administration Act (chapter A-6.002), the Government may, after obtaining the opinion of the Commission d'accès à l'information, make regulations to determine that a refund owing to a person by reason of the application of a fiscal law may also be allocated to the payment of any amount for which that person is in debt to the State under an Act other than a fiscal law;

WHEREAS, under the second paragraph of section 31.1.0.1 of the Tax Administration Act, the Government may, after obtaining the opinion of the Commission d'accès à l'information, make regulations to determine the terms and conditions for the allocation of a refund owing to a person under a fiscal law to stand in lieu of a guarantee that the person failed to furnish under the Mining Act (chapter M-13.1) and to determine the information necessary for that allocation and the terms and conditions respecting communication of that information;

WHEREAS the Commission d'accès à l'information gave its opinion on those measures;

WHEREAS, under the first paragraph of section 96 of the Tax Administration Act, the Government may make regulations, in particular to prescribe the measures required to carry out the Act and to exempt from the duties provided for by a fiscal law, under the conditions which it prescribes, public servants or agents of the government of a country other than Canada, and the members of their families or personnel, and prescribed international organizations, their head officers and their employees and the members of their families;

WHEREAS, under subparagraphs *e.2* and *f* of the first paragraph of section 1086 of the Taxation Act (chapter I-3), the Government may make regulations to require any person included in one of the classes of persons it determines to file any return it may prescribe relating to any information necessary for the establishment of an assessment provided for in the Act and to send, where applicable, a copy of the return or of a part thereof to any person to whom the return or part thereof relates and

to whom it indicates in the regulation and to generally prescribe the measures required for the application of the Act;

WHEREAS, under paragraph *a* of section 81 of the Act respecting the Québec Pension Plan (chapter R-9), the Government may make regulations prescribing anything that is to be prescribed, in particular under Title III of the Act;

WHEREAS, under the first paragraph of section 677 of the Act respecting the Québec sales tax (chapter T-0.1), the Government may, by regulation, prescribe the measures required for the purposes of the Act;

WHEREAS it is expedient to amend the Regulation respecting fiscal administration (chapter A-6.002, r. 1) so that a fiscal refund owing to a person may be allocated to the payment of an amount owing by that person under the Sustainable Forest Development Act (chapter A-18.1), the Act respecting the conservation and development of wildlife (chapter C-61.1) or the Mining Act, and to provide the terms and conditions for the allocation of a fiscal refund owing to a person under a fiscal law to stand in lieu of a guarantee that the person failed to furnish under the Mining Act;

WHEREAS it is expedient to amend the Regulation respecting tax exemptions granted to certain international governmental organizations and to certain employees and members of their families (chapter A-6.002, r. 3) and the Regulation respecting fiscal privileges granted to members of a diplomatic mission, consular post or office of a political division of a foreign State, to the members of their families and to that office (chapter A-6.002, r. 5) to make consequential amendments;

WHEREAS it is expedient to amend the Regulation respecting tax exemptions granted to certain international non-governmental organizations and to certain employees of such organizations and to members of their families (chapter A-6.002, r. 4) to include New Cities Foundation Canada (NCF) as an organization benefiting from the tax exemptions under the Regulation pursuant to Order in Council 1007-2018 dated 3 July 2018;

WHEREAS it is expedient to amend the Regulation respecting the Taxation Act (chapter I-3, r. 1) and the Regulation respecting the Québec sales tax (chapter T-0.1, r. 2) primarily to give effect to the fiscal measures announced by the Minister of Finance in the Budget Speech delivered on 17 March 2016 and 28 March 2017 and in Information Bulletins posted on the website of the Ministère des Finances, in particular on 28 April 2017, 21 November 2017, 19 January 2018 and 10 July 2018;



WHEREAS it is expedient to amend the Regulation respecting the participation of Indians in the Québec Pension Plan (chapter R-9, r. 4) to provide for the amount to be used to compute the optional contribution of a worker who is an Indian and who elects to participate in the Plan;

WHEREAS it is expedient, with a view to more efficient application of the Tax Administration Act, the Taxation Act and the Act respecting the Québec sales tax, to amend the Regulation respecting fiscal administration, the Regulation respecting the Taxation Act and the Regulation respecting the Québec sales tax to make technical and consequential amendments;

WHEREAS, under section 12 of the Regulations Act (chapter R-18.1), a proposed regulation may be made without having been published as provided for in section 8 of the Act, if the authority making it is of the opinion that the fiscal nature of the norms established, amended or revoked in the regulation warrants it;

WHEREAS, under section 18 of the Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that has made it is of the opinion that the fiscal nature of the norms established, amended or revoked in the regulation warrants it;

WHEREAS the Government is of the opinion that the fiscal nature of the norms established by the regulations attached to this Order in Council warrants the absence of prior publication and such coming into force;

WHEREAS section 27 of the Act provides that the Act does not prevent a regulation from taking effect before the date of its publication in the *Gazette officielle du Québec* where the Act under which it is made expressly provides therefor;

WHEREAS, under section 97 of the Tax Administration Act, every regulation made under the Act comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date fixed therein and may also, if it so provides, apply to a period prior to its publication;

WHEREAS, under the second paragraph of section 1086 of the Taxation Act, the regulations made under the Act come into force on the date of their publication in the *Gazette officielle du Québec* or on any later date fixed therein and they may also, once published and if they so provide, apply to a period prior to their publication, but not prior to the taxation year 1972;

WHEREAS, under section 82.1 of the Act respecting the Québec Pension Plan, every regulation made under Title III of the Act comes into force on the date of its

publication in the *Gazette officielle du Québec* or on any later date fixed therein and may, once published and where it so provides, take effect from a date prior to its publication but not prior to the date from which the legislation under which it is made takes effect;

WHEREAS, under the second paragraph of section 677 of the Act respecting the Québec sales tax, a regulation made under the Act comes into force on the date of its publication in the *Gazette officielle du Québec*, unless the regulation fixes another date which may in no case be prior to 1 July 1992;

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

THAT the regulations attached to this Order in Council be made:

—Regulation to amend the Regulation respecting fiscal administration;

—Regulation to amend the Regulation respecting tax exemptions granted to certain international governmental organizations and to certain employees and members of their families;

—Regulation to amend the Regulation respecting tax exemptions granted to certain international non-governmental organizations and to certain employees of such organizations and to members of their families;

—Regulation to amend the Regulation respecting fiscal privileges granted to members of a diplomatic mission, consular post or office of a political division of a foreign State, to the members of their families and to that office;

—Regulation to amend the Regulation respecting the Taxation Act;

—Regulation to amend the Regulation respecting the participation of Indians in the Québec Pension Plan;

—Regulation to amend the Regulation respecting the Québec sales tax.

## **Regulation to amend the Regulation respecting fiscal administration**

Tax Administration Act  
(chapter A-6.002, s. 31, 2nd par., s. 31.1.0.1, 2nd par., s. 96, 1st par. and s. 97)

**1.** Section 12.0.3.1R2 of the Regulation respecting fiscal administration (chapter A-6.002, r. 1) is amended by striking out “of Revenue” in the fourth paragraph.

**2.** Section 31R1 of the Regulation is amended by adding the following at the end of the first paragraph:

“(h) the Sustainable Forest Development Act (chapter A-18.1);

“(i) the Act respecting the conservation and development of wildlife (chapter C-61.1);

“(j) the Mining Act (chapter M-13.1).”

**3.** The Regulation is amended by inserting the following after section 31R7:

“**31.1.0.1R1.** For the purposes of the allocation referred to in section 31.1.0.1 of the Act, where a person has failed to furnish a guarantee under section 232.4 or 232.7 of the Mining Act (chapter M-13.1), the Minister receives from the Minister of Natural Resources and Wildlife the following information:

(a) the person’s name;

(b) the address of the person’s head office or principal establishment;

(c) the identification number assigned to the person by the Minister, where applicable;

(d) the Québec business number assigned to the person under the Act respecting the legal publicity of enterprises (chapter P-44.1), where applicable; and

(e) the difference between the amount of the guarantee required and the amount of the guarantee furnished.

“**31.1.0.1R2.** Where the Minister receives the information referred to in section 31.1.0.1R1 respecting a person and a refund must be paid to the person under a fiscal law, the Minister deducts from the refund the amount that is, in part or in whole, the difference described in paragraph e of section 31.1.0.1R1 and deposits the amount with the Bureau général de dépôts pour le Québec to stand in lieu of the guarantee that the person is required to furnish under section 232.4 or 232.7 of the Mining Act (chapter M-13.1) or of a part of that guarantee.

“**31.1.0.1R3.** After the allocation provided for in section 31.1.0.1R2 in respect of a person referred to in that section, the Minister sends the following information to the Minister of Natural Resources and Wildlife:

(a) the information under paragraphs a to d of section 31.1.0.1R1; and

(b) the amount deposited with the Bureau général de dépôts pour le Québec to stand in lieu of the guarantee that the person is required to furnish or of a part of that guarantee.

“**31.1.0.1R4.** After the allocation provided for in section 31.1.0.1R2, the Minister informs the person concerned of the amount of the refund that has been allocated to stand in lieu of the guarantee the person failed to furnish, or of a part of that guarantee, and of the deposit of the amount with the Bureau général de dépôts pour le Québec.

“**31.1.0.1R5.** The information referred to in section 31.1.0.1R1 or 31.1.0.1R3 must be sent in such a manner as to preserve its confidentiality. To that end, the addressee and the sender must identify the persons who, in their organization, are authorized to send or receive such information.

“**31.1.0.1R6.** The information referred to in section 31.1.0.1R1 or 31.1.0.1R3 that is no longer necessary for the purposes of the allocation provided for in section 31.1.0.1R2 is to be safely destroyed by its addressee.”

**4.** Section 37.1.1R1 of the Regulation is amended by striking out paragraph *m*.

**5.** Section 40.3R2 of the Regulation is replaced by the following:

“**40.3R2.** For the purposes of section 40.3 of the Act, the general director of investigations, inspections and public prosecutions or a senior director or assistant senior director who carries out duties at the Direction générale des enquêtes, de l’inspection et des poursuites pénales within the Agency is authorized to keep the deposits paid under that section. Those deposits are paid into a trust account opened in a financial institution for that purpose by that person.”

