

Regulations and other acts

Gouvernement du Québec

O.C. 636-2005, 23 June 2005

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

Authorization to assign temporary protection status to certain lands in the domain of the State as a proposed aquatic reserve or a proposed biodiversity reserve and approval of their plans and conservation plans

WHEREAS, under the first paragraph of section 27 of the Natural Heritage Conservation Act (R.S.Q., c. C-61.01), for the purpose of protecting land to be established as a new protected area, the Minister of Sustainable Development, Environment and Parks shall, with the approval of the Government, prepare the plan of that area, establish a conservation plan and assign temporary protection status to the area as a proposed aquatic reserve, biodiversity reserve, ecological reserve or man-made landscape;

WHEREAS by reason of the ecological value of the territories, it is expedient to assign to the Lac au Foin, Sainte-Marguerite river valley and Bonaventure river estuary the status of proposed aquatic reserve, to prepare the plan of the areas and establish a conservation plan for the duration of the temporary protection assigned to the areas, the plans being attached to this Order in Council;

WHEREAS in order maintain biodiversity, it is expedient to assign the status of proposed biodiversity reserve to fifteen other territories in Québec, namely those of the Niquet stream, Saint-Cyr lake, Wetetnagami lake, Plétipi lake, Onistagane lake, Berté lake, Paul-Provencher, the Godbout river valley, the Frégate lake burn area, the Pipmuacan east islands, Akumunan, Ménistouc lake, Racine de Bouleau river, the Clérac lake drumlins and the Saint-Elzéar karst, to prepare the plan of the areas and establish their conservation plan for the duration of the temporary protection assigned to the areas, the plans being attached to this Order in Council;

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

THAT the Minister of Sustainable Development, Environment and Parks be authorized to assign the status of proposed aquatic reserve to the Lac au Foin, Sainte-Marguerite river valley and Bonaventure river estuary, and that the plans of those areas and the proposed conservation plan for each area be approved, the plans being attached to this Order in Council;

THAT the Minister of Sustainable Development, Environment and Parks be authorized to assign the status of proposed biodiversity reserve to the territories of the Niquet stream, Saint-Cyr lake, Wetetnagami lake, Plétipi lake, Onistagane lake, Berté lake, Paul-Provencher, the Godbout river valley, the Frégate lake burn area, the Pipmuacan east islands, Akumunan, Ménistouc lake, Racine de Bouleau river, the Clérac lake drumlins and the Saint-Elzéar karst, and that the plans of those areas and the proposed conservation plan for each area be approved, the plans being attached to this Order in Council.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

PROPOSED LAC AU FOIN AQUATIC RESERVE
(provisional name)

CONSERVATION PLAN

June 2005

1. Protection status and toponym

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

The proposed reserve is to have the name “Réserve aquatique projetée du lac au Foin”. The official toponym will be determined at the time of the assignment of permanent protection status to the land.

2. Plan and description

2.1. Location, boundaries and dimensions

The boundaries and location of the proposed Lac au Foin aquatic reserve are shown on the plan.

The proposed Lac au Foin aquatic reserve is located in the Saguenay-Lac-Saint-Jean administrative region, between 49°50' and 50°18' north latitude and 72°03' and 72°13' west longitude. It is situated some 120 km north of Lac Saint-Jean. The proposed aquatic reserve covers an area of 172.4 km² and lies within the unorganized territories of Rivière-Mistassini and Chute-des-Passes in Municipalité régionale de comté de Maria-Chapdelaine.

2.2. Geography

The proposed Lac au Foin aquatic reserve is in the Girardville Hills, Manouane Lake Depression and Péribonka Lake Hills natural regions in the Central Laurentian natural province. The proposed aquatic reserve ensures the protection of exceptional landscapes of the Mistassibi river characterized by an encased valley where numerous meanders wind through the northern portion to then become Lac au Foin in the southern portion. Several waterfalls over 150 m high flow into the Lac au Foin canyon. The territory is covered mainly by black spruce stands and mixed stands dominated by white birch. There are also some balsam fir, jack pine and poplar stands and peat bogs. Some areas west of the river are regenerating after a fire.

2.3. Occupation, rights and land uses

Nine land rights have been granted in the proposed aquatic reserve: 7 for vacation resort purposes, 1 for a rough shelter and 1 authorization for the construction or reconstruction of a landing strip (heliport).

The Mistassibi river is a recognized canoe-kayak route. A local snowmobile trail runs through the territory over a distance of 3 km in the southern portion. Recent logging has created forest roads, including numerous winter roads.

The proposed Lac au Foin aquatic reserve lies within the Roberval beaver reserve, in which the Innu community of Mashteuiatsh has special rights regarding the hunting and trapping of fur-bearing animals. Lac au Foin is an important heritage site as a historic gathering place for Native populations.

The territory is part of the Nitassinan of Mashteuiatsh.

The Rivière-aux-Rats controlled zone is contiguous to the southwest boundaries of the proposed aquatic reserve over a distance of more than 4 km.

3. Activities within the reserve

§1. Introduction

The activities carried on within the proposed reserve are governed for the most part by the provisions of the Natural Heritage Conservation Act.

This Division prohibits activities in addition to those prohibited under the Act and provides a framework for the carrying on of certain permitted activities so as to better ensure the protection of the natural environment. Accordingly, certain activities require the prior authorization of the Minister and compliance with the conditions determined by the Minister.

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

- mining, and gas or petroleum development;
- forest management within the meaning of section 3 of the Forest Act (R.S.Q., c. F-4.1);
- the development of hydraulic resources and any production of energy on a commercial or industrial basis.

§2. Prohibitions, prior authorizations and conditions on which certain activities may be carried on in the proposed reserve

§2.1. Protection of resources and the natural environment

3.1. No person may introduce non-native species of flora or fauna into the proposed reserve.

3.2. No person may stock a watercourse or body of water

(1) for aquaculture, sports or commercial fishing or any other commercial purpose;

(2) for any other purpose, if the fish stocked are not from a genetic strain originating from the proposed reserve.

3.3. No person may bury, abandon or dispose of waste, snow or other residual materials other than in waste disposal containers, facilities or sites determined by the Minister or elsewhere, with the authorization of the Minister and in compliance with the conditions the Minister determines.

Despite the first paragraph, no authorization need be obtained by an outfitting operation to use a disposal facility or site in compliance with the Environment Quality Act and its regulations if the outfitting operation was already using the facility or site on the date on which the protection status as a proposed reserve takes effect.

3.4. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry on any activity likely to severely degrade the banks or shores or to otherwise seriously affect the integrity of a watercourse, body of water or other wetland area, in particular by discharging or dumping waste or other pollutant into the watercourse, body of water or wetland area; or

(2) dig, fill, obstruct or divert a watercourse or body of water.

§2.2. *Rules of conduct for users*

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

3.6. Every person who makes a campfire must

(1) clear an area around the fire site sufficient to prevent the fire from spreading by removing all branches, scrub, dry leaves and other combustible materials;

(2) see that there is always a person on the premises to attend the fire; and

(3) ensure that the fire is completely extinguished before leaving the premises.

3.7. In the proposed reserve, no person may

(1) cause any excessive noise; or

(2) behave in a manner that unduly disturbs other persons in the reserve or interferes with their enjoyment of the reserve.

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

3.9. No person may enter, carry on an activity in or operate a vehicle in a given sector of the proposed reserve unless the person has been authorized by the Minister and complies with the conditions determined, if the signage erected by the Minister restricts access, traffic or certain activities in order to protect the public from a danger or to avoid placing the fauna, flora or other components of the natural environment at risk.

§2.3. *Activities requiring an authorization*

3.10. No person may, unless the person has been authorized by the Minister and complies with the conditions the Minister determines, stay or reside on or otherwise occupy the same site within the proposed reserve for a period of more than three months in the same year. No authorization need be obtained by a person who,

(1) on the date on which the protection status as a proposed reserve takes effect, was a party to a lease or had already obtained another form of permit or authorization allowing the person to occupy the land under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) or, if applicable, the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), and whose right to occupy the land is renewed or extended;

(2) in accordance with the applicable provisions of law, has entitlement under a sublease, an assignment of a lease or a transfer of an authorization, as referred to in paragraph 1, and whose right to occupy the land is renewed or extended;

(3) avails himself or herself of the possibility of acquiring the land the person legally occupies on the date on which the protection status as a proposed reserve takes effect, pursuant to the Act respecting the lands in the domain of the State.

3.11. (1) No person may carry on forest management activities to meet domestic needs or for the purpose of maintaining biodiversity, unless the person has been authorized by the Minister and carries on the activities in compliance with the conditions the Minister determines.

The conditions of that authorization may pertain, among other things, to species of trees or shrubs, the size of the stems that may be cut, the quantities authorized and the places where the activities may be carried on.

(2) Despite subsection 1, the authorization of the Minister under this plan need not be obtained by a person staying or residing in the proposed reserve who collects wood to make a campfire.

No such authorization need be obtained by a person to collect wood to meet domestic needs

(a) if the wood is collected within a sector reserved by the Minister of Natural Resources and Wildlife as a sector for which a permit for the harvest of firewood for domestic purposes under the Forest Act (R.S.Q., c. F-4.1) may be issued and which has already been reserved as such by the Minister on the date on which the protection status as a proposed reserve takes effect ;

(b) if the wood is collected by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the proposed reserve ; or

(c) if the wood is collected by a person in accordance with the conditions set out in the permit for the harvest of firewood for domestic purposes issued by the Minister of Natural Resources and Wildlife under the Forest Act.

(3) Despite subsection 1, no authorization need be obtained by a person authorized by lease to occupy land within the proposed reserve, pursuant to this plan, to carry on a forest management activity for the purpose of

(a) clearing permitted harvested areas, maintaining them or creating visual openings, and any other similar removal purposes permitted under the regulation that applies to the sale, lease and granting of immovable rights made under the Act respecting the lands in the domain of the State ;

(b) creating and maintaining access roads, stairways or other trails permitted under that regulation ; or

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

When the work referred to in subparagraph *c* of subsection 3 is carried out 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 3.13 and 3.14.

(4) Despite subsection 1, no authorization need be obtained by a person to carry on a forest management activity to maintain a sugar bush and harvest maple products for domestic purposes

(a) if the activity is carried on by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act allowing the person to carry on the activities of a sugar bush operator within the proposed reserve ;

(b) if the activity is carried on within a zone for which the permit obtained allowed the carrying on of sugar bush operations on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years ; or

(c) if the activity is carried on by a person in compliance with the conditions set out in the sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act.

3.12. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry out soil development work, including any fill, burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose including recreational and tourism purposes such as the development of trails ;

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

(3) reconstruct or demolish an existing structure, infrastructure or works ;

(4) use a pesticide, although no authorization is required for the use of insect repellent for personal purposes ;

(5) carry on an activity that is likely to severely degrade the soil or a geological formation or damage the vegetation cover, such as stripping, the digging of trenches or excavation work ; or

(6) carry on educational or research-related activities if the activities are likely to significantly damage or disturb the natural environment, in particular by the extent of the moving or removal of natural resources or by the use of explosives.

The conditions of the Minister's authorization for the work may pertain to the location of the authorized activity, the methods used, the areas that may be cleared or deforested, the types of material that may be used including the material taken from the site, and the presence of ancillary works or facilities. The conditions may also include a requirement to ensure periodic follow-up or to report to the Minister, in particular as regards the results obtained from the research to which subparagraph 6 of the first paragraph refers.

Subject to the conditions determined in the authorization, work to repair or maintain trails authorized by the Minister or trails existing on the date on which the protection status as a proposed reserve takes effect may be carried on without an authorization under subparagraph 1 of the first paragraph.

Work to repair or maintain forest roads or roads authorized under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) carried on in accordance with the Forest Act and its regulations that concern standards of forest management may be carried on without an authorization under subparagraph 1 of the first paragraph.

§2.4. Authorization exemptions

3.13. Despite the preceding provisions, no authorization need be obtained by a person to carry on an activity or for any other form of intervention within the proposed reserve if urgent action is required 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.

3.14. Despite the preceding provisions, the following activities and interventions involving the production, transmission and distribution of electricity carried out by Hydro-Québec (Société) or by any other person for Hydro-Québec do not require the prior authorization of the Minister under this plan:

(1) any activity or intervention required within the proposed reserve to complete a project which was previously expressly authorized by the Government and the Minister, or only by the latter, in accordance with the requirements of the Environment Quality Act (R.S.Q., c. Q-2), if the activity or intervention is carried out in compliance with the authorizations issued;

(2) any activity or intervention necessary for the preparation and presentation of a pre-project report for a project requiring an authorization under the Environment Quality Act;

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

(4) any activity or intervention by the Société, if the conditions for the carrying out of the activity or intervention have been determined in an agreement between the Minister and the Société and the activity or intervention is carried out in compliance with those conditions.

For the purposes of this section, the activities and interventions of the Société include 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 equipment movement necessary for the carrying on of such work.

§2.5. General provisions

3.15. Every person who applies to the Minister for an individual authorization or for an authorization for a group or for a number of persons must provide any information or document requested by the Minister for the examination of the application.

3.16. The Minister's authorization, which is general and can be used by more than one person, may be communicated to the persons concerned by any appropriate means including by a posted notice or appropriate signage at the reception centre or any other location within the proposed reserve that is readily accessible to the public. The Minister is to provide a copy to any person requesting a copy.

§3. Activities governed by other statutes

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

A special legal framework may govern permitted and prohibited activities within the proposed reserve in connection with the following matters :

— Environmental protection : measures set out in particular in the Environment Quality Act (R.S.Q., c. Q-2) ;

— Archaeological research : measures set out in particular in the Cultural Property Act (R.S.Q., c. B-4) ;

— Development of wildlife resources : measures set out in particular in the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), including the provisions pertaining to outfitting operations and beaver reserves and the measures contained in applicable federal legislation, including the fishery regulations ;

— Removal of species of fauna or flora that are threatened or vulnerable or are likely to be designated as such : measures prohibiting the removal of the species under the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01) ;

— Access and land rights : measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) ;

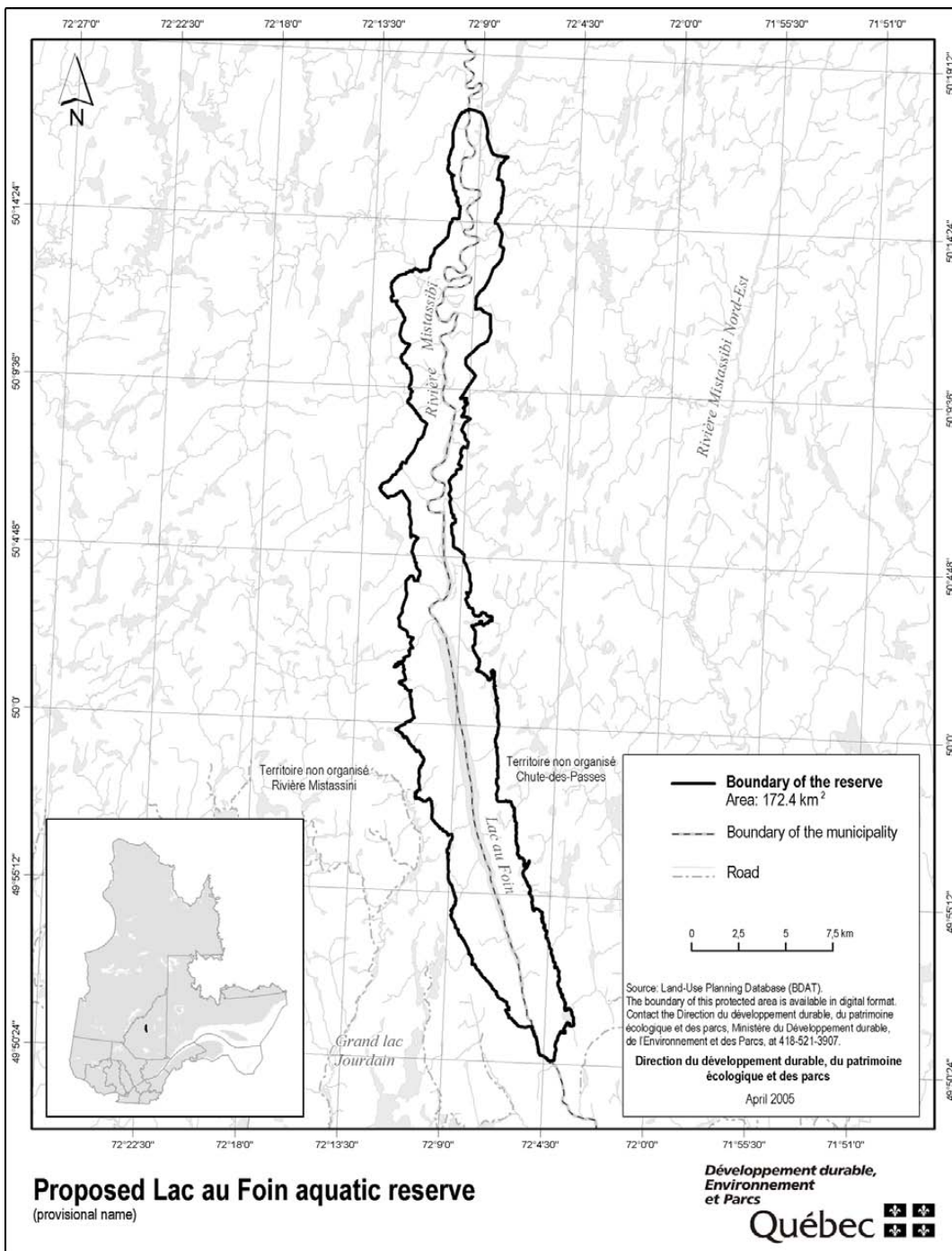
— Operation of vehicles : measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and in the regulation on motor vehicle traffic in certain fragile environments made under the Environment Quality Act (R.S.Q., c. Q-2).

