

The Vice-president, Quebec of the IDA and the Surintendante, Direction de l'encadrement de la distribution of the AGENCY shall be responsible of the implementation of this decision.

This decision to delegate functions and powers replace decision N° 2004-PDG-0084 rendered on July 13, 2004 and will enter into force when it receives approval by the Government or at any other date which it chooses.

Executed July 27, 2004.

JEAN ST-GELAIS,
Président-directeur général

6441

Gouvernement du Québec

O.C. 732-2004, 28 July 2004

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

Sugar bush

— Management in the domain of the State

Regulation respecting sugar bush management in forests in the domain of the State

WHEREAS, under subparagraphs 5, 5.1 and 19 of the first paragraph of section 172 of the Forest Act (R.S.Q., c. F-4.1), the Government may, by regulation,

(1) prescribe the information which an applicant for a sugar bush management permit must provide to the Minister and the rules the permit holder must observe when tapping maples and carrying on other forest management activities in the sugar bush;

(2) prescribe the form and content of the progress report to be submitted to the Minister by the holder of a sugar bush management permit for acericultural purposes, and the time at which the report must be submitted;

(3) prescribe which of the regulations under this section carry a penalty pursuant to section 181 of the Forest Act in the event of contravention;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft Regulation respecting sugar bush management in forests in

the domain of the State was published in Part 2 of the *Gazette officielle du Québec* of 11 February 2004, with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS no comments have been received on the draft Regulation;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Natural Resources, Wildlife and Parks:

THAT the Regulation respecting sugar bush management in forests in the domain of the State, attached to this Order in Council, be made.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation respecting sugar bush management in forests in the domain of the State

Forest Act
(R.S.Q., c. F-4.1, s. 172, 1st par., subpars. 5, 5.1 and 19)

1. A person applying for a permit to manage a sugar bush in a forest in the domain of the State must furnish the information required by subparagraphs 2 and 3 of the first paragraph of section 13 of the Forest Act (R.S.Q., c. F-4.1).

2. No holder of a sugar bush management permit may erect or install buildings in a sugar bush other than buildings necessary for the management of the sugar bush. The holder may use the buildings solely for the collection and processing of sap.

3. A permit holder must comply with the following conditions when tapping maple trees:

(1) maple trees may be tapped once a year only, between 1 January and 30 April;

(2) only maple trees at least 20 centimetres in diameter at 1.30 metres above the highest ground level may be tapped;

(3) the maximum number of tapholes in the same maple tree is determined according to the diameter of the tree, as follows:

Diameter of maple tree at 1.30 metres above ground	Maximum number of tapholes
20 to 39 centimetres	1
40 to 59 centimetres	2
60 to 79 centimetres	3
80 centimetres and over	4

Where two or more tapholes are drilled, they must be positioned evenly around the tree;

(4) the taphole must be drilled using a bit not more than 11 millimetres in diameter and must not be more than 6 centimetres deep, including bark thickness;

(5) no control product may be inserted into a taphole unless the control product has been registered under the Pest Control Products Act (R.S.C., 1985, c. P-9);

(6) all spouts must be removed each year at the latest on 1 June, with care taken not to tear the bark from the tree;

(7) tubing must be installed, replaced and maintained without damage to the trees; and

(8) all worn or unused material must be recovered and disposed of in such a manner as to ensure the premises are kept clean.

4. A permit holder must, as soon as possible after the permit has been issued, visibly mark off the boundaries of the sugar bush without damaging the trees, and maintain the boundary markings.

5. A permit holder must make and submit an annual report to the Minister on the activities carried on by the holder.

The first part of the report must be submitted at the latest on 1 June and indicate

(1) the number of tapholes drilled during the period determined in section 3; and

(2) the quantity of maple syrup produced from the volume of sap harvested during the sugaring season or, if the sap is not processed on the premises, the volume of sap harvested.

The second part of the report must be submitted at the latest on 31 December and contain

(1) a statement of the forest management activities carried out during the year;

(2) the volume of round timber harvested in the sugar bush in connection with the carrying on of forest management activities, by species or group of species, quality and destination; and

(3) the information required under the second paragraph of section 16.1 of the Forest Act if the permit holder holds an authorization issued under section 14.1 of the Act.

6. A permit holder who contravenes any of the provisions of sections 2 to 4 is guilty of an offence punishable as set out in section 181 of the Forest Act as it existed prior to 27 June 2001, as provided in section 185 of the Act to amend the Forest Act and other legislative provisions (2001, c. 6).

7. This Regulation replaces the Regulation respecting sugar bush management permits in the domain of the State, made by Order in Council 1889-89 dated 6 December 1989.

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

6442

Gouvernement du Québec

O.C. 733-2004, 28 July 2004

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

Wildlife habitats — Amendments

Regulation to amend the Regulation respecting wildlife habitats

WHEREAS, under paragraphs 1 and 2 of section 128.18 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), the Government may make regulations on the various matters set forth therein;