**6.** Section 69.0.0.12R1 of the Regulation is replaced by the following:

“**69.0.0.12R1.** For the purposes of section 69.0.0.12 of the Act, the general director of investigations, inspections and public prosecutions or a senior director or assistant senior director who carries out duties at the Direction générale des enquêtes, de l’inspection et des poursuites pénales within the Agency is authorized to communicate information contained in a tax file to a member of a police force, to a government department or to a public body.”

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

## **Regulation to amend the Regulation respecting tax exemptions granted to certain international governmental organizations and to certain of their employees and members of their families**

Tax Administration Act  
(chapter A-6.002, s. 96, 1st par., subpar. *b* and s. 97)

**1.** Section 4.1 of the Regulation respecting tax exemptions granted to certain international governmental organizations and to certain of their employees and members of their families (chapter A-6.002, r. 3) is amended by replacing the fourth paragraph by the following:

“The individual referred to in the second paragraph of section 1 shall be exempt from the payment of tax under the Tobacco Tax Act (chapter I-2) where the sale is made by a person specified in any of paragraphs *b*, *c*, *d* and *h* of subsection 3 of section 32 of the Excise Act, 2001 (Statutes of Canada, 2002, chapter 22).”

**2.** Section 8.6 of the Regulation is amended by replacing the fourth paragraph by the following:

“The individual referred to in the first paragraph shall be exempt from the payment of tax under the Tobacco Tax Act (chapter I-2) where the sale is made by a person specified in any of paragraphs *b*, *c*, *d* and *h* of subsection 3 of section 32 of the Excise Act, 2001 (Statutes of Canada, 2002, chapter 22).”

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

## **Regulation to amend the Regulation respecting tax exemptions granted to certain international non-governmental organizations and to certain employees of such organizations and to members of their families**

Tax Administration Act  
(chapter A-6.002, s. 96, 1st par., subpar. *b* and s. 97)

**1.** (1) Section 8.2 of the Regulation respecting tax exemptions granted to certain international non-governmental organizations and to certain employees of such organizations and to members of their families (chapter A-6.002, r. 4) is amended by adding the following at the end of the second paragraph:

“(8) the individual is an employee of New Cities Foundation Canada (NCF) and meets the conditions referred to in subparagraphs *a* to *e* of subparagraph 2.”

(2) Subsection 1 applies from the taxation year 2016, except for the purposes of sections 8.5 and 8.6 of the Regulation, if the latter section refers to the rebate or refund provided for in section 8.5, in which case it applies in respect of duties imposed after 31 January 2016.

**2.** (1) Section 8.3 of the Regulation is amended by replacing “7” by “8”.

(2) Subsection 1 applies from the taxation year 2016.

**3.** (1) Section 8.5 of the Regulation is amended by replacing “7” in the portion of the first paragraph before subparagraph 1 by “8”.

(2) Subsection 1 applies in respect of duties imposed after 31 January 2016.

**4.** (1) Section 8.6 of the Regulation is amended by replacing “7” in the portion before paragraph 1 by “8”.

(2) Subsection 1 applies from the taxation year 2016, except in respect of the rebate or refund provided for in section 8.5 of the Regulation, in which case it applies in respect of duties imposed after 31 January 2016.

**5.** (1) Schedule B to the Regulation is amended by adding the following at the end:

“New Cities Foundation Canada (NCF).”

(2) Subsection 1 applies from the taxation year 2016, except for the purposes of section 8.4 of the Regulation, in which case it applies in respect of duties imposed after 31 January 2016.

**6.** Despite section 10.1 of the Regulation, an application for a rebate or refund provided for in section 8.4 or 8.5 of the Regulation, as that section 8.5 is amended by section 3, must be filed on or before 20 August 2020, if it pertains to duties imposed after 31 January 2016, and before 20 August 2018 if it is filed, as the case may be, by New Cities Foundation Canada (NCF), by an individual referred to in subparagraph 8 of the second paragraph of section 8.2 of the Regulation, enacted by section 1, or by the spouse of such an individual described in section 8.6 of the Regulation, as amended by section 4.

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

**Regulation to amend the Regulation respecting fiscal privileges granted to members of a diplomatic mission, consular post or office of a political division of a foreign State, to the members of their families and to that office**

Tax Administration Act  
(chapter A-6.002, s. 96, 1st par., subpar. *a* and s. 97)

**1.** Section 5 of the Regulation respecting fiscal privileges granted to members of a diplomatic mission, consular post or office of a political division of a foreign State, to the members of their families and to that office (chapter A-6.002, r. 5) is amended by replacing the fourth paragraph by the following:

“The individual referred to in the first paragraph shall be exempt from the payment of tax under the Tobacco Tax Act (chapter I-2) where the sale is made by a person specified in any of paragraphs *b*, *c*, *d* and *h* of subsection 3 of section 32 of the Excise Act, 2001 (Statutes of Canada, 2002, chapter 22).”

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

**Regulation to amend the Regulation respecting the Taxation Act**

Taxation Act  
(chapter I-3, s. 1086, 1st par., subpars. *e.2* and *f* and 2nd par.)

**1.** (1) Section 22R2 of the Regulation respecting the Taxation Act (chapter I-3, r. 1) is replaced by the following:

“**22R2.** For the purposes of section 22R1, where the individual is an individual referred to in any of sections 726.33, 726.35, 726.42, 726.43, 737.16 and 737.18.10 of the Act, the individual’s income earned in Québec, computed for a taxation year under that section 22R1, must be increased by the amount that is included in computing the individual’s taxable income for the year under section 726.35 or 726.43 of the Act and reduced by the part, not otherwise deducted in computing the individual’s income earned in Québec, of the amount that is deducted in computing the individual’s taxable income for the year under any of sections 726.33, 726.42, 737.14, 737.16 and 737.18.10 of the Act, and the individual’s income earned in Québec and elsewhere, determined for the year under that section 22R1, must be increased by the amount that is included in computing the individual’s taxable income for the year and reduced by the amount that is deducted in computing the individual’s taxable income for the year.”

(2) Subsection 1 applies to taxation years that end after 17 March 2016.

**2.** (1) Section 22R18 of the Regulation is amended by replacing the portion of the second paragraph before subparagraph *b* by the following:

“For the purposes of the first paragraph, the income for a taxation year of an individual is the amount by which the aggregate of the individual’s income for the year, as determined under section 28 of the Act without reference to section 1029.8.50 of the Act, and the amount that is included in computing the individual’s taxable income for the year under section 726.35 or 726.43 of the Act, exceeds the aggregate of,

(*a*) where the individual is referred to in any of sections 726.33, 726.42, 737.16 and 737.18.10 of the Act, the amount that is deducted in computing the individual’s taxable income for the year under any of sections 726.33, 726.42, 737.14, 737.16 and 737.18.10 of the Act;”

(2) Subsection 1 applies to taxation years that end after 17 March 2016.

**3.** (1) Section 41.1.1R1 of the Regulation is amended by replacing paragraphs *a* and *b* by the following:

“(a) 26 cents, except where paragraph *b* applies; and

“(b) 23 cents, if the individual referred to in that section 41.1.1 is engaged principally in selling or leasing automobiles and an automobile is made available in the year to the individual or a person related to the individual by the individual’s employer or a person related to the employer.”

(2) Subsection 1 applies from the taxation year 2018.

**4.** (1) Section 87R5 of the Regulation is amended

(1) by replacing “may be forgiven in respect of a student loan” in paragraph *g* by “is the portion of a student loan forgiven”;

(2) by adding the following paragraph at the end:

“(h) an amount that is the portion of a student loan forgiven under a provincial program that would be an amount referred to in paragraph *g* if section 11.1 of the Canada Student Loans Act or section 9.2 of the Canada Student Financial Assistance Act applied to loans made under the program.”

(2) Paragraph 2 of subsection 1 has effect from 1 January 2013.

**5.** (1) Section 92.5R11 of the Regulation is amended by replacing “paragraph d” by “paragraph e”.

(2) Subsection 1 has effect from 4 March 2009.

**6.** (1) Section 92.11R17 of the Regulation is amended by replacing paragraph *d* by the following:

“(d) each holder of which is an annuitant under the contract who, throughout the year, dealt at arm’s length with the issuer of the contract and who is, as the case may be,

i. an individual other than a trust,

ii. a trust described in subparagraph *a* of the first paragraph of section 653 of the Act and in the second paragraph of that section,

iii. a qualified disability trust, within the meaning of the first paragraph of section 768.2 of the Act, for the taxation year in which the annuity is issued, or

iv. in the case where the annuity is issued before 1 January 2016, a testamentary trust at the time the annuity is issued;”.

(2) Subsection 1 applies from the taxation year 2016.