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

The Minister of Sustainable Development, Environment and Parks is responsible for the management of the proposed Lac au Foin aquatic reserve and is therefore responsible for the supervision and monitoring of the activities that may be carried on within the reserve. The Minister in the management of the reserve works collaboratively with other government representatives having specific responsibilities within the boundaries of the reserve or on adjoining land, such as the Minister of Natural Resources and Wildlife. In the exercise of their powers and functions, the Ministers will take into consideration the protection sought for these natural environments and the protection status that has been granted.

Schedule

Map of the proposed Lac au Foin aquatic reserve (provisional name)



Proposed Lac au Foin aquatic reserve
(provisional name)

PROPOSED SAINTE-MARGUERITE RIVER
VALLEY AQUATIC RESERVE
(provisional name)

CONSERVATION PLAN

June 2005

1. Protection status and toponym

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

The proposed reserve is to have the name “Réserve aquatique projetée de la vallée de la rivière Sainte-Marguerite”. The official toponym will be determined at the time of the assignment of permanent protection status to the land.

2. Plan and description

2.1. Location, boundaries and dimensions

The boundaries and location of the proposed Sainte-Marguerite river valley aquatic reserve are shown on the plan.

The proposed Sainte-Marguerite river valley aquatic reserve is located in the Saguenay-Lac-Saint-Jean administrative region, between 48°18' and 48°33' north latitude and 70° and 70°44' west longitude. It is situated a few kilometres north of the Saguenay river and approximately 35 km from the mouth of that river. The proposed aquatic reserve covers an area of 293.1 km² apportioned in the unorganized territories of Mont-Valin in Municipalité de Saint-Fulgence, and in Municipalité de Sainte-Rose-du-Nord in Municipalité régionale de comté de Fjord-du-Saguenay.

Route 172 crosses the proposed aquatic reserve and is excluded from the reserve with a total right-of-way of 70 m. Electric power transmission line 7004 of 735 kV is also excluded from the proposed aquatic reserve with a total right-of-way of 90 m.

The site covered by operating leases of sand and gravel bearing numbers BN0018957, BNE0018946 and BNE0018467 is excluded from the territory of the proposed aquatic reserve.

2.2. Geography

The proposed Sainte-Marguerite river valley aquatic reserve is in the Central Laurentian natural province. It protects natural environments characteristic of the Fjord

du Saguenay and Monts Valin natural regions. The proposed Sainte-Marguerite river valley aquatic reserve ensures the protection of the spectacular landscapes of the Sainte-Marguerite river valley characterized by low and high hills that attain some 500 m in altitude south of the river and 800 m to the north. Mixed stands, mainly dominated by yellow birch and white birch, account for almost half of the forest cover. Dominant stands of black spruce and fir are also prevalent. The area is dotted with white pines, red pines, jack pines and cedars.

The Sainte-Marguerite river is a recognized salmon river and includes anadromous brook trout. Numerous lakes without fish may be found within the boundaries of the proposed aquatic reserve and present an interest for amphibians and the Barrow's goldeneye.

2.3. Occupation, rights and land uses

Fifty-eight land rights have been granted in the territory of the proposed aquatic reserve: 28 for vacation resort purposes, 20 for rough shelters, 1 for a municipal waste disposal site, 2 for community purposes, 1 for community recreational activities (forest interpretation centre), 1 for community wilderness camping, 1 authorization for individual telephone and/or power lines, and 4 for trapping camps. There are also 5 controlled zone reception stations and 3 various controlled zone infrastructures (1 fish farm and 2 guard camps). Those eight occupations are not subject to land rights.

The Martin-Valin and Chauvin controlled zones cover part of the proposed aquatic reserve and the Sainte-Marguerite River controlled zone runs through the proposed aquatic reserve.

The Sainte-Marguerite river is a recognized canoe-kayak route. There is a hiking trail in the lac de la Roche sector. A Trans-Québec snowmobile trail crosses the proposed aquatic reserve in the southeast tip sector.

A sand and gravel pit is currently in operation.

The proposed aquatic reserve overlaps lands of non-Native trappers holding an exclusive lease.

Part of the exceptional forest ecosystem of the old-growth forest of Rivière-Sainte-Marguerite is in the proposed aquatic reserve which ensures continuity between several surrounding protected areas, namely Parc national du Saguenay, Parc national des Monts-Valin, the G.-Oscar-Villeneuve ecological reserve and the Marcelle-Gauvreau ecological reserve.

The territory is also part of the Nitassinan of Essipit.

3. Activities within the reserve

§1. Introduction

The activities carried on within the proposed reserve are governed for the most part by the provisions of the Natural Heritage Conservation Act.

This Division prohibits activities in addition to those prohibited under the Act and provides a framework for the carrying on of certain permitted activities so as to better ensure the protection of the natural environment. Accordingly, certain activities require the prior authorization of the Minister and compliance with the conditions determined by the Minister.

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

- mining, and gas or petroleum development;
- forest management within the meaning of section 3 of the Forest Act (R.S.Q., c. F-4.1);
- the development of hydraulic resources and any production of energy on a commercial or industrial basis.

§2. Prohibitions, prior authorizations and conditions on which certain activities may be carried on in the proposed reserve

§2.1. Protection of resources and the natural environment

3.1. No person may introduce non-native species of flora or fauna into the proposed reserve.

3.2. No person may stock a watercourse or body of water

(1) for aquaculture, sports or commercial fishing or any other commercial purpose;

(2) for any other purpose, if the fish stocked are not from a genetic strain originating from the proposed reserve.

3.3. No person may bury, abandon or dispose of waste, snow or other residual materials other than in waste disposal containers, facilities or sites determined by the Minister or elsewhere, with the authorization of the Minister and in compliance with the conditions the Minister determines.

Despite the first paragraph, no authorization need be obtained by an outfitting operation to use a disposal facility or site in compliance with the Environment Quality Act and its regulations if the outfitting operation was already using the facility or site on the date on which the protection status as a proposed reserve takes effect.

3.4. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry on any activity likely to severely degrade the banks or shores or to otherwise seriously affect the integrity of a watercourse, body of water or other wetland area, in particular by discharging or dumping waste or other pollutant into the watercourse, body of water or wetland area; or

(2) dig, fill, obstruct or divert a watercourse or body of water.

§2.2. Rules of conduct for users

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

3.6. Every person who makes a campfire must

(1) clear an area around the fire site sufficient to prevent the fire from spreading by removing all branches, scrub, dry leaves and other combustible materials;

(2) see that there is always a person on the premises to attend the fire; and

(3) ensure that the fire is completely extinguished before leaving the premises.

3.7. In the proposed reserve, no person may

(1) cause any excessive noise; or

(2) behave in a manner that unduly disturbs other persons in the reserve or interferes with their enjoyment of the reserve.

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

3.9. No person may enter, carry on an activity in or operate a vehicle in a given sector of the proposed reserve unless the person has been authorized by the Minister and complies with the conditions determined, if the signage erected by the Minister restricts access, traffic or certain activities in order to protect the public from a danger or to avoid placing the fauna, flora or other components of the natural environment at risk.

§2.3. Activities requiring an authorization

3.10. No person may, unless the person has been authorized by the Minister and complies with the conditions the Minister determines, stay or reside on or otherwise occupy the same site within the proposed reserve for a period of more than three months in the same year. No authorization need be obtained by a person who,

(1) on the date on which the protection status as a proposed reserve takes effect, was a party to a lease or had already obtained another form of permit or authorization allowing the person to occupy the land under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) or, if applicable, the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), and whose right to occupy the land is renewed or extended;

(2) in accordance with the applicable provisions of law, has entitlement under a sublease, an assignment of a lease or a transfer of an authorization, as referred to in paragraph 1, and whose right to occupy the land is renewed or extended;

(3) avails himself or herself of the possibility of acquiring the land the person legally occupies on the date on which the protection status as a proposed reserve takes effect, pursuant to the Act respecting the lands in the domain of the State.

3.11. (1) No person may carry on forest management activities to meet domestic needs or for the purpose of maintaining biodiversity, unless the person has been authorized by the Minister and carries on the activities in compliance with the conditions the Minister determines.

The conditions of that authorization may pertain, among other things, to species of trees or shrubs, the size of the stems that may be cut, the quantities authorized and the places where the activities may be carried on.

(2) Despite subsection 1, the authorization of the Minister under this plan need not be obtained by a person staying or residing in the proposed reserve who collects wood to make a campfire.

No such authorization need be obtained by a person to collect wood to meet domestic needs

(a) if the wood is collected within a sector reserved by the Minister of Natural Resources and Wildlife as a sector for which a permit for the harvest of firewood for domestic purposes under the Forest Act (R.S.Q., c. F-4.1) may be issued and which has already been reserved as such by the Minister on the date on which the protection status as a proposed reserve takes effect;

(b) if the wood is collected by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the proposed reserve; or

(c) if the wood is collected by a person in accordance with the conditions set out in the permit for the harvest of firewood for domestic purposes issued by the Minister of Natural Resources and Wildlife under the Forest Act.

(3) Despite subsection 1, no authorization need be obtained by a person authorized by lease to occupy land within the proposed reserve, pursuant to this plan, to carry on a forest management activity for the purpose of

(a) clearing permitted harvested areas, maintaining them or creating visual openings, and any other similar removal purposes permitted under the regulation that applies to the sale, lease and granting of immovable rights made under the Act respecting the lands in the domain of the State;

(b) creating and maintaining access roads, stairways or other trails permitted under that regulation; or

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

When the work referred to in subparagraph *c* of subsection 3 is carried out 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 3.13 and 3.14.

(4) Despite subsection 1, no authorization need be obtained by a person to carry on a forest management activity to maintain a sugar bush and harvest maple products for domestic purposes

(a) if the activity is carried on by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act allowing the person to carry on the activities of a sugar bush operator within the proposed reserve ;

(b) if the activity is carried on within a zone for which the permit obtained allowed the carrying on of sugar bush operations on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years ; or

(c) if the activity is carried on by a person in compliance with the conditions set out in the sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act.

3.12. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry out soil development work, including any fill, burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose including recreational and tourism purposes such as the development of trails ;

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

(3) reconstruct or demolish an existing structure, infrastructure or works ;

(4) use a pesticide, although no authorization is required for the use of insect repellent for personal purposes ;

(5) carry on an activity that is likely to severely degrade the soil or a geological formation or damage the vegetation cover, such as stripping, the digging of trenches or excavation work ; or

(6) carry on educational or research-related activities if the activities are likely to significantly damage or disturb the natural environment, in particular by the extent of the moving or removal of natural resources or by the use of explosives.

The conditions of the Minister's authorization for the work may pertain to the location of the authorized activity, the methods used, the areas that may be cleared or deforested, the types of material that may be used including the material taken from the site, and the presence of ancillary works or facilities. The conditions may also

include a requirement to ensure periodic follow-up or to report to the Minister, in particular as regards the results obtained from the research to which subparagraph 6 of the first paragraph refers.

Subject to the conditions determined in the authorization, work to repair or maintain trails authorized by the Minister or trails existing on the date on which the protection status as a proposed reserve takes effect may be carried on without an authorization under subparagraph 1 of the first paragraph.

Work to repair or maintain forest roads or roads authorized under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) carried on in accordance with the Forest Act and its regulations that concern standards of forest management may be carried on without an authorization under subparagraph 1 of the first paragraph.

§2.4. Authorization exemptions

3.13. Despite the preceding provisions, no authorization need be obtained by a person to carry on an activity or for any other form of intervention within the proposed reserve if urgent action is required 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.

3.14. Despite the preceding provisions, the following activities and interventions involving the production, transmission and distribution of electricity carried out by Hydro-Québec (Société) or by any other person for Hydro-Québec do not require the prior authorization of the Minister under this plan :

(1) any activity or intervention required within the proposed reserve to complete a project which was previously expressly authorized by the Government and the Minister, or only by the latter, in accordance with the requirements of the Environment Quality Act (R.S.Q., c. Q-2), if the activity or intervention is carried out in compliance with the authorizations issued ;

(2) any activity or intervention necessary for the preparation and presentation of a pre-project report for a project requiring an authorization under the Environment Quality Act ;

(3) any activity or intervention relating to a project requiring the prior authorization of the Minister under the Environment Quality Act, if the activity or intervention is in response to a request for a clarification or for

additional information made by the Minister to the Société and it is carried out in accordance with the request;

(4) any activity or intervention by the Société, if the conditions for the carrying out of the activity or intervention have been determined in an agreement between the Minister and the Société and the activity or intervention is carried out in compliance with those conditions.

For the purposes of this section, the activities and interventions of the Société include 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 equipment movement necessary for the carrying on of such work.

§2.5. *General provisions*

3.15. Every person who applies to the Minister for an individual authorization or for an authorization for a group or for a number of persons must provide any information or document requested by the Minister for the examination of the application.

3.16. The Minister's authorization, which is general and can be used by more than one person, may be communicated to the persons concerned by any appropriate means including by a posted notice or appropriate signage at the reception centre or any other location within the proposed reserve that is readily accessible to the public. The Minister is to provide a copy to any person requesting a copy.

§3. *Activities governed by other statutes*

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

A special legal framework may govern permitted and prohibited activities within the proposed reserve in connection with the following matters :

— Environmental protection : measures set out in particular in the Environment Quality Act (R.S.Q., c. Q-2);

— Archaeological research : measures set out in particular in the Cultural Property Act (R.S.Q., c. B-4);

— Development of wildlife resources : measures set out in particular in the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), including the provisions pertaining to outfitting operations and beaver reserves and the measures contained in applicable federal legislation, including the fishery regulations ;

— Removal of species of fauna or flora that are threatened or vulnerable or are likely to be designated as such : measures prohibiting the removal of the species under the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01);

— Access and land rights : measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1);

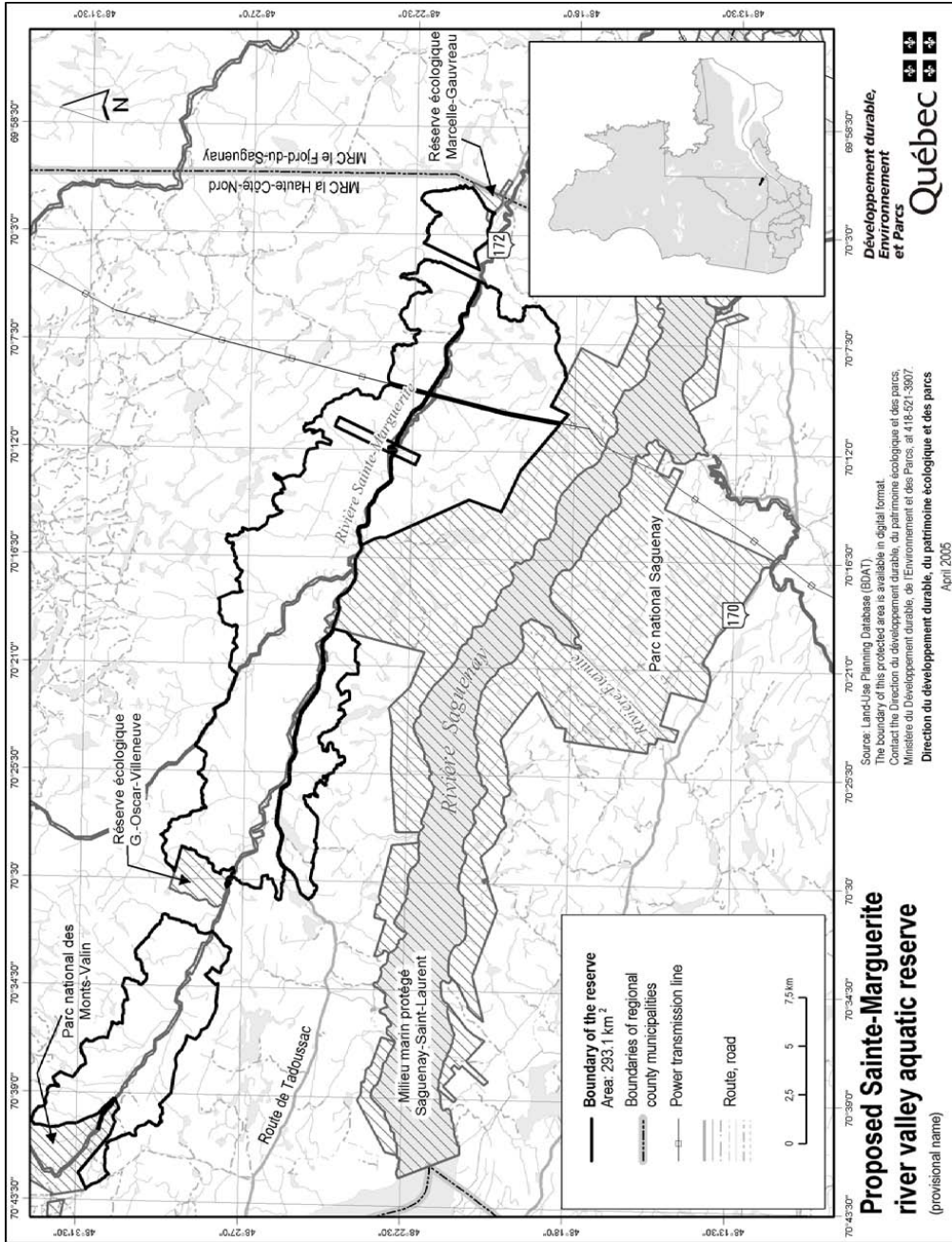
— Operation of vehicles : measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and in the regulation on motor vehicle traffic in certain fragile environments made under the Environment Quality Act (R.S.Q., c. Q-2).

