

Draft Regulation

Forest Act
(R.S.Q., c. F-4.1)

Standards of forest management for forests in the domain of the State — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting standards of forest management for forests in the domain of the State, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The main purpose of the draft Regulation is to introduce new rules applicable to block cutting with regeneration and soil protection. As of 1 April 2004, at least 75% of all cuttings with regeneration and soil protection will have to be planned and carried out according to the standards applicable to block cutting. In order to achieve that purpose, the draft Regulation prescribes a timetable, starting on 1 April 2002, that establishes the progressive percentage of block cutting that the holder of a management permit will have to carry out annually in relation to all the cuttings with regeneration and soil protection that he will carry out during the year.

The draft Regulation also intends to set a time limit for forest harvesting in a territorial reference unit. As of 2002, the harvest will be restricted to a maximum of 40% of the productive forest area per 20-year period, taking cuts and fires of the preceding years into account.

Lastly, the purpose of the draft Regulation is to establish new standards regarding the area that felling and hauling trails may occupy in a forest management sector.

The measures related to the scattering of cutting areas will generate additional costs for a certain period, giving time to accelerate the development of the road network in order to give access to the territory that is still isolated due to the absence of such a network. However, some savings may be obtained on a medium and long-term basis.

The provisions related to the high regeneration protection will not really generate any impact on the operations of forest companies.

Further information may be obtained by contacting Serge Pinard, forest engineer, head of the Service de l'aménagement forestier, Ministère des Ressources naturelles, 880, chemin Sainte-Foy, Québec (Québec)

G1S 4X4, by telephone at (418) 627-8650 or by fax at (418) 646-9245.

Any interested person having comments to make on the draft Regulation is asked to send them in writing, before the expiry of the 45-day period, to Marc Ledoux, Associate Deputy Minister for Forests, Ministère des Ressources naturelles, 880, chemin Sainte-Foy, 10^e étage, Québec (Québec) G1S 4X4.

JACQUES BRASSARD,
Minister of Natural Resources

Regulation to amend the Regulation respecting standards of forest management for forests in the domain of the State*

Forest Act
(R.S.Q., c. F-4.1, s. 171, subpars. 1, 2 and 7 to 9 of the 1st par.)

1. Section 1 of the Regulation respecting standards of forest management for forests in the domain of the State is amended

(1) by inserting the following after the expression “bed of a watercourse”:

““block cutting with regeneration and soil protection” means cutting with regeneration and soil protection carried out on a given territory so as to preserve, between two harvest areas, a residual forest having the characteristics provided for in section 79.2; (*coupe en mosaïque avec protection de la régénération et des sols*)”; and

(2) by inserting the following after the expression “parcel”:

“priority production” means production intended for a forest area in which are to be carried out silvicultural treatments, including harvesting; (*production prioritaire*)”.

2. Section 4 is amended by substituting the following for the second sentence of the second paragraph: “Cutting with regeneration and soil protection, strip cutting with regeneration and soil protection and block cutting with regeneration and soil protection are nevertheless prohibited in the buffer strip.”.

* The Regulation respecting standards of forest management for forests in the domain of the State, made by Order in Council 498-96 dated 24 April 1996 (*G.O.* 2, 2164) was amended by the Regulation made by Order in Council 1406-98 dated 28 October 1998 (1998, *G.O.* 2, 4429).

3. Section 59 is amended

(1) by inserting the words “or block cutting with regeneration and soil protection” after the words “cutting with regeneration and soil protection”; and

(2) by adding the following at the end:

“Strip cutting with regeneration and soil protection is prohibited in a visual setting referred to in section 58.”

4. The following is substituted for the second paragraph of section 60:

“The size of a single-block area of cutting with regeneration and soil protection, of the total area of the cut and residual strips of an area of strip cutting with regeneration and soil protection or a harvest area of block cutting with regeneration and soil protection that a holder of a management permit may carry out in such centres or network, may not exceed 10 hectares. In any case, the holder of the management permit shall preserve a buffer strip at least 30 metres wide on both sides of the hiking trails.”