**7.** (1) Section 92.11R18 of the Regulation is amended

(1) by replacing “paragraph *c*” in subparagraph *i* of paragraph *b* by “subparagraph *c*”;

(2) by replacing “in paragraphs *c* and *d*” in subparagraph 1 of subparagraph *ii* of paragraph *b* by “in this section”;

(3) by replacing subparagraphs 3 and 4 of subparagraph *ii* of paragraph *b* by the following:

“(3) a qualified disability trust, for the life of an individual who is an electing beneficiary of the trust for the taxation year in which the annuity is issued,

“(4) a trust, other than a qualified disability trust or a spouse trust, where the annuity is issued before 24 October 2012, for the life of an individual who is entitled to receive income from the trust, or”;

(4) by adding the following subparagraph at the end of subparagraph *ii* of paragraph *b*:

“(5) a trust, other than a qualified disability trust or a spouse trust, where the annuity is issued after 23 October 2012, for the life of an individual who is entitled when the

contract was first held to receive all of the income of the trust that is an amount received by the trust on or before the death of the individual as an annuity payment;”;

(5) by replacing paragraphs *c* and *d* by the following:

“(c) where the period during which the annuity payments are to be made is of a guaranteed or fixed duration, the period so guaranteed or fixed cannot exceed 91 years minus the age, when the contract was first held, in whole years of the following individual:

i. where the holder is not a trust, the individual who is,

(1) in the case of a joint and last survivor annuity, the younger of the first holder and the survivor,

(2) in the case of a contract that is held jointly, the younger of the first holders, and

(3) in any other case, the first holder,

ii. where the holder is a spouse trust, the individual who is,

(1) in the case of a joint and last survivor annuity held by a joint spousal trust, the younger of the beneficiaries under the trust who are in combination entitled to receive all of the income of the trust that arose before the later of their deaths, and

(2) in the case of an annuity that is not a joint and last survivor annuity, the individual who is entitled to receive all of the income of the trust that arose before the individual’s death,

iii. where the holder is a qualified disability trust, an individual who is an electing beneficiary of the trust for the taxation year in which the annuity is issued, and

iv. where the holder is a trust, other than a qualified disability trust or a spouse trust, and the annuity is issued before 1 January 2016, the individual who was the youngest of the beneficiaries under the trust when the contract was first held;

“(d) no loan exists under the contract and the holder’s rights under the contract may be disposed of only,

i. where the holder is an individual, on the holder’s death,

ii. where the holder is a spouse trust, other than a joint spousal trust, on the death of the spouse who is entitled to receive all of the income of the trust that arose before the spouse’s death,



iii. where the holder is a spouse trust that is a joint spousal trust, on the later of the deaths of the beneficiaries under the trust who are in combination entitled to receive all of the income of the trust that arose before the later of their deaths, and

iv. where the holder is a testamentary trust other than a spouse trust, and the contract was first held after 31 October 2011, on the earlier of the time at which the trust ceases to be a testamentary trust and the death of the individual referred to in subparagraph ii of subparagraph *b* or, as the case may be, subparagraph iii or iv of subparagraph *c*, in respect of the trust; and”;

(6) by adding the following paragraph at the end:

“For the purposes of the first paragraph, “electing beneficiary” and “qualified disability trust” have the meaning assigned by the first paragraph of section 768.2 of the Act.”.

(2) Subsection 1 applies from the taxation year 2016.

**8.** (1) The Regulation is amended by inserting the following after section 127.12R1:

“**127.17R1.** For the purposes of section 127.17 of the Act, the rate of interest prescribed, for any particular period, is the rate that corresponds to the rate that would be determined, for that period, under paragraph *a* of section 4301 of the Income Tax Regulations made under the Income Tax Act (Revised Statutes of Canada, 1985, chapter 1, 5th Supplement) if the reference in subparagraph i of that paragraph to “the next higher whole percentage where the mean is not a whole percentage” were read as “two decimal points”.”.

(2) Subsection 1 has effect from 29 March 2012.

**9.** Section 130R5 of the Regulation is amended in the French text by replacing the definition of “mine de minéral industriel” by the following:

“«mine de minéral industriel» comprend une tourbière ou un gisement de tourbe mais ne comprend pas une ressource minérale;”.

**10.** (1) Section 133.2.1R1 of the Regulation is amended by replacing paragraphs *a* and *b* by the following:

“(a) the product obtained by multiplying \$0.55 by the number of those kilometres, up to and including 5,000;

“(b) the product obtained by multiplying \$0.49 by the number of those kilometres in excess of 5,000; and”.

(2) Subsection 1 applies in respect of kilometres travelled after 31 December 2017.

**11.** (1) Section 192R1 of the Regulation is amended by adding the following paragraph at the end:

“(k) Project Deliver II Ltd.”.

(2) Subsection 1 has effect from 16 July 2018.

**12.** (1) Section 339R1 of the Regulation is replaced by the following:

“**339R1.** For the purposes of paragraphs *d.0.2* to *d.0.4* of section 339 of the Act, subsection 5 of section 41 of the Canadian Forces Superannuation Act (Revised Statutes of Canada, 1985, chapter C-17), subsection 7 of section 39 and subsection 8 of section 42 of the Public Service Superannuation Act (Revised Statutes of Canada, 1985, chapter P-36) and subsection 6 of section 24 of the Royal Canadian Mounted Police Superannuation Act (Revised Statutes of Canada, 1985, chapter R-11) are prescribed legislative provisions.”.

(2) Subsection 1 applies in respect of repayments made after 31 March 2007.

**13.** Section 359.1R7 of the Regulation is replaced by the following:

“**359.1R7.** For the purposes of the first paragraph of section 359.1 of the Act, a share that may be the subject of an SME growth stock plan described in section 965.56 of the Act is a prescribed share.”.

**14.** Section 360R61 of the Regulation is amended by replacing “fiscal year” in subparagraph 2 of subparagraph ii of paragraph *f* by “fiscal period”.

**15.** (1) Section 451R1 of the Regulation is replaced by the following:

“**451R1.** For the purposes of subparagraphs *a.2* and *h* of the first paragraph of section 451 of the Act, a prescribed forest management plan in respect of a woodlot of a taxpayer is a plan referred to in section 444R1.”.

(2) Subsection 1 has effect from 1 January 2014.

**16.** (1) The Regulation is amended by inserting the following after section 487.0.2R4:

“**487.0.2R5.** In the first paragraph of section 487.0.2 of the Act, for a year after the year 2013, a drought region or a region of flood or excessive moisture means a region listed



in section 7305.01 of the Income Tax Regulations made under the Income Tax Act (Revised Statutes of Canada, 1985, chapter 1, 5th Supplement).

“**487.0.2.1R1.** In the first paragraph of section 487.0.2.1 of the Act, a drought region or a region of flood or excessive moisture means a region listed in section 7305.01 of the Income Tax Regulations made under the Income Tax Act (Revised Statutes of Canada, 1985, chapter 1, 5th Supplement).”.

(2) Subsection 1 has effect from 1 January 2014.

**17.** (1) Section 578.2R1 of the Regulation is amended by adding the following paragraph at the end:

“(j) the distribution of common shares of South32 Limited on 24 May 2015 by BHP Billiton Limited to its common shareholders.”.

(2) Subsection 1 has effect from 14 December 2017.

**18.** (1) Section 583R1 of the Regulation is amended by replacing subparagraph ii of subparagraph *b* of the first paragraph by the following:

“ii. in any other case, to 1.9”.

(2) Subsection 1 applies from the taxation year 2016.

**19.** Section 589.2R1 of the Regulation is revoked.

**20.** (1) Sections 736.1R1 and 736.2R1 of the Regulation are revoked.

(2) Subsection 1 applies to taxation years that begin after 31 October 2011.

**21.** Section 752.0.7.4R1 of the Regulation is revoked.

**22.** (1) The heading of Division II of Chapter III of Title XXVII of the Regulation is replaced by the following:

“BANKS AND FEDERAL CREDIT UNIONS”.

(2) Subsection 1 has effect from 16 September 2016.

**23.** (1) Section 771R25 of the Regulation is replaced by the following:

“**771R25.** The proportion that the business carried on in Québec is of the aggregate of that carried on in Québec and elsewhere by a bank or a federal credit union is one-third of the aggregate of

(a) the proportion that the salaries and wages paid by the bank or the federal credit union, as the case may be, to employees of its establishment in Québec is of the aggregate of all salaries and wages paid by the bank or the federal credit union; and

(b) twice the proportion that the loans and deposits attributable to the establishment in Québec of the bank or the federal credit union, as the case may be, is of the aggregate of all loans and deposits.”.

(2) Subsection 1 has effect from 16 September 2016.

**24.** (1) Section 771R26 of the Regulation is amended by replacing the first paragraph by the following:

“For the purposes of this division, the following rules apply:

(a) the amount of loans is one-twelfth of the aggregate of the amounts outstanding, on the loans granted by the bank or the federal credit union, as the case may be, at the close of business on the last day of each month in the year; and

(b) the amount of deposits is one-twelfth of the aggregate of the amounts on deposit with the bank or the federal credit union, as the case may be, at the close of business on the last day of each month in the year.”.

(2) Subsection 1 has effect from 16 September 2016.

**25.** Chapter VII of Title XXXV of the Regulation, comprising sections 965.2R1 to 965.20.1R1, is revoked.

**26.** (1) Section 1015R1 of the Regulation is amended

(1) by replacing the definition of “tax credit for experienced workers” by the following:

““tax credit for experienced workers” in respect of a taxation year means the product obtained by multiplying 100/15 by the amount that may be deducted in computing the employee’s income otherwise payable for the year under section 752.0.10.0.3 of the Act, according to the information indicated in the employee’s last return referred to in section 1015.3 of the Act furnished by the employee to the employer.”;

(2) by replacing the portion of the definition of “personal tax credits” before paragraph *a* by the following:

““personal tax credits” in respect of a taxation year means the product obtained by multiplying 100/15”;

(3) by replacing subparagraph ii of paragraph *b* of the definition of “personal tax credits” by the following:

“ii. would be entitled to deduct from the employee’s tax otherwise payable for the year under section 776.41.5 of the Act if subparagraphs *a* and *b* of the second paragraph of that section were read as follows:

“(a) A is

i. if the eligible spouse of the individual for the taxation year has not received any amount in the year that is an income replacement indemnity, or a compensation for the loss of financial support, determined under a public compensation plan and established on the basis of net income following an accident, employment injury, bodily injury or death or in order to prevent bodily injury, other than such an amount described in subparagraph *b* or *c* of the second paragraph of section 752.0.0.3, the amount obtained when the amount used for the year pursuant to the second and third paragraphs of section 1015.3 of the Act is multiplied by the percentage determined under section 750.1 of the Act for the year, and

ii. in all other cases, nil; and

“(b) B is the tax otherwise payable of the individual’s eligible spouse for the taxation year, computed without reference to the deductions provided for in this Book.”;

(2) Subsection 1 applies from the taxation year 2018.