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

The Minister of Sustainable Development, Environment and Parks is responsible for the management of the proposed Sainte-Marguerite river valley aquatic reserve and is therefore responsible for the supervision and monitoring of the activities that may be carried on within the reserve. The Minister in the management of the reserve works collaboratively with other government representatives having specific responsibilities within the boundaries of the reserve or on adjoining land, such as the Minister of Natural Resources and Wildlife. In the exercise of their powers and functions, the Ministers will take into consideration the protection sought for these natural environments and the protection status that has been granted.

Schedule

Map of the proposed Sainte-Marguerite river valley aquatic reserve (provisional name)



PROPOSED BONAVENTURE RIVER ESTUARY
AQUATIC RESERVE
(provisional name)

CONSERVATION PLAN

June 2005

1. Protection status and toponym

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

The proposed reserve is to have the name “Réserve aquatique projetée de l’estuaire de la rivière Bonaventure”. The official toponym will be determined at the time of the assignment of permanent protection status to the land.

The proposed aquatic reserve protects the estuary of one of the largest watercourses in the Appalachians natural province. It also ensures the protection of a wide diversity of aquatic ecosystems, riparian ecotones, marine and estuarine environments and land habitats.

Aquatic reserve status will allow the pursuit of the following conservation objectives:

- conservation of an outstanding estuary in the Appalachians natural province;
- preservation of the biodiversity in the aquatic ecosystems and riparian ecotones;
- increased protection of flora habitats;
- acquisition of additional knowledge about the natural heritage.

2. Plan and description

2.1. Location, boundaries and dimensions

The boundaries and location of the proposed Bonaventure river estuary aquatic reserve are shown on the attached plan.

The proposed Bonaventure river estuary aquatic reserve is located between 48°01' and 48°03' north latitude and 65°27' and 65°29' west longitude. It is situated in Ville de Bonaventure, in Municipalité régionale de comté de Bonaventure, in the Gaspésie–Îles-de-la-Madeleine administrative region.

The proposed aquatic reserve covers an area of 2.4 km² and lies within the estuary of the Bonaventure river, formed at the mouth of the river. The proposed aquatic reserve comprises the bodies of water up to the high water mark and the bed of the river, the adjacent shallow basins, lagoons and delta shoals. It includes the islands located in the estuary, of deltaic origin, particularly Île des Prés, Île Arsenault, Île aux Sapins and Île des Chardons. Île des Prés is fragmented by a number of channels creating a mosaic of islets. Two barrier beaches, or sand spits, oriented north-west – south-east separate the estuary from the marine environment; the sand spit located to the south-east, referred to locally as Île aux Pirates, and the beach adjacent to the sand spit located to the north-west form part of the proposed aquatic reserve. The proposed aquatic reserve extends in two places into Chaleur Bay, bordering the two sand spits.

All the land included in the proposed aquatic reserve was obtained by the Ministère de l'Environnement in November 2001 within the context of a “donation of land with ecological value” from Emballages Smurfit-Stone Canada inc. The Ministère du Développement durable, de l'Environnement et des Parcs has authority in the territory.

Route 132 crossing the southern portion of the proposed aquatic reserve, the foot bridge and the three decommissioned bridges across the proposed aquatic reserve at the location of the former Route 132 as well as the marina and the electric power distribution equipment, having a 9-metre wide right-of-way, are excluded from the protection perimeter.

2.2. Geography

The area is in the Appalachians natural province. The estuary is one of the most studied estuaries in Chaleur Bay for its geomorphology, hydrodynamics and biology. It is considered one of the most outstanding estuaries in Gaspésie although it has been partially deteriorated by a number of human activities. Marshlands and wetlands are also found on the islands. The estuary is recognized as a site of interest for its flora because of the presence of threatened or vulnerable species. A wide variety of avian species are present and the estuary is a major fish habitat. The dominant landscape is a delta oriented to the south-west which is influenced by the tidal movement. The maximum elevation reaches a few metres above sea level.

The hydrodynamics, geomorphologic evolution and the barchois in the Bonaventure river have been greatly disturbed by human activities: log driving until 1967; dredging, the construction of a channel and the installa-

tion of a log pond for a sawmill built before 1963 that no longer exists; dredging for the port facility and construction of a marina; the construction of Route 132 that began in 1972.

2.2.1. Representative elements

Climate: The proposed aquatic reserve is characterized by a moderate, subhumid continental climate, with a long growing season. It borders land that forms part of the balsam fir-yellow birch bioclimatic domain.

Geology and geomorphology: The proposed aquatic reserve is part of the Appalachians geologic province and contains Carboniferous rocks (350 to 325 million years) that rest unconformably on older Ordovician to Devonian rocks (500 to 360 million years). The bedrock consists of clastic rocks (conglomerates). The proposed aquatic reserve is bordered by lowlands slightly sloping westwards. The river cuts through marine sediments composed of silt and clay. The islands consist of coarser deltaic deposits.

Hydrography: The Bonaventure river is one of the longest watercourses in the natural province, having its source in the Chic-Chocs mountains. The river and its numerous tributaries drain an area of some 2,391 km². The main course of the river flows for 125 km to the south-east and has an average slope of 3.3 m/km. At its mouth, in the proposed aquatic reserve, the river ends its course in a south-west direction. A barachois formed on contact with Chaleur Bay is fed by freshwater at an annual average rate of 46 m³/s.

Influenced by the semi-daily and seasonal tides, the estuary is subject to variations of currents, water level and salinity. The surface water salinity in the proposed aquatic reserve ranges in the summer from 0.0% upstream to 26.5% downstream.

Vegetation: The vegetation in the Bonaventure estuary is characterized by sea coast cover, stands of aquatic plants present in tidal zones, freshwater, brackish or salt water marshes, wetlands and parcels of forest. Grasslands, shrub communities and tree formations are also found in the estuary.

Plants and vegetation communities typical of the Chaleur Bay sea coast grow on the barrier beaches: beachgrass prairie (*Ammophila breviligulata*), lyme grass (*Elymus arenarius*), etc. The aquatic vegetation consisting of submerged plants covers some 6% of the barachois basins strongly influenced by the tides, between Route 132 and the sea, in a salt or brackish water environment. Eelgrass (*Zostera marina*) dominates the shallow sea

water and basins. Green string lettuce (*Enteromorpha* sp.), green stringy algae tolerant to salinity changes, grows in all the basins of the estuary, but it is more abundant in the basin bordering Île aux Pirates; at low tide, the green colour of the algae characterizes the mouth of the river. Sea lettuce (*Ulva* sp.), also an algae, ditch grass (*Ruppia maritima*) and horned pondweed (*Zannichellia palustris*) are the other aquatic plants in the salt and brackish water environments, although they are not abundant.

A dozen species dominate the salt and brackish marshes bordering the lagoons, basins and the southern portion of the islands; the marshes are located mainly north of Route 132. Smooth cordgrass (*Spartina alterniflora*) communities grow in the area of the marshes that is most often flooded. Baltic rush (*Juncus balticus*), scaly sedge (*Carex paleacea*), red fescue (*Festuca rubra*), freshwater cordgrass (*Spartina pectinata*), New York aster (*Symphiotrichum novi-belgii*) and saltmarsh spikerush (*Eleocharis uniglumis*) dominate in all the salt and brackish marshes. Herbaceous meadows and scrublands of diversified flora characterize the freshwater marshes on the islands. Marshes having a peat facies cover the southern portion of the islands located north of Île des Prés.

The portion of the islands located north-east of the former Route 132 is covered in the wetland segment by wooded swamps of black spruce (*Picea mariana*), American elm (*Ulmus americana*) and balsam poplar (*Populus balsamifera*), and in the mesic environment at the centre of the islands, by shrublands of white spruce (*Picea glauca*) and eastern white cedar (*Thuja occidentalis*).

2.2.2. Outstanding elements

The islands in the Bonaventure river estuary, in the proposed aquatic reserve, are home to Macoun's fringed gentian (*Gentianopsis procera* subsp. *macounii* var. *macounii*) and Anticosti aster (*Symphiotrichum anticostense*), two plants designated as threatened species, and to mat mulhy (*Muhlenbergia richardsonis*) and Gaspé peninsula arrow-grass (*Triglochin gaspense*), two plants likely to be designated as threatened or vulnerable species. The distribution of the four riparian and estuarine species is limited. The fringed gentian, found mainly in western Canada, grows only on the superior hydrolittoral of the Bonaventure and certain James Bay rivers. The global distribution of the aster and arrow-grass is centred around the Gulf of St. Lawrence. Mulhy grass is found sporadically in North America; in Québec, it is found around the Gulf of St. Lawrence. The presence of uncommon habitats in the estuary, in particular gravel and limestone flats, explains the abundance of the rare plants.

The proposed aquatic reserve is, in the spring and in the fall, a major staging area for aquatic birds. It is a resting and feeding site for a number of species of shorebirds and birds that live in the marine and estuarine environment. The bald eagle (*Haliaeetus leucocephalus*), a species designated as vulnerable, is present in the territory. A few birds likely to be designated as threatened or vulnerable in Québec have reportedly been observed in the proposed aquatic reserve: the harlequin duck (*Historionicus historionicus*), Barrow's goldeneye (*Bucephala islandica*) and the red-headed woodpecker (*Melanerpes erythrocephalus*). Approximately fifteen species of fish are present in the Bonaventure river estuary. Soft-shell clams (*Mya arenaria*) are found along the north-western barrier beach. The zooplanktonic species are mainly represented by copepods and nauplii. Fourteen species of benthic fauna have been observed; the sandworm (*Nereis diversicolor*), a polychaete, and a small snail (*Hydrobia minuta*), a gastropod mollusc, dominate.

2.3. Occupation, rights and land uses

The area of the proposed aquatic reserve is a major site for birdwatching and sports fishing grounds for Atlantic salmon (*Salmo salar*), brook trout (*Salvelinus fontinalis*) and rainbow smelt (*Osmerus mordax*). Fishing takes place from the shore or using motorized craft and, in the winter, in huts set up on the ice. The ZEC de la rivière Bonaventure, offering sport salmon fishing, lies north of the boundary of Canton de Hamilton, outside the proposed aquatic reserve. Canoeing and kayaking is possible on the Bonaventure river, the canoists and kayakers ending their trip in the estuary in the proposed reserve or in the marina area; they rarely set foot on the shores of the proposed aquatic reserve. In the winter, a snowmobile trail crosses the western side of the basin (Lot A-2). Other activities are occasionally carried on in the territory, in particular migratory bird hunting, swimming and off-highway vehicle outings on Île aux Pirates.

The proposed aquatic reserve is bisected by Route 132. In the northern portion of the area, a foot bridge and three decommissioned bridges span the proposed aquatic reserve at the location of the former Route 132. A marina and fishing harbour border the proposed aquatic reserve at the mouth of the river, and a municipal camping site is present on the sand spit located to the north-west.

All the land immediately adjacent to the proposed aquatic reserve is privately owned. The private land is mainly occupied by residences and businesses.

3. Activities within the reserve

§1. Introduction

The activities carried on within the proposed reserve are governed for the most part by the provisions of the Natural Heritage Conservation Act.

This Division prohibits activities in addition to those prohibited under the Act and provides a framework for the carrying on of certain permitted activities so as to better ensure the protection of the natural environment. Accordingly, certain activities require the prior authorization of the Minister and compliance with the conditions determined by the Minister.

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

— mining, and gas or petroleum development;

— forest management within the meaning of section 3 of the Forest Act (R.S.Q., c. F-4.1);

— the development of hydraulic resources and any production of energy on a commercial or industrial basis.

§2. Prohibitions, prior authorizations and conditions on which certain activities may be carried on in the proposed reserve

§2.1. Protection of resources and the natural environment

3.1. No person may introduce non-native species of flora or fauna into the proposed reserve.

3.2. No person may stock a watercourse or body of water

(1) for aquaculture, sports or commercial fishing or any other commercial purpose;

(2) for any other purpose, if the fish stocked are not from a genetic strain originating from the proposed reserve.

3.3. No person may bury, abandon or dispose of waste, snow or other residual materials other than in waste disposal containers, facilities or sites determined by the Minister or elsewhere, with the authorization of the Minister and in compliance with the conditions the Minister determines.

3.4. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry on any activity likely to severely degrade the banks or shores or to otherwise seriously affect the integrity of a watercourse, body of water or other wetland area, in particular by discharging or dumping waste or other pollutant into the watercourse, body of water or wetland area; or

(2) dig, fill, obstruct or divert a watercourse or body of water.

§2.2. Rules of conduct for users

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

3.6. No person may make a fire in the proposed reserve, including a campfire and a beach fire.

3.7. In the proposed reserve, no person may

(1) cause any excessive noise; or

(2) behave in a manner that unduly disturbs other persons in the reserve or interferes with their enjoyment of the reserve.

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

3.9. No person may enter, carry on an activity in or operate a vehicle in a given sector of the proposed reserve unless the person has been authorized by the Minister and complies with the conditions determined, if the signage erected by the Minister restricts access, traffic or certain activities in order to protect the public from a danger or to avoid placing the fauna, flora or other components of the natural environment at risk.

§2.3. Activities requiring an authorization

3.10. No person may establish a campsite, a shelter or otherwise stay in the proposed reserve, or occupy a site by installing property, unless the person has been authorized by the Minister and complies with the conditions the Minister determines.

3.11. No person may carry on forest management activities to meet domestic needs or for the purpose of maintaining biodiversity, unless the person has been authorized by the Minister and complies with the conditions the Minister determines.

The conditions of that authorization may pertain, among other things, to species of trees or shrubs, the size of the stems that may be cut, the authorized amounts and where the activities may be carried on.

3.12. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry out soil development work, including any fill, burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose including recreational and tourism purposes such as the development of trails;

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

(3) reconstruct or demolish an existing structure, infrastructure or works;

(4) use a pesticide, although no authorization is required for the use of insect repellent for personal purposes;

(5) carry on an activity that is likely to severely degrade the soil or a geological formation or damage the vegetation cover, such as stripping, the digging of trenches or excavation work;

(6) carry on educational or research-related activities if the activities are likely to significantly damage or disturb the natural environment, in particular by the extent of the moving or removal of natural resources or by the use of explosives; or

(7) remove the following flora or fauna species:

— Anticosti aster (*Symphyotrichum anticostense*);

— Macoun's fringed gentian (*Gentianopsis procera* subsp. *macounii* var. *macounii*);

— mat muhly (*Muhlenbergia richardsonis*);

— Gaspé peninsula arrow-grass (*Triglochin gaspensis*);

— harlequin duck (*Historionicus historionicus*);

- Barrow's goldeneye (*Bucephala islandica*);
- red-headed woodpecker (*Melanerpes erythrocephalus*);
- bald eagle (*Haliaeetus leucocephalus*).

The conditions of the Minister's authorization for the work may pertain to the location of the authorized activity, the methods used, the areas that may be cleared or deforested, the types of material that may be used including the material taken from the site, and the presence of ancillary works or facilities. The conditions may also include a requirement to ensure periodic follow-up or to report to the Minister, in particular as regards the results obtained from the research to which subparagraph 6 of the first paragraph refers.

Subject to the conditions determined in the authorization, work to repair or maintain trails authorized by the Minister or trails existing on the date on which the protection status as a proposed reserve takes effect may be carried on without an authorization under subparagraph 1 of the first paragraph.