5. The following paragraph is added at the end of section 67:

“Paragraph 2 of section 47 does not apply either to a holder of a management permit who carries out on the territory block cutting with regeneration and soil protection.”

6. Section 69 is amended

“(1) by striking out the words “a maximum of” in the second paragraph; and

(2) by adding the following paragraph at the end:

“The size of a single-block harvest area of block cutting with regeneration and soil protection that a holder of a management permit may carry out in such an area frequented by caribou may not exceed 50 hectares.”

7. Section 70 is amended by inserting the following after the first paragraph:

“Where he carries out strip cutting with regeneration and soil protection, the total area of the cut and residual strips may not exceed 25 hectares forming a single block in hardwood and hardwood-dominant mixed stands nor exceed 10 hectares forming a single block in softwood and softwood-dominant mixed stands.

The size of a single-block harvest area of block cutting with regeneration and soil protection that a holder of a management permit may carry out in a white-tailed deer yard may not exceed 25 hectares in hardwood and hardwood-dominant mixed stands nor exceed 10 hectares in softwood and softwood-dominant mixed stands.”

8. Section 71 is amended

(1) by inserting the words “or between 2 areas of strip cutting with regeneration and soil protection,” after the words “clear cutting with regeneration and soil protection” in the first paragraph; and

(2) by deleting the second paragraph.

9. The following is inserted after section 79:

79.1. A single-block cutting harvest area of block cutting with regeneration and soil protection shall, in each of the 3 forest zones described in Schedule 1, comply with the standards provided for in subparagraph 1, 2 or 3 of the first paragraph of section 74, as the case may be.

Block cutting harvest areas shall vary in size and shape. In addition, the size of a single-block harvest area larger than 100 hectares shall be shaped so that its length is equal to or greater than 4 times its average width.

The distribution of the areas referred to in the first paragraph applies annually for all the harvest areas indicated in the approved annual management plan.

79.2. A residual forest of block cutting with regeneration and soil protection shall have the following characteristics:

(1) have an area at least equal to the size of the harvest area;

(2) be at least 200 metres wide;

(3) be constituted of forest stands that have an average height greater than 7 metres;

(4) be constituted of forest stands that are able to produce, as commercial species, a volume of mature rough timber of at least 50 m³/ha; and

(5) be constituted of forest stands belonging in a proportion of at least 20% to the same priority production as those harvested.

79.3. Where the holder of a management permit carries out block cutting with regeneration and soil protection, on the periphery of a salt lick, the residual forest shall be in contact with a part of the salt lick.

Deforestation between two harvest areas of block cutting with regeneration and soil protection for the purposes of the construction or improvement of a road may not exceed a width of 35 metres.

79.4. The holder of a management permit may only carry out the harvesting of a residual forest at the expiry of a 10-year period from the date where block cutting with regeneration and soil protection was carried out or, if the regeneration of the harvest area has not yet reached after that period the average height of 3 metres, as long as the regeneration of the harvest area has not reached such a height.

79.5. The areas of cutting with regeneration and soil protection, including therein all the cut and residual strips by strip cutting with regeneration and soil protection and the harvest areas of block cutting with regeneration and soil protection, shall be, during the year following the reference date indicated in the following table, planned and carried out according to the standards provided for in this Regulation that apply to block cutting with regeneration and soil protection in a proportion at least equal to the percentage indicated therein:

Reference date	Percentage of block cutting
1 April 2002	25%
1 April 2003	40%
As of 1 April 2004	75%

10. Section 80 is amended

(1) by inserting the following after the first paragraph:

“As of 1 April 2002, the sum of the areas described in the following subparagraphs may not exceed, in a year, 40% of the productive forest area of a territorial reference unit:

- (1) areas that were subject to a fire;
- (2) areas that were subject to clear cutting;
- (3) areas of cutting with regeneration and soil protection;
- (4) all the cut and residual strips of areas of strip cutting with regeneration and soil protection; and
- (5) harvest areas of block cutting with regeneration and soil protection.