(3) In addition, where the definition of “personal tax credits” in section 1015R1 of the Regulation applies to the taxation year 2017, subparagraphs i to iv of paragraph *b* of that definition are to be read as follows:

“i. would be entitled to deduct from the employee’s tax otherwise payable for the year under section 752.0.0.1 of the Act if the amount deductible under that section were equal to the amount obtained when \$11,635 is multiplied by 20%,

“ii. would be entitled to deduct from the employee’s tax otherwise payable for the year under section 776.41.5 of the Act if the amount determined according to the formula in the first paragraph of that section were replaced by the amount obtained when \$11,635 is multiplied by 20%,

“iii. would be entitled to deduct from the employee’s tax otherwise payable for the year under sections 752.0.1 and 752.0.7.1 to 752.0.8 of the Act, if

(1) the amounts of “\$2,861” and “\$4,168” in section 752.0.1 were replaced respectively by “\$2,145” and “\$3,125”,

(2) the rates of “18.75%” and “125%” and the amounts of “\$1,707”, “\$2,107”, “\$2,782” and “\$3,132” in section 752.0.7.4 were replaced respectively by “15%”, “100%”, “\$1,365”, “\$1,685”, “\$2,225” and “\$2,505”, and

(3) the percentage determined in section 750.1 for the year were equal to 20%, and

“iv. would be entitled to deduct from the employee’s tax otherwise payable for the year under section 752.0.14 of the Act if the amount deductible under that section were equal to the amount obtained when \$2,645 is multiplied by 20% and that section were read without reference to subparagraph *d* of its first paragraph;”.

**27.** (1) Section 1015R19 of the Regulation is amended by replacing “16%” in the first paragraph by “15%”.

(2) Subsection 1 applies in respect of payments made after 31 December 2017.

**28.** (1) Section 1015R21 of the Regulation is amended by replacing “16%” in the first paragraph by “15%”.

(2) Subsection 1 applies in respect of payments made after 31 December 2017.

**29.** (1) Section 1015R23 of the Regulation is amended by replacing “16%” by “15%”.

(2) Subsection 1 applies in respect of payments made after 31 December 2017.

**30.** (1) Section 1015R23.2 of the Regulation is amended by replacing “16%” in the formula in the first paragraph by “15%”.

(2) Subsection 1 applies in respect of payments made after 31 December 2017.

**31.** (1) Section 1015R29 of the Regulation is amended by replacing “16%” by “15%”.

(2) Subsection 1 applies in respect of remuneration paid after 31 December 2017.

**32.** Section 1079.1R2 of the Regulation is amended by striking out subparagraph *a* of the second paragraph.

**33.** Section 1086R17 of the Regulation is revoked.

**34.** (1) The Regulation is amended by inserting the following after section 1086R57:

“**1086R57.0.1.** Every person required to file, for a taxation year, one or more particular information returns in respect of a person under section 1086R57 may send

to the person an information return in prescribed form, instead of each copy of the part of the return concerning the person, and that information return must be sent to the person in the manner set out in section 1086R70 within 90 days after the end of that taxation year.”

(2) Subsection 1 applies from the taxation year 2019.

**35.** (1) Section 1086R65 of the Regulation is replaced by the following:

“**1086R65.** The returns required under this Title, with the exception of the returns required by sections 1086R29, 1086R57.0.1 and 1086R87.1 and except as otherwise expressly provided, must be filed with the Minister on or before the last day of February of each year in respect of the preceding calendar year.”

(2) Subsection 1 applies from the taxation year 2019.

**36.** (1) Section 1086R70 of the Regulation is amended by replacing the first paragraph by the following:

“Every person required under this Title to file an information return, other than the information returns required by sections 1086R16, 1086R52 and 1086R88, must, subject to the second paragraph and sections 1086R57.0.1 and 1086R87.1, send to each person in respect of whom the return is filed a copy of the part of the return concerning the person; the copy of the return must be sent to the person at the person’s last known address or delivered personally to the person, on or before the day on which the return is to be filed with the Minister.”

(2) Subsection 1 applies from the taxation year 2019.

**37.** (1) Section 1088R4 of the Regulation is replaced by the following:

“**1088R4.** In the case of an individual referred to in any of sections 726.33, 726.35 and 726.43 of the Act, the individual’s portion of income for a taxation year from a business that is attributable to an establishment in Québec, that is otherwise determined under this Title, must be increased by the amount included in computing the individual’s taxable income for the year under section 726.35 or 726.43 of the Act, as the case may be, and reduced by the amount deducted in computing the individual’s taxable income for the year under section 726.33 of the Act.”

(2) Subsection 1 applies to taxation years that end after 17 March 2016.

**38.** (1) Section 1088R16 of the Regulation is amended by replacing the second paragraph by the following:

“For the purposes of the first paragraph, the income for a taxation year of an individual is the amount by which the aggregate of the individual’s income, computed without reference to section 1029.8.50 of the Act, that would be determined for the year under section 28 of the Act, had the individual been resident in Québec on the last day of the taxation year, and the amount included in computing the individual’s taxable income for the year under section 726.35 or 726.43 of the Act, exceeds any amount deducted in computing the individual’s taxable income for the year under any of sections 726.20.2, 726.33, 737.14, 737.16, 737.16.1, 737.18.10, 737.18.34, 737.21, 737.22.0.0.3, 737.22.0.0.7, 737.22.0.3, 737.22.0.7, 737.25 and 737.28 of the Act.”

(2) Subsection 1 applies to taxation years that end after 17 March 2016.

**39.** Class 43.2 in Schedule B to the Regulation is amended by replacing “2020” in the portion before paragraph *a* by “2025”.

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

## Regulation to amend the Regulation respecting the participation of Indians in the Québec Pension Plan

An Act respecting the Québec Pension Plan  
(chapter R-9, s. 81, par. *a* and s. 82.1)

**1.** (1) Section 4 of the Regulation respecting the participation of Indians in the Québec Pension Plan (chapter R-9, r. 4) is amended by replacing the first paragraph by the following:

“If, in a year, a worker who is an Indian performs employment in Québec that is excepted employment solely because of paragraph *j* of section 3 of the Act, in respect of which the employer has not made the election in paragraph *b* of section 2, the amount to which subparagraph *a* of the second paragraph of section 55 of the Act and the portion of the first paragraph of section 55.2 of the Act before its subparagraph *a* refer is equal to the amount that the worker’s pensionable salary and wages for the year would be if the employment were pensionable employment and no other pensionable employment had been performed by the worker during the year to the extent that, during the year, the worker is resident in Québec pursuant to section 8 of the Act or is deemed to be employed in Québec under the Taxation Act (chapter I-3).”

(2) Subsection 1 has effect from 22 February 2018.

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

## Regulation to amend the Regulation respecting the Québec sales tax

An Act respecting the Québec sales tax (chapter T-0.1, s. 677)

**1.** Section 350.55R1 of the Regulation respecting the Québec sales tax (chapter T-0.1, r. 2) is replaced by the following:

“**350.55R1.** For the purposes of section 350.55 of the Act, the prescribed manner for a registrant to notify the Minister that a new seal has been affixed is to notify, by telephone, an employee at Revenu Québec as instructed on the Revenu Québec website.”

**2.** Section 350.56.1R3 of the Regulation is replaced by the following:

“**350.56.1R3.** For a registrant, the prescribed manner of notifying the Minister when a device referred to in sections 350.52 and 350.52.1 of the Act has been deactivated, reactivated or initialized is to notify, by telephone, an employee at Revenu Québec as instructed on the Revenu Québec website.”

**3.** (1) Schedule II to the Regulation is amended

(1) by inserting “Sections 297.0.2.1 to 297.0.2.5 of the Act” after “Sections 297.0.1 and 297.0.2 of the Act”;

(2) by replacing “Sections 317.1 to 317.3 of the Act” by “Sections 317.1 and 317.2 of the Act”;

(3) by replacing “Sections 334 to 337 of the Act” by “Sections 334 to 335.2 of the Act”.

(2) Paragraph 1 of subsection 1 has effect from 1 January 2013.

**4.** (1) Schedule III to the Regulation is amended

(1) by striking out “Agence métropolitaine de transport”;

(2) by inserting, in alphabetical order, “Conseil de gestion du Fonds vert”, “Société du Plan Nord” and “Transition énergétique Québec”.

(2) Paragraph 1 of subsection 1 has effect from 1 June 2017.

(3) Paragraph 2 of subsection 1 has effect from

(1) 23 March 2017, where it inserts “Conseil de gestion du Fonds vert” in Schedule III to the Regulation;

(2) 1 April 2015, where it inserts “Société du Plan Nord” in Schedule III to the Regulation;

(3) 9 January 2017, where it inserts “Transition énergétique Québec” in Schedule III to the Regulation.

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

103838

Gouvernement du Québec

**O.C. 119-2019, 13 February 2019**

Professional Code  
(chapter C-26)

## Pre-hospital emergency services and care — Professional activities that may be engaged in within the framework of pre-hospital emergency services and care — Amendment

Regulation to amend the Regulation respecting the professional activities that may be engaged in within the framework of pre-hospital emergency services and care

WHEREAS, under subparagraph *h* of the first paragraph of section 94 of the Professional Code (chapter C-26), the board of directors of a professional order may, by regulation, determine, among the professional activities that may be engaged in by members of the order, those that may be engaged in by the persons or categories of persons indicated in the regulation, and the terms and conditions on which such persons may engage in such activities;

WHEREAS, in accordance with subparagraph *h* of the first paragraph of section 94 of the Code, the board of directors of the Collège des médecins du Québec consulted the Ordre des infirmières et infirmiers du Québec, the Ordre des infirmières et infirmiers auxiliaires du Québec, the Ordre professionnel des inhalothérapeutes du Québec, the Ordre des pharmaciens du Québec, the Ordre professionnel des technologistes médicaux du Québec and the Ordre des technologues en imagerie médicale, en radio-oncologie et en électrophysiologie médicale du Québec before making, on 20 October 2017, the Regulation to amend the Regulation respecting the professional activities that may be engaged in within the framework of pre-hospital emergency services and care;

WHEREAS, pursuant to section 95 of the Professional Code and subject to sections 95.0.1 and 95.2 of the Code, every regulation made by the board of directors of a professional order under the Code or an Act constituting a professional order must be transmitted to the Office des professions du Québec for examination and be submitted, with the recommendation of the Office, to the Government which may approve it with or without amendment;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), the draft of the Regulation to amend the Regulation respecting the professional activities that may be engaged in within the framework of pre-hospital emergency services and care was published in Part 2 of the *Gazette officielle du Québec* of 7 March 2018 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS, in accordance with section 95 of the Professional Code, the Office examined the Regulation on 14 September 2018 and then submitted it to the Government with its recommendation;

WHEREAS it is expedient to approve the Regulation with amendments;

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

THAT the Regulation to amend the Regulation respecting the professional activities that may be engaged in within the framework of pre-hospital emergency services and care, attached to this Order in Council, be approved.