§2.4. Authorization exemptions

3.13. Despite the preceding provisions, no authorization need be obtained by a person to carry on an activity or for any other form of intervention within the proposed reserve if urgent action is required 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.

3.14. Despite the preceding provisions, the following activities and interventions involving the production, transmission and distribution of electricity carried out by Hydro-Québec (Société) or by any other person for Hydro-Québec do not require the prior authorization of the Minister under this plan:

(1) any activity or intervention required within the proposed reserve to complete a project which was previously expressly authorized by the Government and the Minister, or only by the latter, in accordance with the requirements of the Environment Quality Act (R.S.Q., c. Q-2), if the activity or intervention is carried out in compliance with the authorizations issued;

(2) any activity or intervention necessary for the preparation and presentation of a pre-project report for a project requiring an authorization under the Environment Quality Act;

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

(4) any activity or intervention by the Société, if the conditions for the carrying out of the activity or intervention have been determined in an agreement between the Minister and the Société and the activity or intervention is carried out in compliance with those conditions.

For the purposes of this section, the activities and interventions of the Société include 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 equipment movement necessary for the carrying on of such work.

3.15. Despite the preceding provisions, no authorization need be obtained by Ville de Bonaventure to carry out an activity, work or any other form of intervention requiring the maintenance and cleaning of the beach adjacent to the municipal camping site (Lot A-4).

§2.5. General provisions

3.16. Every person who applies to the Minister for an individual authorization or for an authorization for a group or for a number of persons must provide any information or document requested by the Minister for the examination of the application.

3.17. The Minister's authorization, which is general and can be used by more than one person, may be communicated to the persons concerned by any appropriate means including by a posted notice or appropriate signage at the reception centre or any other location within the proposed reserve that is readily accessible to the public. The Minister is to provide a copy to any person requesting a copy.

§3. Activities governed by other statutes

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

A special legal framework may govern permitted and prohibited activities within the proposed reserve in connection with the following matters :

— Environmental protection : measures set out in particular in the Environment Quality Act (R.S.Q., c. Q-2) ;

— Archaeological research : measures set out in particular in the Cultural Property Act (R.S.Q., c. B-4) ;

— Development of wildlife resources : measures set out in particular in the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), including the provisions pertaining to outfitting operations and beaver reserves and the measures contained in applicable federal legislation, including the fishery regulations ;

— Removal of species of fauna or flora that are threatened or vulnerable or are likely to be designated as such : measures prohibiting the removal of the species under the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01) ;

— Access and land rights : measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) ;

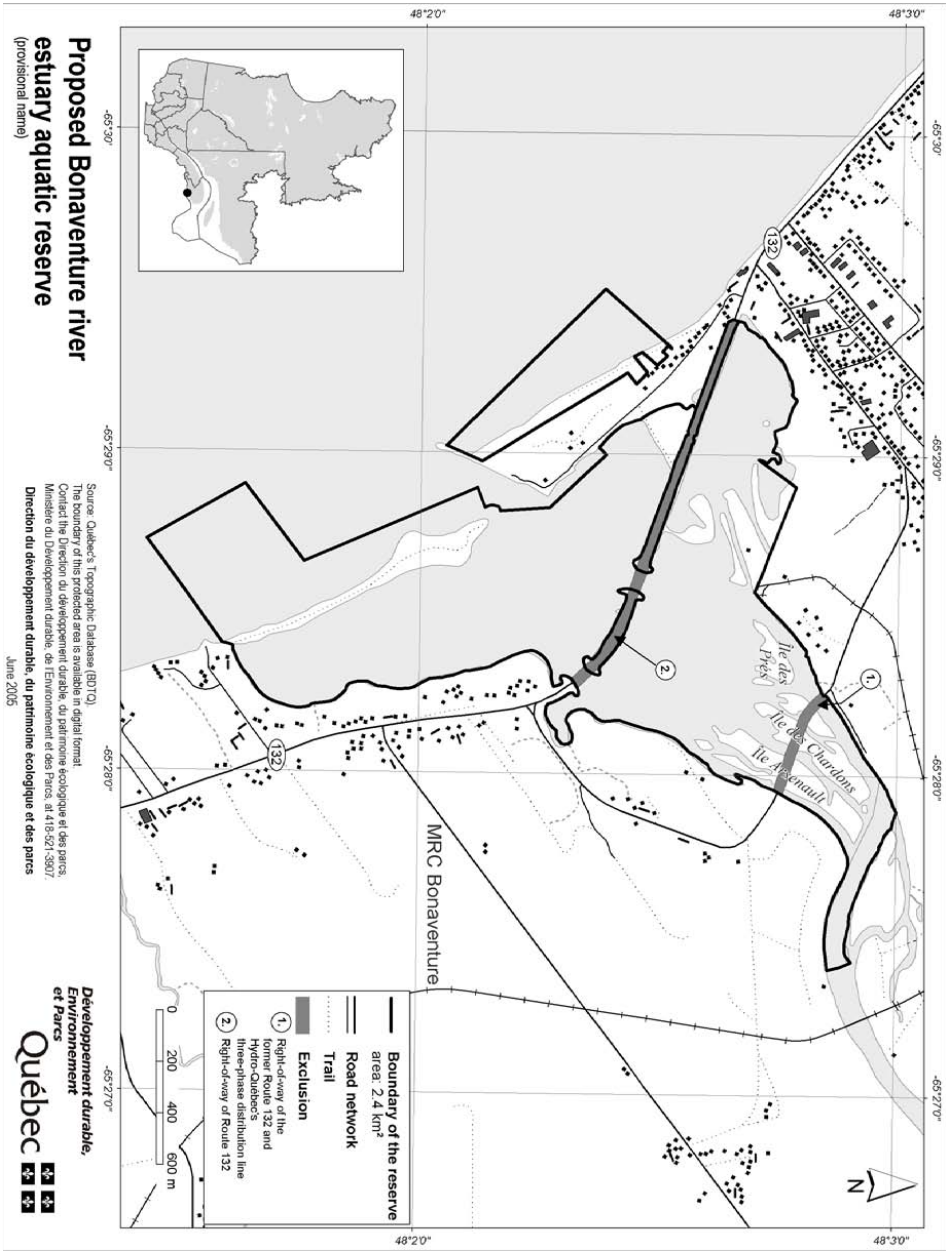
— Operation of vehicles : measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and in the regulation on motor vehicle traffic in certain fragile environments made under the Environment Quality Act (R.S.Q., c. Q-2).

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

The Minister of Sustainable Development, Environment and Parks is responsible for the management of the proposed Bonaventure river estuary aquatic reserve and is therefore responsible for the supervision and monitoring of the activities that may be carried on within the reserve. The Minister in the management of the reserve works collaboratively with other government representatives having specific responsibilities within the boundaries of the reserve or on adjoining land, such as the Minister of Natural Resources and Wildlife. In the exercise of their powers and functions, the Ministers will take into consideration the protection sought for these natural environments and the protection status that has been granted.

Schedule

Map of the proposed Bonaventure river estuary aquatic reserve (provisional name)



PROPOSED NIQUET STREAM BIODIVERSITY RESERVE

(provisional name)

CONSERVATION PLAN

June 2005

1. Protection status and toponym

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

The proposed reserve is to have the name “Réserve de biodiversité projetée du ruisseau Niquet”. The official toponym will be determined at the time of the assignment of permanent protection status to the land.

2. Plan and description

2.1. Geographic location, boundaries and dimensions

The boundaries and location of the proposed Niquet stream biodiversity reserve are shown on the plan.

The proposed Niquet stream biodiversity reserve is located in the Nord-du-Québec administrative region, between 50°04' and 50°14' north latitude and 78°53' and 79°10' west longitude. It is situated some 93 km north-west of Ville de Matagami and some 110 km south of the Cree village of Waskaganish. The proposed biodiversity reserve covers an area of 164.6 km² and lies within the territory of Municipalité de Baie-James.

2.2. Ecological overview

The proposed Niquet stream biodiversity reserve is in the Abitibi and James Bay Lowlands natural province. It protects natural environments characteristic of the Turgeon River Plain natural region. In the plain, the bedrock is covered with organic deposits and poorly drained Cochrane till. The terraces and hills are covered with well-drained Cochrane till, well-drained sand and fine sediments. The higher land constitutes one segment of the northern portion of the interlobate Harricana moraine. It forms a unique, remarkable feature in the surrounding clayey plain. Cochrane till is a clayey, limestone deposit of glacial origin that covers almost 40% of the area and is almost exclusively found in the natural region of the Turgeon River Plain. The average altitude is 241 m, varying between 197 m and 316 m.

Almost half of the area of the proposed biodiversity reserve is covered by oligotrophic and minerotrophic peat bogs. They are established on organic deposits,

which are also home to stands of black spruce of varying density. On mesic sites and rocky outcrops, dry heaths have developed with groves of black spruce (*Picea mariana*) and balsam fir (*Abies balsamea*). The presence of jack pine (*Pinus banksiana*), white birch (*Betula papyrifera*) and trembling aspen (*Populus tremuloides*) reveals that the area has been affected by forest fires, the main natural disturbance in the region.

2.3. Occupation and land uses

One right for vacation resort purposes has been granted within the perimeter of the proposed biodiversity reserve.

The land of the proposed biodiversity reserve is classified as Category III land under the James Bay and Northern Québec Agreement (JBNQA) signed in 1975 and the Act respecting the land regime in the James Bay and New Québec territories (R.S.Q., c. R-13.1). The territory lies wholly within the Abitibi beaver reserve. The Cree community of Waskaganish has special rights regarding hunting, fishing and trapping. Most of the proposed biodiversity reserve is covered by the Paix des Braves Agreement signed on February 7, 2002 between the Government of Québec and the Crees.

3. Activities within the reserve

§1. Introduction

The activities carried on within the proposed reserve are governed for the most part by the provisions of the Natural Heritage Conservation Act.

This Division prohibits activities in addition to those prohibited under the Act and provides a framework for the carrying on of certain permitted activities so as to better ensure the protection of the natural environment. Accordingly, certain activities require the prior authorization of the Minister and compliance with the conditions determined by the Minister.

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

- mining, and gas or petroleum development;
- forest management within the meaning of section 3 of the Forest Act (R.S.Q., c. F-4.1);
- the development of hydraulic resources and any production of energy on a commercial or industrial basis.

§2. Prohibitions, prior authorizations and conditions on which certain activities may be carried on in the proposed reserve

§2.1. Protection of resources and the natural environment

3.1. No person may introduce non-native species of flora or fauna into the proposed reserve.

3.2. No person may stock a watercourse or body of water

(1) for aquaculture, sports or commercial fishing or any other commercial purpose;

(2) for any other purpose, if the fish stocked are not from a genetic strain originating from the proposed reserve.

3.3. No person may bury, abandon or dispose of waste, snow or other residual materials other than in waste disposal containers, facilities or sites determined by the Minister or elsewhere, with the authorization of the Minister and in compliance with the conditions the Minister determines.

Despite the first paragraph, no authorization need be obtained by an outfitting operation to use a disposal facility or site in compliance with the Environment Quality Act and its regulations if the outfitting operation was already using the facility or site on the date on which the protection status as a proposed reserve takes effect.

3.4. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry on any activity likely to severely degrade the banks or shores or to otherwise seriously affect the integrity of a watercourse, body of water or other wetland area, in particular by discharging or dumping waste or other pollutant into the watercourse, body of water or wetland area; or

(2) dig, fill, obstruct or divert a watercourse or body of water.

§2.2. Rules of conduct for users

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

3.6. Every person who makes a campfire must

(1) clear an area around the fire site sufficient to prevent the fire from spreading by removing all branches, scrub, dry leaves and other combustible materials;

(2) see that there is always a person on the premises to attend the fire; and

(3) ensure that the fire is completely extinguished before leaving the premises.

3.7. In the proposed reserve, no person may

(1) cause any excessive noise; or

(2) behave in a manner that unduly disturbs other persons in the reserve or interferes with their enjoyment of the reserve.

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

3.9. No person may enter, carry on an activity in or operate a vehicle in a given sector of the proposed reserve unless the person has been authorized by the Minister and complies with the conditions determined, if the signage erected by the Minister restricts access, traffic or certain activities in order to protect the public from a danger or to avoid placing the fauna, flora or other components of the natural environment at risk.

§2.3. Activities requiring an authorization

3.10. No person may, unless the person has been authorized by the Minister and complies with the conditions the Minister determines, stay or reside on or otherwise occupy the same site within the proposed reserve for a period of more than three months in the same year. No authorization need be obtained by a person who,

(1) on the date on which the protection status as a proposed reserve takes effect, was a party to a lease or had already obtained another form of permit or authorization allowing the person to occupy the land under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) or, if applicable, the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), and whose right to occupy the land is renewed or extended;

(2) in accordance with the applicable provisions of law, has entitlement under a sublease, an assignment of a lease or a transfer of an authorization, as referred to in paragraph 1, and whose right to occupy the land is renewed or extended;

(3) avails himself or herself of the possibility of acquiring the land the person legally occupies on the date on which the protection status as a proposed reserve takes effect, pursuant to the Act respecting the lands in the domain of the State.

3.11. (1) No person may carry on forest management activities to meet domestic needs or for the purpose of maintaining biodiversity, unless the person has been authorized by the Minister and carries on the activities in compliance with the conditions the Minister determines.

The conditions of that authorization may pertain, among other things, to species of trees or shrubs, the size of the stems that may be cut, the quantities authorized and the places where the activities may be carried on.

(2) Despite subsection 1, the authorization of the Minister under this plan need not be obtained by a person staying or residing in the proposed reserve who collects wood to make a campfire.

No such authorization need be obtained by a person to collect wood to meet domestic needs

(a) if the wood is collected within a sector reserved by the Minister of Natural Resources and Wildlife as a sector for which a permit for the harvest of firewood for domestic purposes under the Forest Act (R.S.Q., c. F-4.1) may be issued and which has already been reserved as such by the Minister on the date on which the protection status as a proposed reserve takes effect;

(b) if the wood is collected by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the proposed reserve; or

(c) if the wood is collected by a person in accordance with the conditions set out in the permit for the harvest of firewood for domestic purposes issued by the Minister of Natural Resources and Wildlife under the Forest Act.

(3) Despite subsection 1, no authorization need be obtained by a person authorized by lease to occupy land within the proposed reserve, pursuant to this plan, to carry on a forest management activity for the purpose of

(a) clearing permitted harvested areas, maintaining them or creating visual openings, and any other similar removal purposes permitted under the regulation that applies to the sale, lease and granting of immovable rights made under the Act respecting the lands in the domain of the State;

(b) creating and maintaining access roads, stairways or other trails permitted under that regulation; or

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

When the work referred to in subparagraph *c* of subsection 3 is carried out 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 3.13 and 3.14.

(4) Despite subsection 1, no authorization need be obtained by a person to carry on a forest management activity to maintain a sugar bush and harvest maple products for domestic purposes

(a) if the activity is carried on by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act allowing the person to carry on the activities of a sugar bush operator within the proposed reserve;

(b) if the activity is carried on within a zone for which the permit obtained allowed the carrying on of sugar bush operations on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years; or

(c) if the activity is carried on by a person in compliance with the conditions set out in the sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act.

3.12. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry out soil development work, including any fill, burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose including recreational and tourism purposes such as the development of trails;

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

(3) reconstruct or demolish an existing structure, infrastructure or works;

(4) use a pesticide, although no authorization is required for the use of insect repellent for personal purposes;

(5) carry on an activity that is likely to severely degrade the soil or a geological formation or damage the vegetation cover, such as stripping, the digging of trenches or excavation work; or

(6) carry on educational or research-related activities if the activities are likely to significantly damage or disturb the natural environment, in particular by the extent of the moving or removal of natural resources or by the use of explosives.

The conditions of the Minister's authorization for the work may pertain to the location of the authorized activity, the methods used, the areas that may be cleared or deforested, the types of material that may be used including the material taken from the site, and the presence of ancillary works or facilities. The conditions may also include a requirement to ensure periodic follow-up or to report to the Minister, in particular as regards the results obtained from the research to which subparagraph 6 of the first paragraph refers.

Subject to the conditions determined in the authorization, work to repair or maintain trails authorized by the Minister or trails existing on the date on which the protection status as a proposed reserve takes effect may be carried on without an authorization under subparagraph 1 of the first paragraph.

Work to repair or maintain forest roads or roads authorized under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) carried on in accordance with the Forest Act and its regulations that concern standards of forest management may be carried on without an authorization under subparagraph 1 of the first paragraph.

§2.4. Authorization exemptions

3.13. Despite the preceding provisions, no authorization need be obtained by a person to carry on an activity or for any other form of intervention within the proposed reserve if urgent action is required 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.