The sum of the areas described in subparagraphs 1 to 5 of the second paragraph shall be calculated by taking the nineteenth year preceding the current year as the starting point.”;

(2) by substituting the words “the provisions of the first, second and third paragraphs” for the words “the provisions of the first paragraph” in the second paragraph; and

(3) by substituting the following for the last paragraph:

“The provisions of the first, second and third paragraphs do not apply where, had it not been for this paragraph, they would have had the effect of preventing deforestation for the purposes of construction or improvement of a road providing access to another territorial reference unit.”.

11. Section 84 is amended by substituting the following for the first sentence of the second paragraph: “In the stands, the size of a single-block area of cutting with regeneration and soil protection, of the total area of the cut and residual strips of an area of strip cutting with regeneration and soil protection or a harvest area of block cutting with regeneration and soil protection that the holder of a management permit may carry out may not exceed 30 hectares.”.

12. Section 88 is amended by substituting the words “, of an area of strip cutting with regeneration and soil protection or a harvest area of block cutting with regeneration and soil protection” for the words “or strip cutting with regeneration and soil protection” in the first paragraph.

13. Section 89 is amended by substituting the following for the second paragraph:

“Where the holder of a management permit carries out, in a forest management sector, cutting with regeneration and soil protection, strip cutting with regeneration and soil protection or block cutting with regeneration and soil protection, the area occupied by the felling and hauling trails shall be less than 25% of the area of the forest management sector.

Notwithstanding the second paragraph, the area occupied by the felling and hauling trails may be greater than 25% without exceeding 33% provided that the holder of the management permit protects, between the hauling trails, the pre-established regeneration with species of priority production, identical to those harvested, so that

(1) the distribution coefficient of unmerchantable trees that are 5 cm high and taller, after cutting, be greater than 80% of the distribution coefficient of unmerchantable trees before cutting;

(2) the distribution coefficient of saplings, after cutting, whose diameter at stump height is equal to or greater than 3 cm, be greater than 60% of the distribution coefficient of those saplings before cutting; and

(3) the distribution coefficient of saplings, after cutting, whose diameter at stump height is equal to or greater than 5 cm, be greater than 40% of the distribution coefficient of those saplings before cutting.

The diameter at stump height of the saplings is measured 15 cm above ground level.

For the purposes of the third and fourth paragraphs, the holder of the management permit shall submit the sampling plan of each management sector to the Minister for approval and send monthly, per management sector, the inventory results of regeneration so as to express

(1) each of the distribution coefficients, before and after cutting, referred to in subparagraphs 1 to 3 of the third paragraph; and

(2) the occupation rate of the felling and hauling trails.”.

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

Draft Regulation

Supplemental Pension Plans Act
(R.S.Q., c. R-15.1)

Arbitration relating to the surplus assets — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting arbitration relating to the surplus assets of supplemental pension plans, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The main purpose of the draft Regulation is to

— review the rate of arbitration costs and adapt the provisions related to the provision for costs; and

— adapt the provisions to the amendments made in the Supplemental Pension Plans Act by chapter 41 of the Statutes of 2000, regarding in particular the method for selecting the arbitration body and arbitrators, and the new applications referred to in section 243.15 of the Act (correction or interpretation of a decision or supplementary decision on a part of the application omitted in the decision).

Further information may be obtained by contacting Luce Gobeil, Régie des rentes du Québec, Place de la Cité, 2600, boulevard Laurier, Sainte-Foy (Québec) G1V 4T3, by telephone at (418) 657-8702.

Any person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to Guy Morneau, president and general manager of the Régie des rentes du Québec, Place de la Cité, 2600, boulevard Laurier, 5^e étage, Sainte-Foy (Québec) G1V 4T3. Those comments will be sent by the Régie to the Minister of State for Labour, Employment and Social Solidarity and Minister of Employment and Social Solidarity.

JEAN ROCHON,
*Minister of State for Labour, Employment
and Social Solidarity and Minister of Employment and
Social Solidarity*