YVES OUELLET,  
*Clerk of the Conseil exécutif*

### **Regulation to amend the Regulation respecting the professional activities that may be engaged in within the framework of pre-hospital emergency services and care**

Professional Code  
(chapter C-26, s. 94, 1st par., subpar. h)

**1.** The Regulation respecting the professional activities that may be engaged in within the framework of pre-hospital emergency services and care (chapter M-9, r. 2.1) is amended by inserting the following after section 1:

“**1.1.** The professional activities determined in Divisions II to V are engaged in under the clinical intervention protocols determined and approved, after

consultation with the Collège des médecins du Québec, by the Minister of Health and Social Services, in accordance with the third paragraph of section 3 of the Act respecting pre-hospital emergency services (chapter S-6.2).

#### **DIVISION 1.1**

##### **FIRST PERSON ON THE SCENE”.**

**2.** Section 6 is replaced by the following:

“**6.** Any police officer employed by a police force and holding a valid certificate issued by the police force indicating that the police officer has successfully completed training in particular in basic life support, in techniques of wound packing using hemostatic gauze and tourniquet may perform wound packing using hemostatic gauze.”.

**3.** Section 7 is amended

(1) by replacing “with an auto-injector device” in subparagraph 2 of the first paragraph by “via subcutaneous or intramuscular route”;

(2) by adding the following at the end of the first paragraph:

“(7) perform wound packing using hemostatic gauze.”.

**4.** Section 9 is amended by adding the following at the end:

“(9) irrigate and maintain or stop the prescribed flow rate of an intravenous infusion not containing medication;

(10) adjust the flow rate of an intravenous infusion not containing medication, further to an individual prescription;

(11) remove a peripheral intravenous catheter;

(12) perform a laryngoscopy of a person whose respiratory tract is obstructed by a foreign body and proceed to withdraw it;

(13) remove or reinstall the inner cannula tube of tracheostomy;

(14) perform the irrigation, draining or removal

(a) of a free-draining urinary catheter;

(b) of a free-draining nasogastric tube;

(15) perform the draining of an intestinal ostomy.”.



**5.** Section 12 is amended

(1) by striking out subparagraph 3 of the first paragraph;

(2) by adding the following at the end of the first paragraph:

“(5) introduce an intravenous solution via intraosseous route and administer, via that route, the required substances or medications;

(6) perform an emergency electric cardioversion;

(7) apply external cardiac stimulation.”.

**6.** Section 13 is amended

(1) by striking out subparagraph 1 of the first paragraph;

(2) by striking out subparagraphs *b* and *c* of subparagraph 2 of the first paragraph.

**7.** The heading of Division V is replaced by “OTHER AUTHORIZED PERSONS”.

**8.** The following is inserted after section 16:

“**16.1.** A person who has to serve a training period for the purposes of assessment of qualifications pursuant to subparagraph 3 of section 13 of the Regulation respecting the conditions for the registration of an ambulance technician in the national workforce registry (chapter S-6.2, r. 1) may, under the supervision of a training supervisor chosen by the regional authority in charge, engage in the professional activities determined in sections 9, 12 and 13, insofar as they are required for the purposes of the assessment.”.

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

103839

**M.O., 2019****Order number AM 2019-001 of the Minister of Forests, Wildlife and Parks dated 15 February 2019**

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

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

THE MINISTER OF FORESTS, WILDLIFE AND PARKS,

CONSIDERING subparagraph 4 of the first paragraph of section 163 of the Act respecting the conservation and development of wildlife (chapter C-61.1), which provides that the Minister may make regulations setting the fees or maximum fees payable for the issue, replacement, renewal or transfer of a licence, certificate, authorization or lease, as well as the fees or maximum fees payable for late payments or for administrative services involved in the processing of applications;

CONSIDERING the making of the Regulation respecting the scale of fees and duties related to the development of wildlife (chapter C-61.1, r. 32);

CONSIDERING that, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting the scale of fees and duties related to the development of wildlife was published in Part 2 of the *Gazette officielle du Québec* of 26 Decembre 2018 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 without amendment;

ORDERS AS FOLLOWS:

The Regulation to amend the Regulation respecting the scale of fees and duties related to the development of wildlife, attached hereto, is hereby made.

Québec, on 15 February 2019

PIERRE DUFOUR,  
*Minister of Forests,  
Wildlife and Parks*

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## **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  
(chapter C-61.1, s. 163, 1st par., subpar. 4)

**1.** The Regulation respecting the scale of fees and duties related to the development of wildlife (chapter C-61.1, r. 32) is amended in subparagraph *b* of paragraph 1 of section 4.1 by replacing “\$23.81” by “\$16.68”.

**2.** Section 7 of Schedule I is amended by replacing, with respect to residents, “\$19.44” by “\$16.07”.

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

103845

## **M.O., 2019**

### **Order number 2019-002 of The Minister of Health and Social Services dated 5 February 2019**

Tobacco Control Act  
(chapter L-6.2)

Regulation to amend the Regulation respecting the warning attributed to the Minister of Health and Social Services concerning the harmful effects of tobacco on health

THE MINISTER OF HEALTH AND SOCIAL SERVICES,

CONSIDERING section 25.1 of the Tobacco Control Act (chapter L-6.2), which provides that the Minister may, by regulation, determine the wording of, and standards applicable to, the warning attributed to the Minister concerning the harmful effects of tobacco on health;

CONSIDERING that the Regulation respecting the warning attributed to the Minister of Health and Social Services concerning the harmful effects of tobacco on health (chapter L-6.2, r. 2) was made;

CONSIDERING that it is expedient to amend the Regulation;

CONSIDERING that, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting the warning attributed to the Minister of Health and Social

Services concerning the harmful effects of tobacco on health was published in Part 2 of the *Gazette officielle du Québec* of 21 November 2018 with a notice that it could be made by the Minister on the expiry of 45 days following that publication;

CONSIDERING that it is expedient to make the Regulation to amend the Regulation respecting the warning attributed to the Minister of Health and Social Services concerning the harmful effects of tobacco on health without amendment;

#### **ORDERS AS FOLLOWS:**

The Regulation to amend the Regulation respecting the warning attributed to the Minister of Health and Social Services concerning the harmful effects of tobacco on health, attached as a Schedule, is hereby made.

DANIELLE MCCANN,  
*Minister of Health and  
Social Services*

## **Regulation to amend the Regulation respecting the warning attributed to the Minister of Health and Social Services concerning the harmful effects of tobacco on health**

Tobacco Control Act  
(chapter L-6.2, s. 25.1)

**1.** The Regulation respecting the warning attributed to the Minister of Health and Social Services concerning the harmful effects of tobacco on health (chapter L-6.2, r. 2) is amended in section 1 by replacing “2” in the second paragraph by “3”.

**2.** Section 2 is amended by replacing the second paragraph by the following:

“The format of the warning determined pursuant to the first paragraph must be Type A, except if the advertisement concerns electronic cigarettes or any other devices of that nature, including their components and accessories, and a product considered to be tobacco under section 1 of the Regulation under the Tobacco Control Act (chapter L-6.2, r. 1), in which case, the format of the warning must be respectively Type B and Type C.”.

**3.** The Schedule is replaced by the following:

## “ SCHEDULE

## WARNING IN FORMAT 1

## Type A



## Type B



## Type C



## WARNING IN FORMAT 2

## Type A

**LE TABAC  
CAUSE  
LE TIERS  
DES CANCERS**

[jarrete.qc.ca](http://jarrete.qc.ca)

Le ministre de la Santé et des Services sociaux

**Québec** 

**TOBACCO  
CAUSES  
ONE-THIRD OF  
ALL CANCERS**

[jarrete.qc.ca](http://jarrete.qc.ca)

Le ministre de la Santé et des Services sociaux

**Québec** 

## Type B

**PLUSIEURS DE CES  
PRODUITS CONTIENNENT  
DE LA NICOTINE.**

La nicotine crée une dépendance  
et son usage est risqué pour la  
santé des enfants, des adolescents,  
des femmes enceintes et des fœtus.

[jarrete.qc.ca](http://jarrete.qc.ca)

Le ministre de la Santé et des Services sociaux

**Québec** 

**MANY OF THESE  
PRODUCTS CONTAIN  
NICOTINE.**

Nicotine is addictive and use may  
cause harm to children, youth,  
pregnant women and fetus.

[jarrete.qc.ca](http://jarrete.qc.ca)

Le ministre de la Santé et des Services sociaux

**Québec** 

## Type C



WARNING IN FORMAT 3

Type A

**LE TABAC TUE  
10 000 PERSONNES  
PAR ANNÉE  
AU QUÉBEC**

**jarrete.qc.ca**

Le ministre de la santé et des services sociaux

Québec 

**TOBACCO KILLS  
10,000 QUEBECERS  
EVERY YEAR**

**jarrete.qc.ca**

Le ministre de la santé et des services sociaux

Québec 

## Type B

**PLUSIEURS DE CES  
PRODUITS CONTIENNENT  
DE LA NICOTINE.**

La nicotine crée une dépendance  
et son usage est risqué pour la santé  
des enfants, des adolescents,  
des femmes enceintes et des fœtus.