3.14. Despite the preceding provisions, the following activities and interventions involving the production, transmission and distribution of electricity carried out by Hydro-Québec (Société) or by any other person for Hydro-Québec do not require the prior authorization of the Minister under this plan:

(1) any activity or intervention required within the proposed reserve to complete a project which was previously expressly authorized by the Government and the Minister, or only by the latter, in accordance with the requirements of the Environment Quality Act (R.S.Q., c. Q-2), if the activity or intervention is carried out in compliance with the authorizations issued;

(2) any activity or intervention necessary for the preparation and presentation of a pre-project report for a project requiring an authorization under the Environment Quality Act;

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

(4) any activity or intervention by the Société, if the conditions for the carrying out of the activity or intervention have been determined in an agreement between the Minister and the Société and the activity or intervention is carried out in compliance with those conditions.

For the purposes of this section, the activities and interventions of the Société include 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 equipment movement necessary for the carrying on of such work.

§2.5. General provisions

3.15. Every person who applies to the Minister for an individual authorization or for an authorization for a group or for a number of persons must provide any information or document requested by the Minister for the examination of the application.

3.16. The Minister's authorization, which is general and can be used by more than one person, may be communicated to the persons concerned by any appropriate means including by a posted notice or appropriate signage at the reception centre or any other location within the proposed reserve that is readily accessible to the public. The Minister is to provide a copy to any person requesting a copy.

§3. Activities governed by other statutes

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

A special legal framework may govern permitted and prohibited activities within the proposed reserve in connection with the following matters:

— Environmental protection: measures set out in particular in the Environment Quality Act (R.S.Q., c. Q-2);

— Archaeological research: measures set out in particular in the Cultural Property Act (R.S.Q., c. B-4);

— Development of wildlife resources: measures set out in particular in the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), including the provisions pertaining to outfitting operations and beaver reserves and the measures contained in applicable federal legislation, including the fishery regulations;

— Removal of species of fauna or flora that are threatened or vulnerable or are likely to be designated as such: measures prohibiting the removal of the species under the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01);

— Access and land rights: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1);

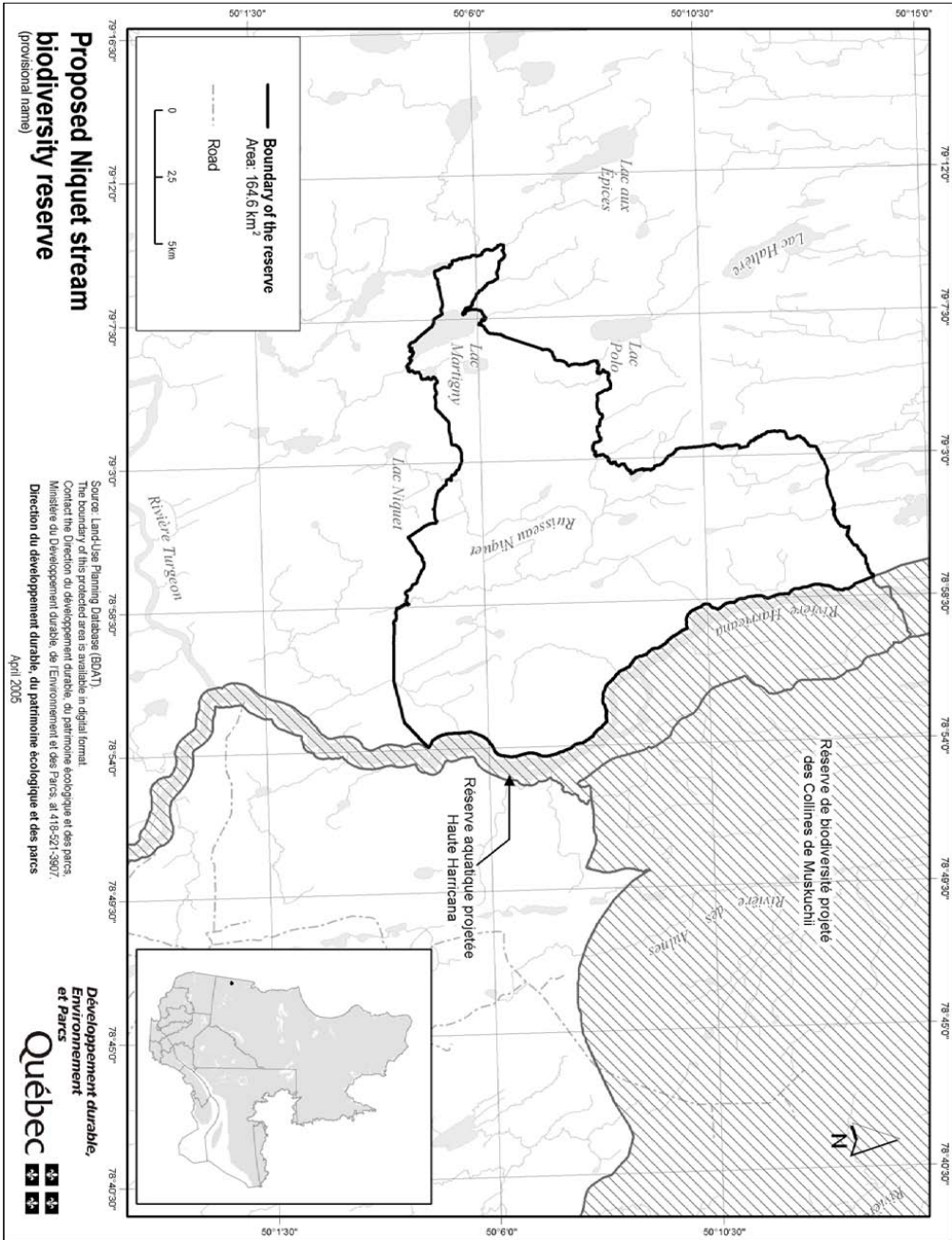
— Operation of vehicles: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and in the regulation on motor vehicle traffic in certain fragile environments made under the Environment Quality Act (R.S.Q., c. Q-2).

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

The Minister of Sustainable Development, Environment and Parks is responsible for the management of the proposed Niquet stream biodiversity reserve and is therefore responsible for the supervision and monitoring of the activities that may be carried on within the reserve. The Minister in the management of the reserve works collaboratively with other government representatives having specific responsibilities within the boundaries of the reserve or on adjoining land, such as the Minister of Natural Resources and Wildlife. In the exercise of their powers and functions, the Ministers will take into consideration the protection sought for these natural environments and the protection status that has been granted.

Schedule

Map of the proposed Niquet stream biodiversity reserve (provisional name)



PROPOSED SAINT-CYR LAKE BIODIVERSITY RESERVE

(provisional name)

CONSERVATION PLAN

June 2005

1. Protection status and toponym

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

The proposed reserve is to have the name “Réserve de biodiversité projetée du lac Saint-Cyr”. The official toponym will be determined at the time of the assignment of permanent protection status to the land.

2. Plan and description

2.1. Geographic location, boundaries and dimensions

The boundaries and location of the proposed Saint-Cyr lake biodiversity reserve are shown on the plan.

The proposed Saint-Cyr lake biodiversity reserve is located in the Abitibi-Témiscamingue administrative region, between 48°37' and 48°52' north latitude and 75°36' and 75°49' west longitude. It is situated some 50 km west of the Native village of Obedjiwan, some 57 km east-north-east of Municipalité de Senneterre and some 90 km east-south-east of Municipalité de Lebel-sur-Quévillon. The proposed reserve covers an area of 143.7 km² and lies within the territory of Municipalité de Senneterre, in Municipalité régionale de comté de La Vallée-de-l'Or.

The boundaries of the proposed biodiversity reserve run along the 391-metre point.

2.2. Ecological overview

The proposed Saint-Cyr lake biodiversity reserve is in the Mégiscane Lake Hills natural region in the Mistassini River Highlands natural province. The average elevation is 397 m and ranges from 391 m to 463 m. The proposed Saint-Cyr lake biodiversity reserve consists mainly of mounds of drumlinized till with good to moderate drainage. Thick till knolls with good to moderate drainage are found north of Mesplet lake. The vegetation is characterized by softwood forests dominated by black spruce. Peat bogs are also found in the protected area.

2.3. Occupation and land uses

Three land rights have been granted in the territory of the proposed biodiversity reserve: 1 for vacation resort purposes and 2 for rough shelters.

The proposed Saint-Cyr lake biodiversity reserve covers a portion of the territory of the Club Kapitachuan (21%) and Pourvoirie St-Cyr (70%) outfitting operations which hold exclusive rights for hunting and fishing. Therefore, 91% of the area of the proposed biodiversity reserve comprises outfitting operations with exclusive rights.

The land in the proposed biodiversity reserve is classified as Category III land under the James Bay and Northern Québec Agreement (JBNQA) signed in 1975 and the Act respecting the land regime in the James Bay and New Québec territories (R.S.Q., c. R-13.1) enacted in 1978. The territory of the proposed biodiversity reserve lies within the territory covered by the hunting, fishing and trapping regime applicable pursuant to section 24 of the JBNQA (see the Act respecting hunting and fishing rights in the James Bay and New Québec territories (R.S.Q., c. D-13.1)).

The proposed Saint-Cyr lake biodiversity reserve lies within the Abitibi beaver reserve, in which the Atikamekw community of Obedjiwan has special rights regarding the hunting and trapping of fur-bearing animals.

The Saint-Cyr river is a recognized canoe-kayak route.

3. Activities within the reserve

§1. Introduction

The activities carried on within the proposed reserve are governed for the most part by the provisions of the Natural Heritage Conservation Act.

This Division prohibits activities in addition to those prohibited under the Act and provides a framework for the carrying on of certain permitted activities so as to better ensure the protection of the natural environment. Accordingly, certain activities require the prior authorization of the Minister and compliance with the conditions determined by the Minister.

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

— mining, and gas or petroleum development;

— forest management within the meaning of section 3 of the Forest Act (R.S.Q., c. F-4.1);

— the development of hydraulic resources and any production of energy on a commercial or industrial basis.

§2. Prohibitions, prior authorizations and conditions on which certain activities may be carried on in the proposed reserve

§2.1. Protection of resources and the natural environment

3.1. No person may introduce non-native species of flora or fauna into the proposed reserve.

3.2. No person may stock a watercourse or body of water

(1) for aquaculture, sports or commercial fishing or any other commercial purpose;

(2) for any other purpose, if the fish stocked are not from a genetic strain originating from the proposed reserve.

3.3. No person may bury, abandon or dispose of waste, snow or other residual materials other than in waste disposal containers, facilities or sites determined by the Minister or elsewhere, with the authorization of the Minister and in compliance with the conditions the Minister determines.

Despite the first paragraph, no authorization need be obtained by an outfitting operation to use a disposal facility or site in compliance with the Environment Quality Act and its regulations if the outfitting operation was already using the facility or site on the date on which the protection status as a proposed reserve takes effect.

3.4. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry on any activity likely to severely degrade the banks or shores or to otherwise seriously affect the integrity of a watercourse, body of water or other wetland area, in particular by discharging or dumping waste or other pollutant into the watercourse, body of water or wetland area; or

(2) dig, fill, obstruct or divert a watercourse or body of water.

§2.2. Rules of conduct for users

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

3.6. Every person who makes a campfire must

(1) clear an area around the fire site sufficient to prevent the fire from spreading by removing all branches, scrub, dry leaves and other combustible materials;

(2) see that there is always a person on the premises to attend the fire; and

(3) ensure that the fire is completely extinguished before leaving the premises.

3.7. In the proposed reserve, no person may

(1) cause any excessive noise; or

(2) behave in a manner that unduly disturbs other persons in the reserve or interferes with their enjoyment of the reserve.

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

3.9. No person may enter, carry on an activity in or operate a vehicle in a given sector of the proposed reserve unless the person has been authorized by the Minister and complies with the conditions determined, if the signage erected by the Minister restricts access, traffic or certain activities in order to protect the public from a danger or to avoid placing the fauna, flora or other components of the natural environment at risk.

§2.3. Activities requiring an authorization

3.10. No person may, unless the person has been authorized by the Minister and complies with the conditions the Minister determines, stay or reside on or otherwise occupy the same site within the proposed reserve for a period of more than three months in the same year. No authorization need be obtained by a person who,

(1) on the date on which the protection status as a proposed reserve takes effect, was a party to a lease or had already obtained another form of permit or authorization allowing the person to occupy the land under the

Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) or, if applicable, the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), and whose right to occupy the land is renewed or extended;

(2) in accordance with the applicable provisions of law, has entitlement under a sublease, an assignment of a lease or a transfer of an authorization, as referred to in paragraph 1, and whose right to occupy the land is renewed or extended;

(3) avails himself or herself of the possibility of acquiring the land the person legally occupies on the date on which the protection status as a proposed reserve takes effect, pursuant to the Act respecting the lands in the domain of the State.

3.11. (1) No person may carry on forest management activities to meet domestic needs or for the purpose of maintaining biodiversity, unless the person has been authorized by the Minister and carries on the activities in compliance with the conditions the Minister determines.

The conditions of that authorization may pertain, among other things, to species of trees or shrubs, the size of the stems that may be cut, the quantities authorized and the places where the activities may be carried on.

(2) Despite subsection 1, the authorization of the Minister under this plan need not be obtained by a person staying or residing in the proposed reserve who collects wood to make a campfire.

No such authorization need be obtained by a person to collect wood to meet domestic needs

(a) if the wood is collected within a sector reserved by the Minister of Natural Resources and Wildlife as a sector for which a permit for the harvest of firewood for domestic purposes under the Forest Act (R.S.Q., c. F-4.1) may be issued and which has already been reserved as such by the Minister on the date on which the protection status as a proposed reserve takes effect;

(b) if the wood is collected by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the proposed reserve; or

(c) if the wood is collected by a person in accordance with the conditions set out in the permit for the harvest of firewood for domestic purposes issued by the Minister of Natural Resources and Wildlife under the Forest Act.

(3) Despite subsection 1, no authorization need be obtained by a person authorized by lease to occupy land within the proposed reserve, pursuant to this plan, to carry on a forest management activity for the purpose of

(a) clearing permitted harvested areas, maintaining them or creating visual openings, and any other similar removal purposes permitted under the regulation that applies to the sale, lease and granting of immovable rights made under the Act respecting the lands in the domain of the State;

(b) creating and maintaining access roads, stairways or other trails permitted under that regulation; or

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

When the work referred to in subparagraph *c* of subsection 3 is carried out 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 3.13 and 3.14.

(4) Despite subsection 1, no authorization need be obtained by a person to carry on a forest management activity to maintain a sugar bush and harvest maple products for domestic purposes

(a) if the activity is carried on by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act allowing the person to carry on the activities of a sugar bush operator within the proposed reserve;

(b) if the activity is carried on within a zone for which the permit obtained allowed the carrying on of sugar bush operations on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years; or

(c) if the activity is carried on by a person in compliance with the conditions set out in the sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act.

3.12. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry out soil development work, including any fill, burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose including recreational and tourism purposes such as the development of trails ;

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

(3) reconstruct or demolish an existing structure, infrastructure or works ;

(4) use a pesticide, although no authorization is required for the use of insect repellent for personal purposes ;

(5) carry on an activity that is likely to severely degrade the soil or a geological formation or damage the vegetation cover, such as stripping, the digging of trenches or excavation work ; or

(6) carry on educational or research-related activities if the activities are likely to significantly damage or disturb the natural environment, in particular by the extent of the moving or removal of natural resources or by the use of explosives.

The conditions of the Minister's authorization for the work may pertain to the location of the authorized activity, the methods used, the areas that may be cleared or deforested, the types of material that may be used including the material taken from the site, and the presence of ancillary works or facilities. The conditions may also include a requirement to ensure periodic follow-up or to report to the Minister, in particular as regards the results obtained from the research to which subparagraph 6 of the first paragraph refers.

Subject to the conditions determined in the authorization, work to repair or maintain trails authorized by the Minister or trails existing on the date on which the protection status as a proposed reserve takes effect may be carried on without an authorization under subparagraph 1 of the first paragraph.

Work to repair or maintain forest roads or roads authorized under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) carried on in accordance with the Forest Act and its regulations that concern standards of forest management may be carried on without an authorization under subparagraph 1 of the first paragraph.

§2.4. Authorization exemptions

3.13. Despite the preceding provisions, no authorization need be obtained by a person to carry on an activity or for any other form of intervention within the proposed reserve if urgent action is required 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.

3.14. Despite the preceding provisions, the following activities and interventions involving the production, transmission and distribution of electricity carried out by Hydro-Québec (Société) or by any other person for Hydro-Québec do not require the prior authorization of the Minister under this plan :

(1) any activity or intervention required within the proposed reserve to complete a project which was previously expressly authorized by the Government and the Minister, or only by the latter, in accordance with the requirements of the Environment Quality Act (R.S.Q., c. Q-2), if the activity or intervention is carried out in compliance with the authorizations issued ;

(2) any activity or intervention necessary for the preparation and presentation of a pre-project report for a project requiring an authorization under the Environment Quality Act ;

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

(4) any activity or intervention by the Société, if the conditions for the carrying out of the activity or intervention have been determined in an agreement between the Minister and the Société and the activity or intervention is carried out in compliance with those conditions.

For the purposes of this section, the activities and interventions of the Société include 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 equipment movement necessary for the carrying on of such work.

§2.5. *General provisions*

3.15. Every person who applies to the Minister for an individual authorization or for an authorization for a group or for a number of persons must provide any information or document requested by the Minister for the examination of the application.

3.16. The Minister's authorization, which is general and can be used by more than one person, may be communicated to the persons concerned by any appropriate means including by a posted notice or appropriate signage at the reception centre or any other location within the proposed reserve that is readily accessible to the public. The Minister is to provide a copy to any person requesting a copy.

§3. *Activities governed by other statutes*

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

A special legal framework may govern permitted and prohibited activities within the proposed reserve in connection with the following matters:

— Environmental protection: measures set out in particular in the Environment Quality Act (R.S.Q., c. Q-2);

— Archaeological research: measures set out in particular in the Cultural Property Act (R.S.Q., c. B-4);

— Development of wildlife resources: measures set out in particular in the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), including the provisions pertaining to outfitting operations and beaver reserves and the measures contained in applicable federal legislation, including the fishery regulations;

— Removal of species of fauna or flora that are threatened or vulnerable or are likely to be designated as such: measures prohibiting the removal of the species under the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01);

— Access and land rights: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1);

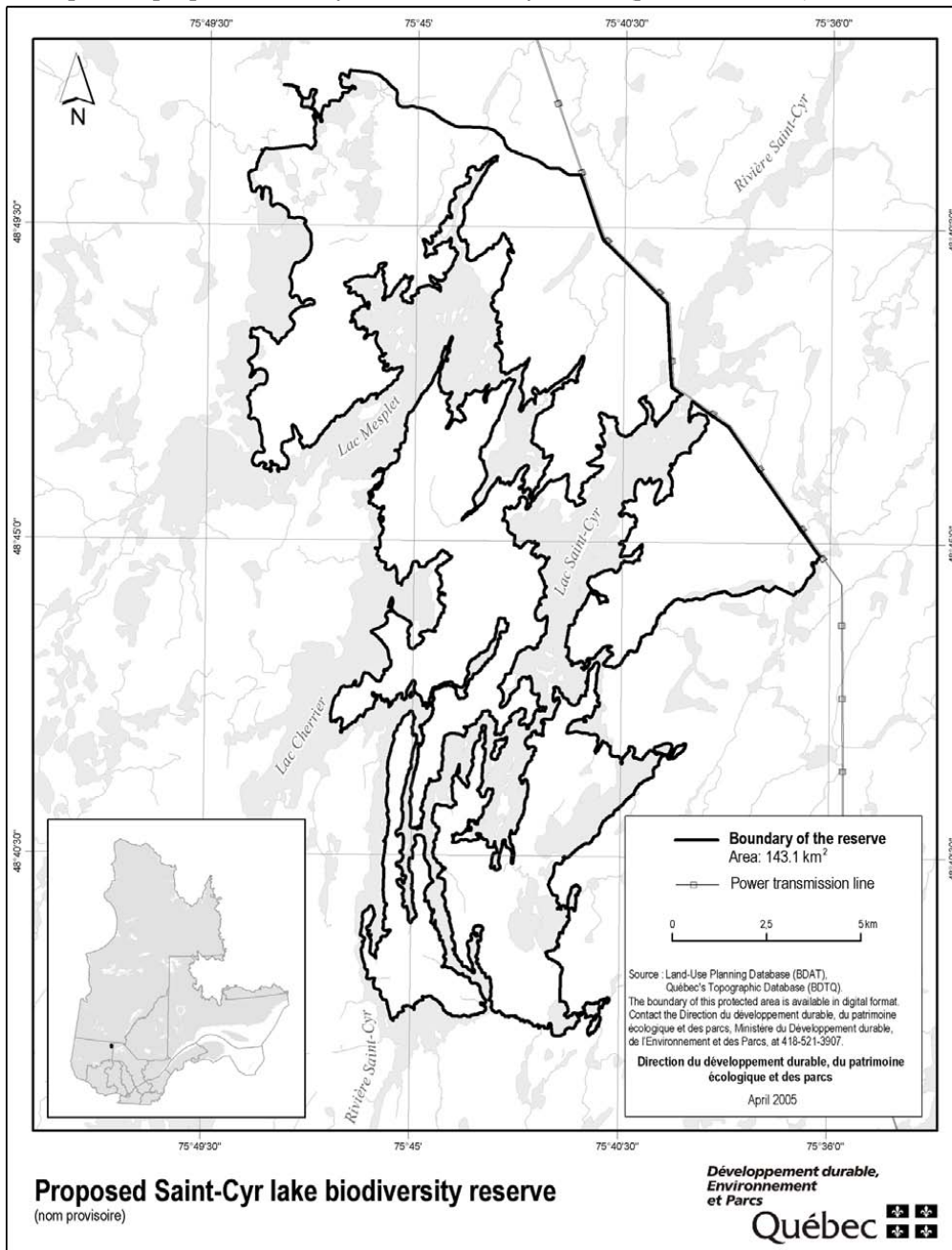
— Operation of vehicles: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and in the regulation on motor vehicle traffic in certain fragile environments made under the Environment Quality Act (R.S.Q., c. Q-2).

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

The Minister of Sustainable Development, Environment and Parks is responsible for the management of the proposed Saint-Cyr lake biodiversity reserve and is therefore responsible for the supervision and monitoring of the activities that may be carried on within the reserve. The Minister in the management of the reserve works collaboratively with other government representatives having specific responsibilities within the boundaries of the reserve or on adjoining land, such as the Minister of Natural Resources and Wildlife. In the exercise of their powers and functions, the Ministers will take into consideration the protection sought for these natural environments and the protection status that has been granted.

Schedule

Map of the proposed Saint-Cyr lake biodiversity reserve (provisional name)



PROPOSED WETETNAGAMI LAKE
BIODIVERSITY RESERVE
(provisional name)

CONSERVATION PLAN

June 2005

1. Protection status and toponym

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

The proposed reserve is to have the name “Réserve de biodiversité projetée du lac Wetetnagami”. The official toponym will be determined at the time of the assignment of permanent protection status to the land.

2. Plan and description

2.1. Geographic location, boundaries and dimensions

The boundaries and location of the proposed Wetetnagami lake biodiversity reserve are shown on the plan.

The proposed Wetetnagami lake biodiversity reserve is located in the Abitibi-Témiscamingue administrative region, between 48°35' and 49°00' north latitude and 76°11' and 76°23' west longitude. It is situated some 19 km north-east of Municipalité de Senneterre and some 55 km east-south-east of Municipalité de Lebel-sur-Quévillon. The proposed reserve covers an area of 234.3 km² and lies within Municipalité de Senneterre in Municipalité régionale de comté de La Vallée-de-l'Or.

A forest road crosses the southern portion of the proposed biodiversity reserve. A 40-metre right-of-way for that road is excluded from the proposed biodiversity reserve, as shown on the attached map.

2.2. Geography

The proposed Wetetnagami lake biodiversity reserve is in the Mégiscane Lake Hills natural region in the Mistassini River Highlands natural province. The average elevation is 415 m and ranges from 362 m to 552 m. In its northern half, the proposed Wetetnagami biodiversity reserve is formed of thick till mounds with good to moderate drainage. The southern half of the proposed biodiversity reserve is formed of thick till low hills with good to moderate drainage. The vegetation is characterized by softwood forests of black spruce and jack pine and mixed forests dominated by white birch and jack pine.

2.3. Occupation and land uses

Twenty-seven land rights have been granted in the territory of the proposed biodiversity reserve: 3 for vacation resort purposes, 19 for rough shelters and 5 for commercial outfitting operations (outfitting operations without exclusive rights).

The Wetetnagami river and lake are recognized canoe-kayak routes.

The land in the proposed biodiversity reserve is classified as Category III land under the James Bay and Northern Québec Agreement (JBNQA) signed in 1975 and the Act respecting the land regime in the James Bay and New Québec territories (R.S.Q., c. R-13.1) enacted in 1978. The territory of the proposed reserve lies within the territory covered by the hunting, fishing and trapping regime applicable pursuant to section 24 of the JBNQA (see the Act respecting hunting and fishing rights in the James Bay and New Québec territories (R.S.Q., c. D-13.1)). The proposed biodiversity reserve is included in the land under the Paix des Braves Agreement.

The Wetetnagami lake biodiversity reserve lies almost wholly within the Abitibi beaver reserve, in which the Atikamekw community of Obedjiwan has special rights regarding the hunting and trapping of fur-bearing animals. The northern portion of the proposed biodiversity reserve adjoins part of the Abitibi beaver reserve, in which the Cree community of Waswanipi has special rights regarding the hunting and trapping of fur-bearing animals.

Four traplines are present in the proposed Wetetnagami lake biodiversity reserve.

3. Activities within the reserve

§1. Introduction

The activities carried on within the proposed reserve are governed for the most part by the provisions of the Natural Heritage Conservation Act.

This Division prohibits activities in addition to those prohibited under the Act and provides a framework for the carrying on of certain permitted activities so as to better ensure the protection of the natural environment. Accordingly, certain activities require the prior authorization of the Minister and compliance with the conditions determined by the Minister.

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

- mining, and gas or petroleum development;
- forest management within the meaning of section 3 of the Forest Act (R.S.Q., c. F-4.1);
- the development of hydraulic resources and any production of energy on a commercial or industrial basis.

§2. Prohibitions, prior authorizations and conditions on which certain activities may be carried on in the proposed reserve

§2.1. Protection of resources and the natural environment

3.1. No person may introduce non-native species of flora or fauna into the proposed reserve.

3.2. No person may stock a watercourse or body of water

(1) for aquaculture, sports or commercial fishing or any other commercial purpose;

(2) for any other purpose, if the fish stocked are not from a genetic strain originating from the proposed reserve.

3.3. No person may bury, abandon or dispose of waste, snow or other residual materials other than in waste disposal containers, facilities or sites determined by the Minister or elsewhere, with the authorization of the Minister and in compliance with the conditions the Minister determines.

Despite the first paragraph, no authorization need be obtained by an outfitting operation to use a disposal facility or site in compliance with the Environment Quality Act and its regulations if the outfitting operation was already using the facility or site on the date on which the protection status as a proposed reserve takes effect.

3.4. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry on any activity likely to severely degrade the banks or shores or to otherwise seriously affect the integrity of a watercourse, body of water or other wetland area, in particular by discharging or dumping waste or other pollutant into the watercourse, body of water or wetland area; or

(2) dig, fill, obstruct or divert a watercourse or body of water.

§2.2. Rules of conduct for users

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

3.6. Every person who makes a campfire must

(1) clear an area around the fire site sufficient to prevent the fire from spreading by removing all branches, scrub, dry leaves and other combustible materials;

(2) see that there is always a person on the premises to attend the fire; and

(3) ensure that the fire is completely extinguished before leaving the premises.

3.7. In the proposed reserve, no person may

(1) cause any excessive noise; or

(2) behave in a manner that unduly disturbs other persons in the reserve or interferes with their enjoyment of the reserve.

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

3.9. No person may enter, carry on an activity in or operate a vehicle in a given sector of the proposed reserve unless the person has been authorized by the Minister and complies with the conditions determined, if the signage erected by the Minister restricts access, traffic or certain activities in order to protect the public from a danger or to avoid placing the fauna, flora or other components of the natural environment at risk.

§2.3. Activities requiring an authorization

3.10. No person may, unless the person has been authorized by the Minister and complies with the conditions the Minister determines, stay or reside on or otherwise occupy the same site within the proposed reserve for a period of more than three months in the same year. No authorization need be obtained by a person who,

(1) on the date on which the protection status as a proposed reserve takes effect, was a party to a lease or had already obtained another form of permit or authori-

zation allowing the person to occupy the land under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) or, if applicable, the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), and whose right to occupy the land is renewed or extended;

(2) in accordance with the applicable provisions of law, has entitlement under a sublease, an assignment of a lease or a transfer of an authorization, as referred to in paragraph 1, and whose right to occupy the land is renewed or extended;

(3) avails himself or herself of the possibility of acquiring the land the person legally occupies on the date on which the protection status as a proposed reserve takes effect, pursuant to the Act respecting the lands in the domain of the State.

3.11. (1) No person may carry on forest management activities to meet domestic needs or for the purpose of maintaining biodiversity, unless the person has been authorized by the Minister and carries on the activities in compliance with the conditions the Minister determines.

The conditions of that authorization may pertain, among other things, to species of trees or shrubs, the size of the stems that may be cut, the quantities authorized and the places where the activities may be carried on.

(2) Despite subsection 1, the authorization of the Minister under this plan need not be obtained by a person staying or residing in the proposed reserve who collects wood to make a campfire.

No such authorization need be obtained by a person to collect wood to meet domestic needs

(a) if the wood is collected within a sector reserved by the Minister of Natural Resources and Wildlife as a sector for which a permit for the harvest of firewood for domestic purposes under the Forest Act (R.S.Q., c. F-4.1) may be issued and which has already been reserved as such by the Minister on the date on which the protection status as a proposed reserve takes effect;

(b) if the wood is collected by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the proposed reserve; or

(c) if the wood is collected by a person in accordance with the conditions set out in the permit for the harvest of firewood for domestic purposes issued by the Minister of Natural Resources and Wildlife under the Forest Act.

(3) Despite subsection 1, no authorization need be obtained by a person authorized by lease to occupy land within the proposed reserve, pursuant to this plan, to carry on a forest management activity for the purpose of

(a) clearing permitted harvested areas, maintaining them or creating visual openings, and any other similar removal purposes permitted under the regulation that applies to the sale, lease and granting of immovable rights made under the Act respecting the lands in the domain of the State;

(b) creating and maintaining access roads, stairways or other trails permitted under that regulation; or

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

When the work referred to in subparagraph *c* of subsection 3 is carried out 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 3.13 and 3.14.

(4) Despite subsection 1, no authorization need be obtained by a person to carry on a forest management activity to maintain a sugar bush and harvest maple products for domestic purposes

(a) if the activity is carried on by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act allowing the person to carry on the activities of a sugar bush operator within the proposed reserve;

(b) if the activity is carried on within a zone for which the permit obtained allowed the carrying on of sugar bush operations on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years; or

(c) if the activity is carried on by a person in compliance with the conditions set out in the sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act.

3.12. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry out soil development work, including any fill, burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose including recreational and tourism purposes such as the development of trails;

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

(3) reconstruct or demolish an existing structure, infrastructure or works;

(4) use a pesticide, although no authorization is required for the use of insect repellent for personal purposes;

(5) carry on an activity that is likely to severely degrade the soil or a geological formation or damage the vegetation cover, such as stripping, the digging of trenches or excavation work;

(6) carry on educational or research-related activities if the activities are likely to significantly damage or disturb the natural environment, in particular by the extent of the moving or removal of natural resources or by the use of explosives.

The conditions of the Minister's authorization for the work may pertain to the location of the authorized activity, the methods used, the areas that may be cleared or deforested, the types of material that may be used including the material taken from the site, and the presence of ancillary works or facilities. The conditions may also include a requirement to ensure periodic follow-up or to report to the Minister, in particular as regards the results obtained from the research to which subparagraph 6 of the first paragraph refers.

Subject to the conditions determined in the authorization, work to repair or maintain trails authorized by the Minister or trails existing on the date on which the protection status as a proposed reserve takes effect may be carried on without an authorization under subparagraph 1 of the first paragraph.

Work to repair or maintain forest roads or roads authorized under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) carried on in accordance with the Forest Act and its regulations that concern standards of forest management may be carried on without an authorization under subparagraph 1 of the first paragraph.

§2.4. Authorization exemptions

3.13. Despite the preceding provisions, no authorization need be obtained by a person to carry on an activity or for any other form of intervention within the proposed reserve if urgent action is required 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.

3.14. Despite the preceding provisions, the following activities and interventions involving the production, transmission and distribution of electricity carried out by Hydro-Québec (Société) or by any other person for Hydro-Québec do not require the prior authorization of the Minister under this plan:

(1) any activity or intervention required within the proposed reserve to complete a project which was previously expressly authorized by the Government and the Minister, or only by the latter, in accordance with the requirements of the Environment Quality Act (R.S.Q., c. Q-2), if the activity or intervention is carried out in compliance with the authorizations issued;

(2) any activity or intervention necessary for the preparation and presentation of a pre-project report for a project requiring an authorization under the Environment Quality Act;

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

(4) any activity or intervention by the Société, if the conditions for the carrying out of the activity or intervention have been determined in an agreement between the Minister and the Société and the activity or intervention is carried out in compliance with those conditions.

For the purposes of this section, the activities and interventions of the Société include 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 equipment movement necessary for the carrying on of such work.

§2.5. *General provisions*

3.15. Every person who applies to the Minister for an individual authorization or for an authorization for a group or for a number of persons must provide any information or document requested by the Minister for the examination of the application.