**jarrete.qc.ca**

Le ministre de la santé et des services sociaux

**Québec** 

**MANY OF THESE  
PRODUCTS CONTAIN  
NICOTINE.**

Nicotine is addictive and use  
may cause harm to children,  
youth, pregnant women  
and fetus.

**jarrete.qc.ca**

Le ministre de la santé et des services sociaux

**Québec** 



## Type C



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



## Draft Regulations

### Draft Regulation

Highway Safety Code  
(chapter C-24.2)

An Act to ensure safety in guided land transport  
(chapter S-3.3)

An Act respecting off-highway vehicles  
(chapter V-1.2)

#### Exceptions to the prohibitions related to drug consumption and amending other regulatory provisions

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting exceptions to the prohibitions related to drug consumption and amending other regulatory provisions, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation mainly limits the scope of the prohibitions related to drug consumption.

For the purposes of the application of the Highway Safety Code (chapter C-24.2) and the Act respecting off-highway vehicles (chapter V-1.2), the provisions proposed ensure that the prohibition against the consumption of cannabis or any other drug does not affect the ability of drivers or passengers to continue using the medication required by their state of health, whether that medication is over-the-counter or prescribed by a professional authorized to do so. It also makes certain clarifications regarding the consumption of medical cannabis. Along with those provisions, the Highway Safety Code provides for measures aimed at dissuading people from driving while their ability to do so is impaired.

The draft Regulation also adjusts the wording of the Regulation respecting rail safety (chapter S-3.3, r. 2) so that cannabis remains one of the drugs referred to in section 13 of that Regulation. That section provides that no person may perform the duties of a job essential for rail safety if the person is under the influence of alcohol or narcotics. The legalization of cannabis by the Government of Canada resulting in changes to the scope of the provisions related to narcotics, it appears necessary to adjust the wording of section 13 to ensure that the various types of drugs, including cannabis, continue to be included.

Further information may be obtained by contacting Stéphane Martinez, Director, Direction des politiques de sécurité, 700, boulevard René-Lévesque Est, Québec (Québec) G1R 5H1; telephone: 418 643-3074; email: stephane.martinez@transports.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Stéphane Martinez, Director, Direction des politiques de sécurité, 700, boulevard René-Lévesque Est, Québec (Québec) G1R 5H1; telephone: 418 643-3074; email: stephane.martinez@transports.gouv.qc.ca.

FRANÇOIS BONNARDEL,  
*Minister of Transport*

### Regulation respecting exceptions to the prohibitions related to drug consumption and amending other regulatory provisions

Highway Safety Code  
(chapter C-24.2, ss. 443 and 489)

An Act to ensure safety in guided land transport  
(chapter S-3.3, s. 50, 2nd par., subpar. 9)

An Act respecting off-highway vehicles  
(chapter V-1.2, s. 24 and s. 46, 1st par., subpar. 13; 2018, chapter 19, s. 65)

#### REGULATION RESPECTING EXCEPTIONS TO THE PROHIBITIONS RELATED TO DRUG CONSUMPTION

##### DIVISION I INTERPRETATION

**1.** For the purposes of this Regulation, a reference to “to smoke” and “smoking” also applies to the use of a pipe, a bong, an electronic cigarette or any other device of that nature.

##### DIVISION II EXCEPTIONS FOR OCCUPANTS OF A ROAD VEHICLE

**2.** The occupant of a road vehicle who uses over-the-counter medication or medication prescribed by a professional authorized to do so is not subject to the prohibition on consuming a drug provided for in section 443 of the Highway Safety Code (chapter C-24.2).

With regard to cannabis prescribed for medical purposes, the exception provided for in the first paragraph applies only if the cannabis is not smoked and the occupant concerned is neither the driver nor a person having the care or control of a vehicle.

### **DIVISION III**

#### **EXCEPTION FOR CYCLISTS**

**3.** A cyclist who uses over-the-counter medication or medication, other than cannabis, prescribed by a professional authorized to do so is not subject to the prohibition on consuming a drug provided for in section 489 of the Highway Safety Code.

### **AMENDING**

#### **REGULATION RESPECTING RAIL SAFETY**

**4.** The Regulation respecting rail safety (chapter S-3.3, r. 2) is amended in section 13 by replacing “is under the influence of alcohol or narcotics” in both paragraphs by “is under the influence of alcohol, cannabis or any other drug”.

#### **REGULATION RESPECTING OFF-HIGHWAY VEHICLES**

**5.** The Regulation respecting off-highway vehicles (chapter V-1.2, r. 5) is amended by inserting the following in Division 2.1, before section 11.1:

“**11.01.** An occupant who uses over-the-counter medication or medication prescribed by a professional authorized to do so is not subject to the prohibition on consuming a drug provided for in section 24 of the Act.

With regard to cannabis prescribed for medical purposes, the exception provided for in the first paragraph applies only if the cannabis is not smoked and the occupant concerned is neither the driver nor a person having the care or control of an off-highway vehicle.

For the purposes of this Regulation, a reference to “to smoke” and “smoking” also applies to the use of a pipe, a bong, an electronic cigarette or any other device of that nature.”.

#### **REGULATION RESPECTING ALL-TERRAIN VEHICLES**

**6.** The Regulation respecting all-terrain vehicles (chapter V-1.2, r. 6) is amended by revoking section 14.

### **FINAL**

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

103843

### **Draft Regulation**

Financial Administration Act  
(chapter A-6.001)

#### **Financial commitments made by a body — Amendment**

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting financial commitments made by a body, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation amends the Regulation respecting financial commitments made by a body (chapter A-6.001, r. 4) by adding acts creating usufruct and dismemberments of the right of ownership as contracts under which the financial commitments made by a body covered by the Regulation are subject to authorizations by the Minister.

The amendments provided for in the draft Regulation have no impact on the public or on enterprises.

Further information may be obtained by contacting Julie Simard, Coordinator – Documentation financière et conformité, Ministère des Finances, 12, rue Saint-Louis, bureau 2.32, Québec (Québec) G1R 5L3; telephone: 418 643-8887; email: julie.simard@finances.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Finance, 12, rue Saint-Louis, Québec (Québec) G1R 5L3.

ERIC GIRARD,  
*Minister of Finance*

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## Regulation to amend the Regulation respecting financial commitments made by a body

Financial Administration Act  
(chapter A-6.001, s. 77.3)

**1.** The Regulation respecting financial commitments made by a body (chapter A-6.001, r. 4) is amended in section 1 by replacing subparagraph 1 of the first paragraph by the following:

“(1) an act constituting emphyteusis, usufruct or any other dismemberment of the right of ownership;”.

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

103841

## Draft Regulation

Civil Code of Québec  
(Civil Code)

An Act respecting registry offices  
(chapter B-9)

### Register of personal and movable real rights —Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting the register of personal and movable real rights, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation makes necessary amendments to allow presentation of the applications for registration in paper form in more than one form and printed on both sides, to make certain corrections and precisions and to change the business days and the hours of the registry offices' services.

The draft Regulation will have no significant impact on the public and on enterprises. The increase of the hours of the registry offices' services will have a positive impact on the public and on enterprises. Other amendments, such as the relaxation of the rules related to presentation of the applications for registration in paper form, may be considered as a reduction in paperwork.

Further information on the draft Regulation may be obtained by contacting Marilène Gallien, Direction des registres et de la certification, Ministère de la Justice, 1, rue Notre-Dame Est, 7<sup>e</sup> étage, bureau 7.35, Montréal (Québec) H2Y 1B6; telephone: 514 873-3000, extension 58034; fax: 514 864-9410; email: marilene.gallien@drc.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Marilène Gallien, at the abovementioned contact information.

SONIA LEBEL,  
*Minister of Justice*

## Regulation to amend the Regulation respecting the register of personal and movable real rights

Civil Code of Québec  
(Civil Code, art. 3024)

An Act respecting registry offices  
(chapter B-9, s. 5)

**1.** The Regulation respecting the register of personal and movable real rights (chapter CCQ, r. 8) is amended in section 15.7 by replacing “, withdrawn or deleted” in the second paragraph by “or withdrawn”.

**2.** Section 15.8 is amended by replacing “key pair holders” by “holders of key pairs that must be used to send applications for registration pursuant to this Regulation”.

**3.** Section 15.13 is amended by adding “That person shall generate his signing key pair within 15 days of receipt of the first part of the token and ensure the confidentiality thereof in the meantime.” at the end of the first paragraph.

**4.** Section 15.17 is amended by replacing “of unauthorized access to” in the second paragraph by “of usurpation of” in the second paragraph.

**5.** Section 15.18 is amended by striking out “, its deletion”.

**6.** Section 15.19 is amended by adding “The registrar shall then revoke the former signature verification certificate.” at the end of the third paragraph.

**7.** Section 15.21 is revoked.

**8.** Section 15.25 is amended by striking out “, the deletion of a certificate from a directory.”.

**9.** Section 15.26 is replaced by the following:

“**15.26.** The holder shall be notified of any correction, renewal, reactivation of a certificate following its suspension, withdrawal or revocation of a certificate. The holder shall also be notified of any refusal to issue a certificate and the grounds therefor.”.

**10.** Section 20 is amended by inserting “to allow registration in a descriptive file” after “form” in the first paragraph.

**11.** Section 23 is amended by striking out “shall be as prescribed in the Schedules to this Regulation and”.

**12.** Section 23.3 is replaced by the following:

“**23.3.** An application for registration in paper form shall be submitted on paper measuring 215 mm wide × 279 mm or 355 mm long (8 ½ in. x 11 in. or x 14 in.), and weighing at least 75 g/m<sup>2</sup> per ream.”.

**13.** Section 39 is amended by striking out “reduction or” in the second paragraph.

**14.** Section 43 is amended by striking out “, the fax number, if any,” in the third paragraph.

**15.** Section 44 is amended by replacing “, to have the address or name of the beneficiary of the registration changed or altered, or to have a fax number added, changed or altered” by “and to have the address or name of the beneficiary of the registration changed or altered”.