3.16. The Minister's authorization, which is general and can be used by more than one person, may be communicated to the persons concerned by any appropriate means including by a posted notice or appropriate signage at the reception centre or any other location within the proposed reserve that is readily accessible to the public. The Minister is to provide a copy to any person requesting a copy.

§3. *Activities governed by other statutes*

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

A special legal framework may govern permitted and prohibited activities within the proposed reserve in connection with the following matters:

— Environmental protection: measures set out in particular in the Environment Quality Act (R.S.Q., c. Q-2);

— Archaeological research: measures set out in particular in the Cultural Property Act (R.S.Q., c. B-4);

— Development of wildlife resources: measures set out in particular in the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), including the provisions pertaining to outfitting operations and beaver reserves and the measures contained in applicable federal legislation, including the fishery regulations;

— Removal of species of fauna or flora that are threatened or vulnerable or are likely to be designated as such: measures prohibiting the removal of the species under the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01);

— Access and land rights: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1);

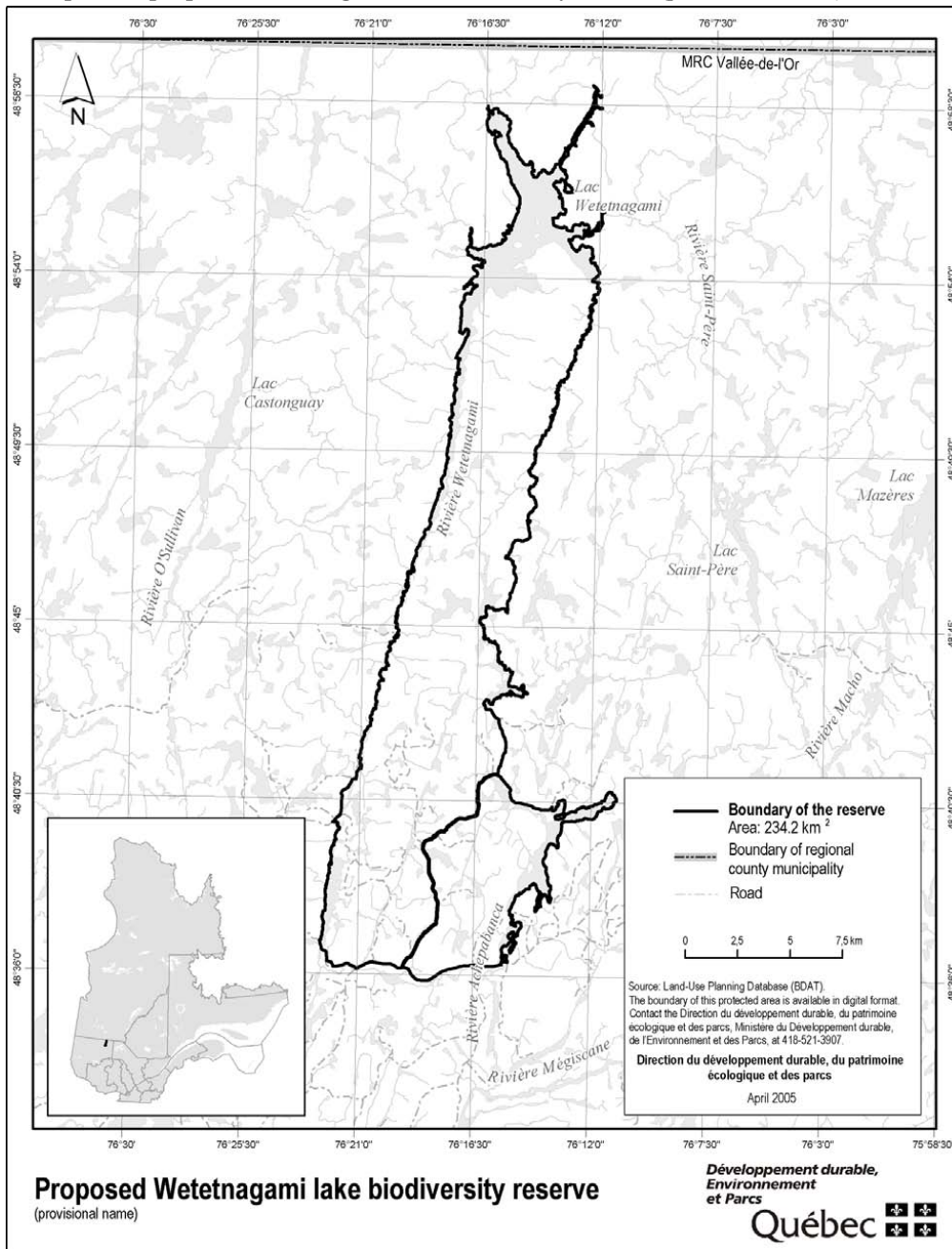
— Operation of vehicles: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and in the regulation on motor vehicle traffic in certain fragile environments made under the Environment Quality Act (R.S.Q., c. Q-2).

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

The Minister of Sustainable Development, Environment and Parks is responsible for the management of the proposed Wetetnagami biodiversity reserve and is therefore responsible for the supervision and monitoring of the activities that may be carried on within the reserve. The Minister in the management of the reserve works collaboratively with other government representatives having specific responsibilities within the boundaries of the reserve or on adjoining land, such as the Minister of Natural Resources and Wildlife. In the exercise of their powers and functions, the Ministers will take into consideration the protection sought for these natural environments and the protection status that has been granted.

Schedule

Map of the proposed Wetetnagami lake biodiversity reserve (provisional name)



PROPOSED PLÉTIPI LAKE BIODIVERSITY
RESERVE
(provisional name)

CONSERVATION PLAN

June 2005

1. Protection status and toponym

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

The proposed reserve is to have the name “Réserve de biodiversité projetée du lac Plétiipi”. The official toponym will be determined at the time of the assignment of permanent protection status to the land.

2. Plan and description

2.1. Location, boundaries and dimensions

The boundaries and location of the proposed Plétiipi lake biodiversity reserve are shown on the plan.

The western portion of the proposed Plétiipi lake biodiversity reserve is located in the Saguenay–Lac-Saint-Jean administrative region and the eastern portion is located in the Côte-Nord region. The proposed biodiversity reserve is situated some 40 km west of the Manicouagan reservoir, between 51°30' and 52°00' north latitude and 69°31' and 70°27' west longitude. The proposed biodiversity reserve covers an area of 1,733.4 km² within the unorganized territories of Mont-Valin, Rivière-Mouchalagane and Rivières-aux-Outardes located respectively in the regional county municipalities of Fjord-du-Saguenay, Caniapiscau and Manicouagan.

2.2. Geography

The major part of the proposed biodiversity reserve is in the Central Laurentian natural province. It protects ecosystems characteristic of the Manicouagan reservoir basin natural region. To the north, part of the proposed biodiversity reserve is in the Monts Otish natural region which forms part of the Mistassini River Highlands natural province.

The proposed biodiversity reserve consists of a well-developed drainage system of lakes and rivers. Plétiipi lake (339 km²) covers a large portion of the territory. The major part of the proposed biodiversity reserve consists of low hills and mounds of well-drained till. The heterogeneous vegetation is composed mainly of heaths, inter-

persed with black spruce stands, peat bogs and a few jack pine and white birch stands. Several areas have been affected by fire.

Woodland caribou are present in the territory. Plétiipi, Matonipi and Matonipis lakes are home to lake trout, a unique fish species. The reserve also overlaps sectors of allopatric distribution of brook trout.

2.3. Occupation, rights and land uses

Three land rights have been granted in the territory of the proposed biodiversity reserve: one for commercial purposes for establishing an outfitting operation without exclusive rights (Cépal Aventure), one for vacation resort purposes and an authorization for various sustainable infrastructures (hydrometric station). A road not suitable for vehicles links the buildings on the banks of Matonipi and Matonipis lakes. The outfitting operation with exclusive rights, Lac Matonipi inc., is entirely within the proposed biodiversity reserve.

The proposed Plétiipi lake biodiversity reserve lies within the Bersimis beaver reserve and a small portion of the proposed biodiversity reserve adjoins the Roberval beaver reserve. The Innu communities have special rights regarding the hunting and trapping of fur-bearing animals in the beaver reserves. The territory is part of the Nitassinan of Betsiamites and adjoins the proposed Monts Otish Native park appearing in the General Agreement in Principle.

3. Activities within the reserve

§1. Introduction

The activities carried on within the proposed reserve are governed for the most part by the provisions of the Natural Heritage Conservation Act.

This Division prohibits activities in addition to those prohibited under the Act and provides a framework for the carrying on of certain permitted activities so as to better ensure the protection of the natural environment. Accordingly, certain activities require the prior authorization of the Minister and compliance with the conditions determined by the Minister.

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

— mining, and gas or petroleum development;

— forest management within the meaning of section 3 of the Forest Act (R.S.Q., c. F-4.1);

— the development of hydraulic resources and any production of energy on a commercial or industrial basis.

§2. Prohibitions, prior authorizations and conditions on which certain activities may be carried on in the proposed reserve

§2.1. Protection of resources and the natural environment

3.1. No person may introduce non-native species of flora or fauna into the proposed reserve.

3.2. No person may stock a watercourse or body of water

(1) for aquaculture, sports or commercial fishing or any other commercial purpose;

(2) for any other purpose, if the fish stocked are not from a genetic strain originating from the proposed reserve.

3.3. No person may bury, abandon or dispose of waste, snow or other residual materials other than in waste disposal containers, facilities or sites determined by the Minister or elsewhere, with the authorization of the Minister and in compliance with the conditions the Minister determines.

Despite the first paragraph, no authorization need be obtained by an outfitting operation to use a disposal facility or site in compliance with the Environment Quality Act and its regulations if the outfitting operation was already using the facility or site on the date on which the protection status as a proposed reserve takes effect.

3.4. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry on any activity likely to severely degrade the banks or shores or to otherwise seriously affect the integrity of a watercourse, body of water or other wetland area, in particular by discharging or dumping waste or other pollutant into the watercourse, body of water or wetland area; or

(2) dig, fill, obstruct or divert a watercourse or body of water.

§2.2. Rules of conduct for users

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

3.6. Every person who makes a campfire must

(1) clear an area around the fire site sufficient to prevent the fire from spreading by removing all branches, scrub, dry leaves and other combustible materials;

(2) see that there is always a person on the premises to attend the fire; and

(3) ensure that the fire is completely extinguished before leaving the premises.

3.7. In the proposed reserve, no person may

(1) cause any excessive noise; or

(2) behave in a manner that unduly disturbs other persons in the reserve or interferes with their enjoyment of the reserve.

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

3.9. No person may enter, carry on an activity in or operate a vehicle in a given sector of the proposed reserve unless the person has been authorized by the Minister and complies with the conditions determined, if the signage erected by the Minister restricts access, traffic or certain activities in order to protect the public from a danger or to avoid placing the fauna, flora or other components of the natural environment at risk.

§2.3. Activities requiring an authorization

3.10. No person may, unless the person has been authorized by the Minister and complies with the conditions the Minister determines, stay or reside on or otherwise occupy the same site within the proposed reserve for a period of more than three months in the same year. No authorization need be obtained by a person who,

(1) on the date on which the protection status as a proposed reserve takes effect, was a party to a lease or had already obtained another form of permit or authorization allowing the person to occupy the land under the Act respecting the lands in the domain of the State

(R.S.Q., c. T-8.1) or, if applicable, the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), and whose right to occupy the land is renewed or extended;

(2) in accordance with the applicable provisions of law, has entitlement under a sublease, an assignment of a lease or a transfer of an authorization, as referred to in paragraph 1, and whose right to occupy the land is renewed or extended;

(3) avails himself or herself of the possibility of acquiring the land the person legally occupies on the date on which the protection status as a proposed reserve takes effect, pursuant to the Act respecting the lands in the domain of the State.

3.11. (1) No person may carry on forest management activities to meet domestic needs or for the purpose of maintaining biodiversity, unless the person has been authorized by the Minister and carries on the activities in compliance with the conditions the Minister determines.

The conditions of that authorization may pertain, among other things, to species of trees or shrubs, the size of the stems that may be cut, the quantities authorized and the places where the activities may be carried on.

(2) Despite subsection 1, the authorization of the Minister under this plan need not be obtained by a person staying or residing in the proposed reserve who collects wood to make a campfire.

No such authorization need be obtained by a person to collect wood to meet domestic needs

(a) if the wood is collected within a sector reserved by the Minister of Natural Resources and Wildlife as a sector for which a permit for the harvest of firewood for domestic purposes under the Forest Act (R.S.Q., c. F-4.1) may be issued and which has already been reserved as such by the Minister on the date on which the protection status as a proposed reserve takes effect;

(b) if the wood is collected by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the proposed reserve; or

(c) if the wood is collected by a person in accordance with the conditions set out in the permit for the harvest of firewood for domestic purposes issued by the Minister of Natural Resources and Wildlife under the Forest Act.

(3) Despite subsection 1, no authorization need be obtained by a person authorized by lease to occupy land within the proposed reserve, pursuant to this plan, to carry on a forest management activity for the purpose of

(a) clearing permitted harvested areas, maintaining them or creating visual openings, and any other similar removal purposes permitted under the regulation that applies to the sale, lease and granting of immovable rights made under the Act respecting the lands in the domain of the State;

(b) creating and maintaining access roads, stairways or other trails permitted under that regulation; or

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

When the work referred to in subparagraph *c* of subsection 3 is carried out 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 3.13 and 3.14.

(4) Despite subsection 1, no authorization need be obtained by a person to carry on a forest management activity to maintain a sugar bush and harvest maple products for domestic purposes

(a) if the activity is carried on by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act allowing the person to carry on the activities of a sugar bush operator within the proposed reserve;

(b) if the activity is carried on within a zone for which the permit obtained allowed the carrying on of sugar bush operations on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years; or

(c) if the activity is carried on by a person in compliance with the conditions set out in the sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act.

3.12. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry out soil development work, including any fill, burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose including recreational and tourism purposes such as the development of trails;

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

(3) reconstruct or demolish an existing structure, infrastructure or works;

(4) use a pesticide, although no authorization is required for the use of insect repellent for personal purposes;

(5) carry on an activity that is likely to severely degrade the soil or a geological formation or damage the vegetation cover, such as stripping, the digging of trenches or excavation work;

(6) carry on educational or research-related activities if the activities are likely to significantly damage or disturb the natural environment, in particular by the extent of the moving or removal of natural resources or by the use of explosives.

The conditions of the Minister's authorization for the work may pertain to the location of the authorized activity, the methods used, the areas that may be cleared or deforested, the types of material that may be used including the material taken from the site, and the presence of ancillary works or facilities. The conditions may also include a requirement to ensure periodic follow-up or to report to the Minister, in particular as regards the results obtained from the research to which subparagraph 6 of the first paragraph refers.

Subject to the conditions determined in the authorization, work to repair or maintain trails authorized by the Minister or trails existing on the date on which the protection status as a proposed reserve takes effect may be carried on without an authorization under subparagraph 1 of the first paragraph.

Work to repair or maintain forest roads or roads authorized under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) carried on in accordance with the Forest Act and its regulations that concern standards of forest management may be carried on without an authorization under subparagraph 1 of the first paragraph.

§2.4. Authorization exemptions

3.13. Despite the preceding provisions, no authorization need be obtained by a person to carry on an activity or for any other form of intervention within the proposed reserve if urgent action is required 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.

3.14. Despite the preceding provisions, the following activities and interventions involving the production, transmission and distribution of electricity carried out by Hydro-Québec (Société) or by any other person for Hydro-Québec do not require the prior authorization of the Minister under this plan:

(1) any activity or intervention required within the proposed reserve to complete a project which was previously expressly authorized by the Government and the Minister, or only by the latter, in accordance with the requirements of the Environment Quality Act (R.S.Q., c. Q-2), if the activity or intervention is carried out in compliance with the authorizations issued;

(2) any activity or intervention necessary for the preparation and presentation of a pre-project report for a project requiring an authorization under the Environment Quality Act;

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

(4) any activity or intervention by the Société, if the conditions for the carrying out of the activity or intervention have been determined in an agreement between the Minister and the Société and the activity or intervention is carried out in compliance with those conditions.

For the purposes of this section, the activities and interventions of the Société include 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 equipment movement necessary for the carrying on of such work.

§2.5. *General provisions*

3.15. Every person who applies to the Minister for an individual authorization or for an authorization for a group or for a number of persons must provide any information or document requested by the Minister for the examination of the application.

3.16. The Minister's authorization, which is general and can be used by more than one person, may be communicated to the persons concerned by any appropriate means including by a posted notice or appropriate signage at the reception centre or any other location within the proposed reserve that is readily accessible to the public. The Minister is to provide a copy to any person requesting a copy.