**16.** Section 44.1 is revoked.

**17.** Section 45 is amended by replacing “by means of a display screen” by “by means of any information technology device made available by the registrar”.

**18.** Section 46.1 is amended by replacing “by means of a display screen” by “by means of any information technology device”.

**19.** Section 49 is amended by replacing “microfilm or on a non-rewritable optical medium” by “a medium that protects them from being altered”.

**20.** Section 49.1 is amended by replacing “a non-rewritable optical medium in order to protect the data received, in particular against accidental alterations” in the second paragraph by “a medium that protects them from being altered”.

**21.** Section 49.2 is amended by replacing “microfilm or optical disks” by “media on which the documents were reproduced or the data transferred”.

**22.** Section 50 is amended by replacing “a magnetic or non-rewritable optical medium” by “a medium that protects them from being altered”.

**23.** Section 52 is replaced by the following:

“**52.** The office at which the register is kept shall be open every day, except the days referred to in the first paragraph of article 82 of the Code of Civil Procedure (chapter C-25.01), on 24 and 31 December and on any non-working day to which those days are postponed pursuant to the labour agreements of Government employees in force. The registrar shall publish the closing days of the office on its website.

Applications may be presented from 9:00 a.m. to 3:00 p.m.

The register may be examined at the registry office, assisted by an office attendant, from 8:30 a.m. to 4 p.m. or through a telephone intermediary from 8:30 a.m. to 4:30 p.m. However, on Wednesdays, those hours are respectively from 10:00 a.m. to 4 p.m. and from 10:00 a.m. to 4:30 p.m.”.

**24.** Section 52.1 is replaced by the following:

“**52.1.** Despite section 52, the register may be examined remotely by means of an information technology device made available by the registrar Monday to Friday from 7:30 a.m. to 11 p.m. and Saturday and Sunday from 7:30 to 5:00 p.m.”.

**25.** Section 52.2 is revoked.

**26.** Schedules I to XVII are revoked.

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

103842



## Draft Regulation

Sustainable Forest Development Act  
(chapter A-18.1)

### Forestry permits — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting forestry permits, appearing below, may be made by the Minister of Forests, Wildlife and Parks on the expiry of 45 days following this publication.

The draft Regulation mainly provides that the harvest, in the forests in the domain of the State, of Labrador tea for commercial purposes is a forest management activity for which a forestry permit is required. It determines the conditions for the issue, modification, renewal and review as well as the content of such a permit. It also sets the dues to be paid by a permit holder and the conditions related to the payment of dues.

Study of the matter shows that the draft Regulation will have an impact on enterprises marketing products derived from Labrador tea. The draft Regulation imposes requirements on enterprises, including the requirement to obtain a forestry permit for the harvest of that resource for commercial purposes. The draft Regulation also provides that information related to the forest management activity be sent to the Minister. The new standards will secure supplies for the marketing industry of Labrador tea and also ensure sustainable use of the resource.

Further information on the draft Regulation may be obtained by contacting Maxime Auger, Direction de la coordination opérationnelle, Ministère des Forêts, de la Faune et des Parcs, 5700, 4<sup>e</sup> Avenue Ouest, bureau A-434, Québec (Québec) G1H 6R1; telephone: 418 627-8656, extension 4573; email: maxime.auger@mffp.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Lucie Ste-Croix, Associate Deputy Minister for regional operations, Ministère des Forêts, de la Faune et des Parcs, 5700, 4<sup>e</sup> Avenue Ouest, bureau A-429, Québec (Québec) G1H 6R1.

PIERRE DUFOUR,  
*Minister of Forests,  
Wildlife and Parks*

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## Regulation to amend the Regulation respecting forestry permits

Sustainable Forest Development Act  
(chapter A-18.1, s. 73, 1<sup>st</sup> par., subpar. 8, s. 87,  
subpars. 1 to 2.1 and 4)

**1.** The Regulation respecting forestry permits (chapter A-18.1, r. 8.1) is amended by striking out “sworn” in subparagraph 3 of the second paragraph of section 26.

**2.** The following is amended by striking out

(1) “de l’identité” in subparagraphs 1 and 3 of the second paragraph of section 31 of the French text;

(2) “of the identity” in subparagraph 6 of the second paragraph of section 47.

**3.** The following is inserted before Chapter IV:

### “CHAPTER III.1

PROVISIONS RESPECTING THE FORESTRY  
PERMIT FOR THE HARVEST OF LABRADOR TEA  
FOR COMMERCIAL PURPOSES

### DIVISION I

CONDITIONS FOR ISSUE

**44.1.** An enterprise whose economic activities include marketing products derived from Labrador tea is eligible for the issue of a forestry permit for the harvest of that resource for commercial purposes.

**44.2.** A permit application must be made in writing to the Minister.

The application contains the following information, as applicable:

(1) in respect of the applicant, in the case of a natural person, the person’s name and contact information and, in the other cases, its name, the address of its seat and, if applicable, of its establishment in Québec as well as the name and contact information of the representative holding a mandate to make the application;

(2) in respect of the description of the forest management activity to be carried out, its nature, location, the area concerned, in hectares, the period planned to carry it out and the quantity of Labrador tea applied for;

(3) the proposed harvest methods;

(4) in respect of the person carrying out the work, if not carried out by the applicant, the information listed in subparagraph 1, as applicable, if it is known at the time of the application.

The Minister may require from the applicant an assessment approved by a forest engineer on the quantity of Labrador tea present in the territory covered by the application.

At the request of the Minister, the applicant must send a business plan that includes a description of the project and any other document showing that the applicant is able to operate an enterprise marketing products from that resource and has the financial resources or the financing necessary for carrying out the business plan.

**44.3.** The Minister may refuse to issue the permit if the applicant has already held a forestry permit issued to carry out a forest management activity listed in section 73 of the Act that was suspended, cancelled or refused at renewal except, in the latter case, for public utility purposes.

## **DIVISION II**

### **CONTENT OF PERMIT**

**44.4.** The permit contains at least the following information, as applicable:

- (1) in respect of the permit, its number and term;
- (2) in respect of the holder, in the case of a natural person, the person's name and contact information and, in the other cases, its name, the address of its seat and, if applicable, of its establishment in Québec as well as the name and contact information of its representative;
- (3) in respect of the description of the authorized forest management activity, its nature, location, the area concerned, in hectares, and the quantity of Labrador tea that the holder is authorized to harvest;
- (4) the conditions for the authorized forest management activity, including the authorized harvest methods.

## **DIVISION III**

### **DUES PAYABLE**

**44.5.** The dues payable by the holder of a forestry permit for the harvest of Labrador tea for commercial purposes are \$20 per green metric ton harvested.

**44.6.** The dues referred to in section 44.5 are adjusted and published in accordance with section 7 of this Regulation.

**44.7.** The dues are payable as of the billing date or according to the directions appearing on the permit.

## **“DIVISION IV**

### **ANNUAL REPORT**

**44.8.** The permit holder must prepare and submit to the Minister, at least 3 months before the permit expires, an annual report on the activities carried out.

The report must contain the following:

- (1) the quantity of Labrador tea harvested;
- (2) a description of the territory where the harvest was carried out, shown on a document containing GPS coordinates;
- (3) the other elements determined and defined in a manual prepared and kept up to date by the Minister in accordance with the second paragraph of section 66 of the Act.

## **DIVISION V**

### **CONDITIONS FOR MODIFICATION**

**44.9.** A forestry permit issued under this Chapter may be the subject of an application for modification in one of the following cases:

- (1) to modify the location of the forest management activity, insofar as the quantity of Labrador tea that the holder is authorized to harvest may not be entirely harvested at the location initially authorized in accordance with the authorized harvest methods;
- (2) to be authorized to harvest new quantities of Labrador tea.

The following conditions may be modified:

- (1) in respect of the authorized forest management activity, its location, the area concerned, in hectares, and the quantity of Labrador tea that the holder is authorized to harvest;
- (2) the conditions for the authorized forest management activity, including the authorized harvest methods.

**44.10.** An application for a permit modification must be made in writing to the Minister.

The application contains the following information, as applicable:

- (1) the permit number and the nature of the activity;
- (2) in respect of the applicant, in the case of a natural person, the person's name and contact information and, in the other cases, its name, the address of its seat and, if applicable, of its establishment in Québec as well as the name and contact information of the representative holding a mandate to make the application;
- (3) a description of the modifications applied for;
- (4) in respect of the person carrying out the work, if not carried out by the applicant and where the person is replaced, the information listed in subparagraph 2, as applicable, if it is known at the time of the application.

In the case of an application for modification in order to modify the location of the forest management activity, an assessment approved by a forest engineer on the quantity of Labrador tea present in the territory covered by the application must, if the Minister requires it, be attached to the application.

**44.11.** No modification may be authorized if the dues payable at the time of the application have not been paid by the permit holder.

## **DIVISION VI**

### **CONDITIONS FOR RENEWAL AND REVIEW**

**44.12.** A forestry permit issued under this Chapter may be the subject of an application for renewal if the following conditions are met:

- (1) the permit holder has
  - (a) paid the dues payable for the permit;
  - (b) complied with the conditions indicated on the permit, the standards applicable to the forest management activities and the provisions of the Act and its regulations; and
  - (c) harvested at least 50% of the total of the quantity of Labrador tea indicated on the permit for all its term;
- (2) the allowable harvest is sufficient.

**44.13.** An application for renewal of a permit must be made in writing to the Minister.

The application contains the following information, as applicable:

- (1) the permit number and the nature of the activity;
- (2) in respect of the applicant, in the case of a natural person, the person's name and contact information and, in the other cases, its name, the address of its seat and, if applicable, of its establishment in Québec as well as the name and contact information of the representative holding a mandate to make the application;
- (3) in respect of the description of the forest management activity to be carried out, its location, the area concerned, in hectares, and the period planned to carry it out;
- (4) the modifications in respect of the harvest methods, if applicable;
- (5) in respect of the person carrying out the work, if not carried out by the applicant and where the person is replaced, the information listed in subparagraph 2, as applicable, if it is known at the time of the application.

The Minister may require from the applicant an assessment approved by a forest engineer on the quantity of Labrador tea present in the territory covered by the application be provided to the Minister.

**44.14.** The Minister may, upon renewal of the permit and after having given the permit holder the opportunity to make observations, lower the quantity of Labrador tea that the permit holder is authorized to harvest in one of the following cases:

- (1) the permit holder did not harvest at least 90% of the total of the quantity indicated on the permit for all its term;
- (2) the allowable harvest in that territory has been lowered.

**44.15.** The Minister may add new conditions upon renewal of the permit if the public interest so warrants.”

**4.** 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

### Notice

An Act respecting prescription drug insurance  
(chapter A-29.01)

**List of Medications attached to the Regulation  
respecting the List of medications covered by the  
basic prescription drug insurance plan  
—Amendments made during the 2018 calendar year**

In accordance with section 60.3 of the Act respecting prescription drug insurance, the Régie de l'assurance maladie du Québec hereby gives notice of the amendments made, during the 2018 calendar year, to the List of Medications attached to the Regulation respecting the List of medications covered by the basic prescription drug insurance plan, made by Order 2007-005, dated 1 June 2007, of the Minister of Health and Social Services.

#### List of Medications covered by the basic prescription drug insurance plan

Website: <http://www.ramq.gouv.qc.ca/en/publications/citizens/legal-publications/Pages/list-medications.aspx>

Amendments	Date of coming	Date of publication into force
New List (replacement of APPENDIX I)	1 February 2018	30 January 2018
Alternative medication authorization pursuant to section 60.1	24 April 2017	13 February 2018
End of alternative medication authorization pursuant to section 60.1	26 January 2018	13 February 2018
End of alternative medication authorization pursuant to section 60.1	2 February 2018	13 February 2018
Alternative medication authorization pursuant to section 60.1 (4 notices)	1 February 2018	14 February 2018
New List (replacement of APPENDIX I)	1 March 2018	27 February 2018
End of alternative medication authorization pursuant to section 60.1	23 February 2018	26 February 2018
End of alternative medication authorization pursuant to section 60.1 (2 notices)	27 February 2018	26 February 2018
End of alternative medication authorization pursuant to section 60.1	23 March 2018	26 February 2018
End of alternative medication authorization pursuant to section 60.1	29 March 2018	2 March 2018
Alternative medication authorization pursuant to section 60.1 (6 notices)	4 December 2017	8 March 2018

<b>Amendments</b>	<b>Date of coming</b>	<b>Date of publication into force</b>
Alternative medication authorization pursuant to section 60.1	2 March 2018	8 March 2018
Alternative medication authorization pursuant to section 60.1	1 <sup>er</sup> March 2018	22 March 2018
Alternative medication authorization pursuant to section 60.1	13 March 2018	22 March 2018
Alternative medication authorization pursuant to section 60.1	14 March 2018	22 March 2018
Correction pursuant to section 60.2	3 April 2018	29 March 2018
Alternative medication authorization pursuant to section 60. (3 notices)	14 March 2018	3 April 2018
Alternative medication authorization pursuant to section 60. (4 notices)	1 February 2018	16 April 2018
Alternative medication authorization pursuant to section 60.1	3 April 2018	16 April 2018
End of alternative medication authorization pursuant to section 60.1	6 April 2018	16 April 2018
New List (replacement of APPENDIX I)	18 April 2018	16 April 2018
End of alternative medication authorization pursuant to section 60.1	9 May 2018	20 April 2018
Alternative medication authorization pursuant to section 60.1	19 December 2017	19 April 2018
End of alternative medication authorization pursuant to section 60.1	24 May 2018	26 April 2018
Alternative medication authorization pursuant to section 60.1	23 April 2018	15 May 2018
End of alternative medication authorization pursuant to section 60.1	2 May 2018	15 May 2018
End of alternative medication authorization pursuant to section 60.1	30 May 2018	15 May 2018
New List (replacement of APPENDIX I)	24 May 2018	22 May 2018
Alternative medication authorization pursuant to section 60.1	11 May 2018	30 May 2018
Correction pursuant to section 60.2	24 May 2018	31 May 2018
Alternative medication authorization pursuant to section 60.1	8 May 2018	6 June 2018
Alternative medication authorization pursuant to section 60.1	18 May 2018	6 June 2018
Correction pursuant to section 60.2	24 May 2018	8 June 2018
End of alternative medication authorization pursuant to section 60.1	15 June 2018	14 June 2018



<b>Amendments</b>	<b>Date of coming</b>	<b>Date of publication into force</b>
New List (replacement of APPENDIX I)	5 July 2018	3 July 2018
End of alternative medication authorization pursuant to section 60.1	28 June 2018	11 July 2018
Alternative medication authorization pursuant to section 60.1	6 June 2018	20 July 2018
Alternative medication authorization pursuant to section 60.1 (2 notices)	6 July 2018	20 July 2018
Alternative medication authorization pursuant to section 60.1	10 July 2018	20 July 2018
Alternative medication authorization pursuant to section 60.1 (2 notices)	11 July 2018	20 July 2018
End of alternative medication authorization pursuant to section 60.1	24 July 2018	23 July 2018
Alternative medication authorization pursuant to section 60.1	19 July 2018	9 August 2018
Alternative medication authorization pursuant to section 60.1	25 July 2018	9 August 2018
Alternative medication authorization pursuant to section 60.1	26 July 2018	9 August 2018
New List (replacement of APPENDIX I)	16 August 2018	14 August 23018
Alternative medication authorization pursuant to section 60.1	6 August 2018	10 September 2018
Alternative medication authorization pursuant to section 60.1	8 August 2018	10 September 2018
Alternative medication authorization pursuant to section 60.1	9 August 2018	10 September 2018
Alternative medication authorization pursuant to section 60.1 (2 notices)	16 August 2018	10 September 2018
Alternative medication authorization pursuant to section 60.1	4 September 2018	10 September 2018
New List (replacement of APPENDIX I)	27 September 2018	25 September 2018
Alternative medication authorization pursuant to section 60.1	20 August 2018	27 September 2018
Alternative medication authorization pursuant to section 60.1	23 August 2018	27 September 2018
Alternative medication authorization pursuant to section 60.1	31 August 2018	27 September 2018
Alternative medication authorization pursuant to section 60.1	1 September 2018	27 September 2018
Alternative medication authorization pursuant to section 60.1	4 September 2018	27 September 2018

<b>Amendments</b>	<b>Date of coming</b>	<b>Date of publication into force</b>
Alternative medication authorization pursuant to section 60.1	17 September 2018	17 October 2018
Alternative medication authorization pursuant to section 60.1	28 September 2018	17 October 2018
Alternative medication authorization pursuant to section 60.1	15 October 2018	25 October 2018
Alternative medication authorization pursuant to section 60.1	5 October 2018	5 November 2018
Alternative medication authorization pursuant to section 60.1	30 October 2018	9 November 2018
New List (replacement of APPENDIX I)	15 November 2018	13 November 2018
Alternative medication authorization pursuant to section 60.1	5 November 2018	15 November 2018
New List (replacement of APPENDIX I)	13 December 2018	11 December 2018
Alternative medication authorization pursuant to section 60.1	1 November 2018	4 December 2018
Alternative medication authorization pursuant to section 60.1	5 November 2018	19 December 2018
Alternative medication authorization pursuant to section 60.1	3 December 2018	19 December 2018

Original signed by

SONIA MARCEAU,  
*Secretary General of the Régie  
 de l'assurance maladie du Québec*

103830

## Notice

Health Insurance Act  
 (chapter A-29)

### **Regulations made under the first paragraph of section 72.1 of the Act — Amendments made during the 2018 calendar Year**

In accordance with the third paragraph of section 72.1 of the Health Insurance Act, the Régie de l'assurance maladie du Québec hereby gives notice of the amendments made, in the 2018 calendar year, to the regulations made under the first paragraph of that section, which amendments were published on the website of the Régie.

**Tariff for insured devices which compensate for a motor deficiency and related services (A-29, r. 9)**

Website: <http://www.ramq.gouv.qc.ca/en/publications/citizens/legal-publications/Pages/tariff-insured-devices-compensate-motor-deficiency.aspx>

<b>Replacements or amendments</b>	<b>Date of coming into force</b>	<b>Date of publication</b>
Amendment to the schedule to the Regulation (tariff)	14 February 2018	14 February 2018
Amendment to the schedule to the Regulation (tariff)	1 July 2018	21 June 2018

**Tariff for insured hearing aids and related services (A-29, r. 8)**

Website: <http://www.ramq.gouv.qc.ca/en/publications/citizens/legal-publications/Pages/tariff-insured-hearing-aids.aspx>

<b>Replacements or amendments</b>	<b>Date of coming into force</b>	<b>Date of publication</b>
Amendment to the schedule to the Regulation (tariff)	1 January 2018	13 December 2017
Amendment to the schedule to the Regulation (tariff)	14 February 2018	14 February 2018
Amendment to the schedule to the Regulation (tariff)	21 February 2018	1 March 2018
Amendment to the schedule to the Regulation (tariff)	10 April 2018	10 April 2018
Amendment to the schedule to the Regulation (tariff)	1 May 2018	10 April 2018
Amendment to the schedule to the Regulation (tariff)	1 July 2018	21 June 2018
Amendment to the schedule to the Regulation (tariff)	20 September 2018	5 September 2018

**Tariff for insured visual aids and related services (A-29, r. 8.1)**

Website: <http://www.ramq.gouv.qc.ca/en/publications/citizens/legal-publications/Pages/tariff-insured-visual-aids.aspx>

<b>Replacements or amendments</b>	<b>Date of coming into force</b>	<b>Date of publication</b>
Amendment to the schedule to the Regulation (tariff)	21 June 2018	1 July 2018
Amendment to the schedule to the Regulation (tariff)	17 December 2018	17 December 2018

Original signed by

SONIA MARCEAU,  
*Secretary General of the*  
*Régie de l'assurance maladie du Québec*

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

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