§3. *Activities governed by other statutes*

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

A special legal framework may govern permitted and prohibited activities within the proposed reserve in connection with the following matters:

— Environmental protection: measures set out in particular in the Environment Quality Act (R.S.Q., c. Q-2);

— Archaeological research: measures set out in particular in the Cultural Property Act (R.S.Q., c. B-4);

— Development of wildlife resources: measures set out in particular in the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), including the provisions pertaining to outfitting operations and beaver reserves and the measures contained in applicable federal legislation, including the fishery regulations;

— Removal of species of fauna or flora that are threatened or vulnerable or are likely to be designated as such: measures prohibiting the removal of the species under the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01);

— Access and land rights: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1);

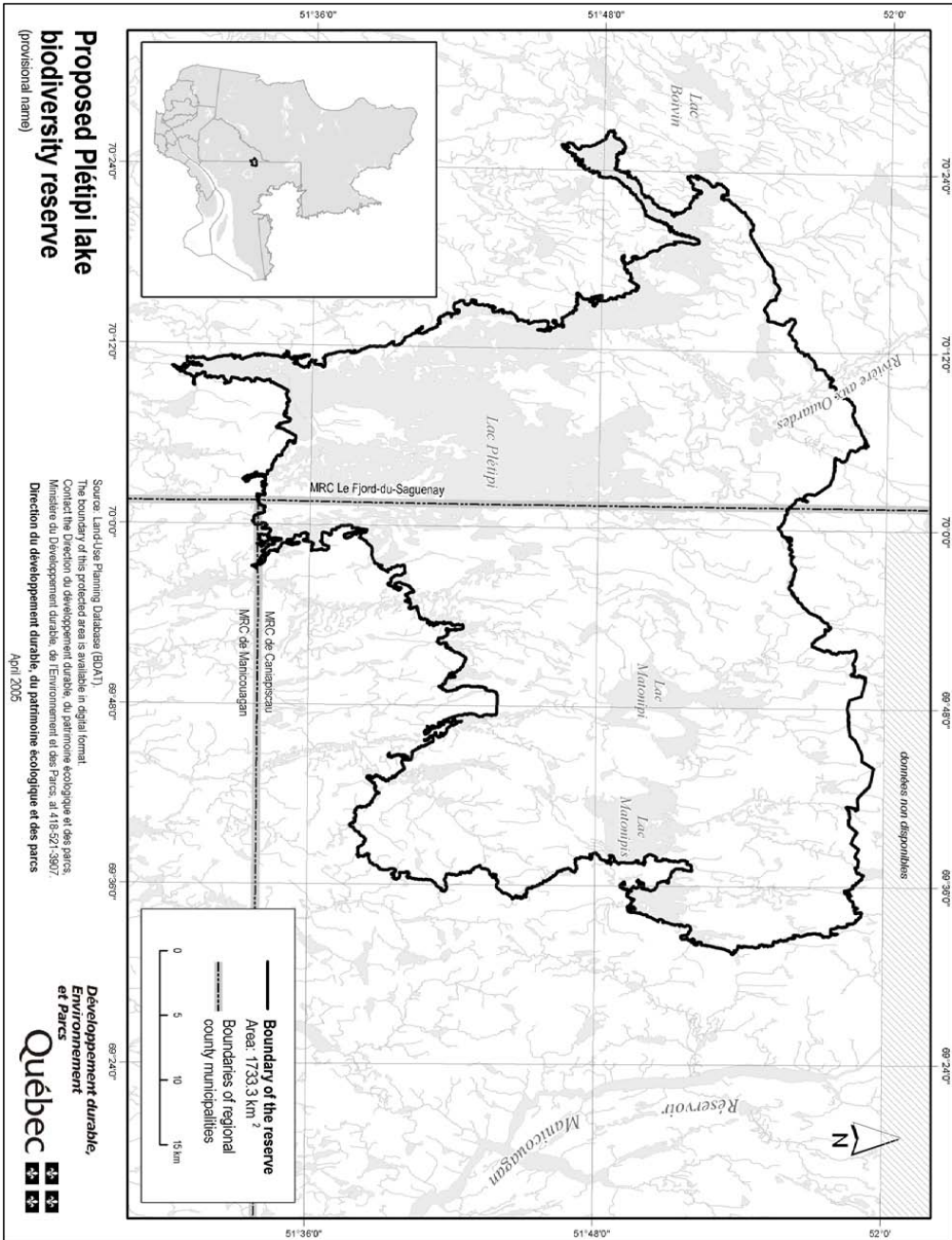
— Operation of vehicles: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and in the regulation on motor vehicle traffic in certain fragile environments made under the Environment Quality Act (R.S.Q., c. Q-2).

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

The Minister of Sustainable Development, Environment and Parks is responsible for the management of the proposed Plétipi lake biodiversity reserve and is therefore responsible for the supervision and monitoring of the activities that may be carried on within the reserve. The Minister in the management of the reserve works collaboratively with other government representatives having specific responsibilities within the boundaries of the reserve or on adjoining land, such as the Minister of Natural Resources and Wildlife. In the exercise of their powers and functions, the Ministers will take into consideration the protection sought for these natural environments and the protection status that has been granted.

Schedule

Map of the proposed Plétipti lake biodiversity reserve (provisional name)



PROPOSED ONISTAGANE LAKE BIODIVERSITY RESERVE

(provisional name)

CONSERVATION PLAN

June 2005

1. Protection status and toponym

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

The proposed reserve is to have the name “Réserve de biodiversité projetée du lac Onistagane”. The official toponym will be determined at the time of the assignment of permanent protection status to the land.

2. Plan and description

2.1. Location, boundaries and dimensions

The boundaries and location of the proposed Onistagane lake biodiversity reserve are shown on the plan.

The proposed Onistagane lake biodiversity reserve is located in the Saguenay-Lac-Saint-Jean administrative region, between 50°17' and 51°13' north latitude and 71°08' and 71°29' west longitude. It is situated some 45 km north of the Chute-des-Passes hydro-electric dam. It covers an area of 674.5 km². The Péribonka river, Onistagane lake, Manouane lake and Bernard canal that run through the proposed biodiversity reserve are excluded from the protected area because they are influenced by the drawdown of the Chute-des-Passes dam located downstream. The proposed biodiversity reserve lies partially within the unorganized territories of Chute-des-Passes and Mont-Valin which form part of the regional county municipalities of Maria-Chapdelaine and Fjord-du-Saguenay respectively.

2.2. Geography

The proposed Onistagane lake biodiversity reserve is in the Manouane Lake Depression and the Péribonka Lake Hills natural regions in the Central Laurentian natural province. The proposed Onistagane lake biodiversity reserve is characterized to the south by low hills and to the north by a glaciolacustrine plain interspersed with a few scattered mounds. The vegetation cover in the northern portion consists of jack pine stands, peat bogs, dry heaths and black spruce stands, and the southern portion consists mainly of stands affected by fire, black spruce and balsam fir stands.

The territory contains a sensitive area for woodland caribou. Bald eagles are also found in the sector of Onistagane lake, as well as lake trout, a unique fish species.

2.3. Occupation, rights and land uses

Seven land rights have been granted in the territory of the proposed biodiversity reserve: 5 for vacation resort purposes and 2 for rough shelters.

The proposed Onistagane lake biodiversity reserve lies partially within the Roberval beaver reserve in which the Innu community of Mashteuiatsh has special rights regarding the hunting and trapping of fur-bearing animals. Onistagane lake is an east-west historical link for Natives. The proposed biodiversity reserve touches an Onistagane heritage site and the Innu Assi Onistagane.

Several archaeological sites showing the historical presence of Amerindians have been identified on the shore of Onistagane lake. The Onistagane lake and Péribonka river constitute an important historical route for Natives who used those watercourses to reach their winter territory.

The Péribonka river, although excluded from the proposed biodiversity reserve, is a recognized canoe-kayak route.

A road is used for industrial purposes by Alcan in the southern portion and the eastern boundary of the proposed biodiversity reserve. The land is part of the Nitassinan of Mashteuiatsh.

3. Activities within the reserve

§1. Introduction

The activities carried on within the proposed reserve are governed for the most part by the provisions of the Natural Heritage Conservation Act.

This Division prohibits activities in addition to those prohibited under the Act and provides a framework for the carrying on of certain permitted activities so as to better ensure the protection of the natural environment. Accordingly, certain activities require the prior authorization of the Minister and compliance with the conditions determined by the Minister.

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

— mining, and gas or petroleum development ;

— forest management within the meaning of section 3 of the Forest Act (R.S.Q., c. F-4.1) ;

— the development of hydraulic resources and any production of energy on a commercial or industrial basis.

§2. Prohibitions, prior authorizations and conditions on which certain activities may be carried on in the proposed reserve

§2.1. Protection of resources and the natural environment

3.1. No person may introduce non-native species of flora or fauna into the proposed reserve.

3.2. No person may stock a watercourse or body of water

(1) for aquaculture, sports or commercial fishing or any other commercial purpose ;

(2) for any other purpose, if the fish stocked are not from a genetic strain originating from the proposed reserve.

3.3. No person may bury, abandon or dispose of waste, snow or other residual materials other than in waste disposal containers, facilities or sites determined by the Minister or elsewhere, with the authorization of the Minister and in compliance with the conditions the Minister determines.

Despite the first paragraph, no authorization need be obtained by an outfitting operation to use a disposal facility or site in compliance with the Environment Quality Act and its regulations if the outfitting operation was already using the facility or site on the date on which the protection status as a proposed reserve takes effect.

3.4. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry on any activity likely to severely degrade the banks or shores or to otherwise seriously affect the integrity of a watercourse, body of water or other wetland area, in particular by discharging or dumping waste or other pollutant into the watercourse, body of water or wetland area ; or

(2) dig, fill, obstruct or divert a watercourse or body of water.

§2.2. Rules of conduct for users

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

3.6. Every person who makes a campfire must

(1) clear an area around the fire site sufficient to prevent the fire from spreading by removing all branches, scrub, dry leaves and other combustible materials ;

(2) see that there is always a person on the premises to attend the fire ; and

(3) ensure that the fire is completely extinguished before leaving the premises.

3.7. In the proposed reserve, no person may

(1) cause any excessive noise ; or

(2) behave in a manner that unduly disturbs other persons in the reserve or interferes with their enjoyment of the reserve.

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

3.9. No person may enter, carry on an activity in or operate a vehicle in a given sector of the proposed reserve unless the person has been authorized by the Minister and complies with the conditions determined, if the signage erected by the Minister restricts access, traffic or certain activities in order to protect the public from a danger or to avoid placing the fauna, flora or other components of the natural environment at risk.

§2.3. Activities requiring an authorization

3.10. No person may, unless the person has been authorized by the Minister and complies with the conditions the Minister determines, stay or reside on or otherwise occupy the same site within the proposed reserve for a period of more than three months in the same year. No authorization need be obtained by a person who,

(1) on the date on which the protection status as a proposed reserve takes effect, was a party to a lease or had already obtained another form of permit or authorization allowing the person to occupy the land under the Act respecting the lands in the domain of the State

(R.S.Q., c. T-8.1) or, if applicable, the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), and whose right to occupy the land is renewed or extended;

(2) in accordance with the applicable provisions of law, has entitlement under a sublease, an assignment of a lease or a transfer of an authorization, as referred to in paragraph 1, and whose right to occupy the land is renewed or extended;

(3) avails himself or herself of the possibility of acquiring the land the person legally occupies on the date on which the protection status as a proposed reserve takes effect, pursuant to the Act respecting the lands in the domain of the State.

3.11. (1) No person may carry on forest management activities to meet domestic needs or for the purpose of maintaining biodiversity, unless the person has been authorized by the Minister and carries on the activities in compliance with the conditions the Minister determines.

The conditions of that authorization may pertain, among other things, to species of trees or shrubs, the size of the stems that may be cut, the quantities authorized and the places where the activities may be carried on.

(2) Despite subsection 1, the authorization of the Minister under this plan need not be obtained by a person staying or residing in the proposed reserve who collects wood to make a campfire.

No such authorization need be obtained by a person to collect wood to meet domestic needs

(a) if the wood is collected within a sector reserved by the Minister of Natural Resources and Wildlife as a sector for which a permit for the harvest of firewood for domestic purposes under the Forest Act (R.S.Q., c. F-4.1) may be issued and which has already been reserved as such by the Minister on the date on which the protection status as a proposed reserve takes effect;

(b) if the wood is collected by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the proposed reserve; or

(c) if the wood is collected by a person in accordance with the conditions set out in the permit for the harvest of firewood for domestic purposes issued by the Minister of Natural Resources and Wildlife under the Forest Act.

(3) Despite subsection 1, no authorization need be obtained by a person authorized by lease to occupy land within the proposed reserve, pursuant to this plan, to carry on a forest management activity for the purpose of

(a) clearing permitted harvested areas, maintaining them or creating visual openings, and any other similar removal purposes permitted under the regulation that applies to the sale, lease and granting of immovable rights made under the Act respecting the lands in the domain of the State;

(b) creating and maintaining access roads, stairways or other trails permitted under that regulation; or

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

When the work referred to in subparagraph *c* of subsection 3 is carried out 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 3.13 and 3.14.

(4) Despite subsection 1, no authorization need be obtained by a person to carry on a forest management activity to maintain a sugar bush and harvest maple products for domestic purposes

(a) if the activity is carried on by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act allowing the person to carry on the activities of a sugar bush operator within the proposed reserve;

(b) if the activity is carried on within a zone for which the permit obtained allowed the carrying on of sugar bush operations on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years; or

(c) if the activity is carried on by a person in compliance with the conditions set out in the sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act.

3.12. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry out soil development work, including any fill, burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose including recreational and tourism purposes such as the development of trails ;

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

(3) reconstruct or demolish an existing structure, infrastructure or works ;

(4) use a pesticide, although no authorization is required for the use of insect repellent for personal purposes ;

(5) carry on an activity that is likely to severely degrade the soil or a geological formation or damage the vegetation cover, such as stripping, the digging of trenches or excavation work ; or

(6) carry on educational or research-related activities if the activities are likely to significantly damage or disturb the natural environment, in particular by the extent of the moving or removal of natural resources or by the use of explosives.

The conditions of the Minister's authorization for the work may pertain to the location of the authorized activity, the methods used, the areas that may be cleared or deforested, the types of material that may be used including the material taken from the site, and the presence of ancillary works or facilities. The conditions may also include a requirement to ensure periodic follow-up or to report to the Minister, in particular as regards the results obtained from the research to which subparagraph 6 of the first paragraph refers.

Subject to the conditions determined in the authorization, work to repair or maintain trails authorized by the Minister or trails existing on the date on which the protection status as a proposed reserve takes effect may be carried on without an authorization under subparagraph 1 of the first paragraph.

Work to repair or maintain forest roads or roads authorized under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) carried on in accordance with the Forest Act and its regulations that concern standards of forest management may be carried on without an authorization under subparagraph 1 of the first paragraph.

§2.4. Authorization exemptions

3.13. Despite the preceding provisions, no authorization need be obtained by a person to carry on an activity or for any other form of intervention within the proposed reserve if urgent action is required 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.

3.14. Despite the preceding provisions, the following activities and interventions involving the production, transmission and distribution of electricity carried out by Hydro-Québec (Société) or by any other person for Hydro-Québec do not require the prior authorization of the Minister under this plan :

(1) any activity or intervention required within the proposed reserve to complete a project which was previously expressly authorized by the Government and the Minister, or only by the latter, in accordance with the requirements of the Environment Quality Act (R.S.Q., c. Q-2), if the activity or intervention is carried out in compliance with the authorizations issued ;

(2) any activity or intervention necessary for the preparation and presentation of a pre-project report for a project requiring an authorization under the Environment Quality Act ;

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

(4) any activity or intervention by the Société, if the conditions for the carrying out of the activity or intervention have been determined in an agreement between the Minister and the Société and the activity or intervention is carried out in compliance with those conditions.

For the purposes of this section, the activities and interventions of the Société include 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 equipment movement necessary for the carrying on of such work.

§2.5. General provisions

3.15. Every person who applies to the Minister for an individual authorization or for an authorization for a group or for a number of persons must provide any information or document requested by the Minister for the examination of the application.

3.16. The Minister's authorization, which is general and can be used by more than one person, may be communicated to the persons concerned by any appropriate means including by a posted notice or appropriate signage at the reception centre or any other location within the proposed reserve that is readily accessible to the public. The Minister is to provide a copy to any person requesting a copy.

§3. Activities governed by other statutes

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

A special legal framework may govern permitted and prohibited activities within the proposed reserve in connection with the following matters:

— Environmental protection: measures set out in particular in the Environment Quality Act (R.S.Q., c. Q-2);

— Archaeological research: measures set out in particular in the Cultural Property Act (R.S.Q., c. B-4);

— Development of wildlife resources: measures set out in particular in the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), including the provisions pertaining to outfitting operations and beaver reserves and the measures contained in applicable federal legislation, including the fishery regulations;

— Removal of species of fauna or flora that are threatened or vulnerable or are likely to be designated as such: measures prohibiting the removal of the species under the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01);

— Access and land rights: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1);

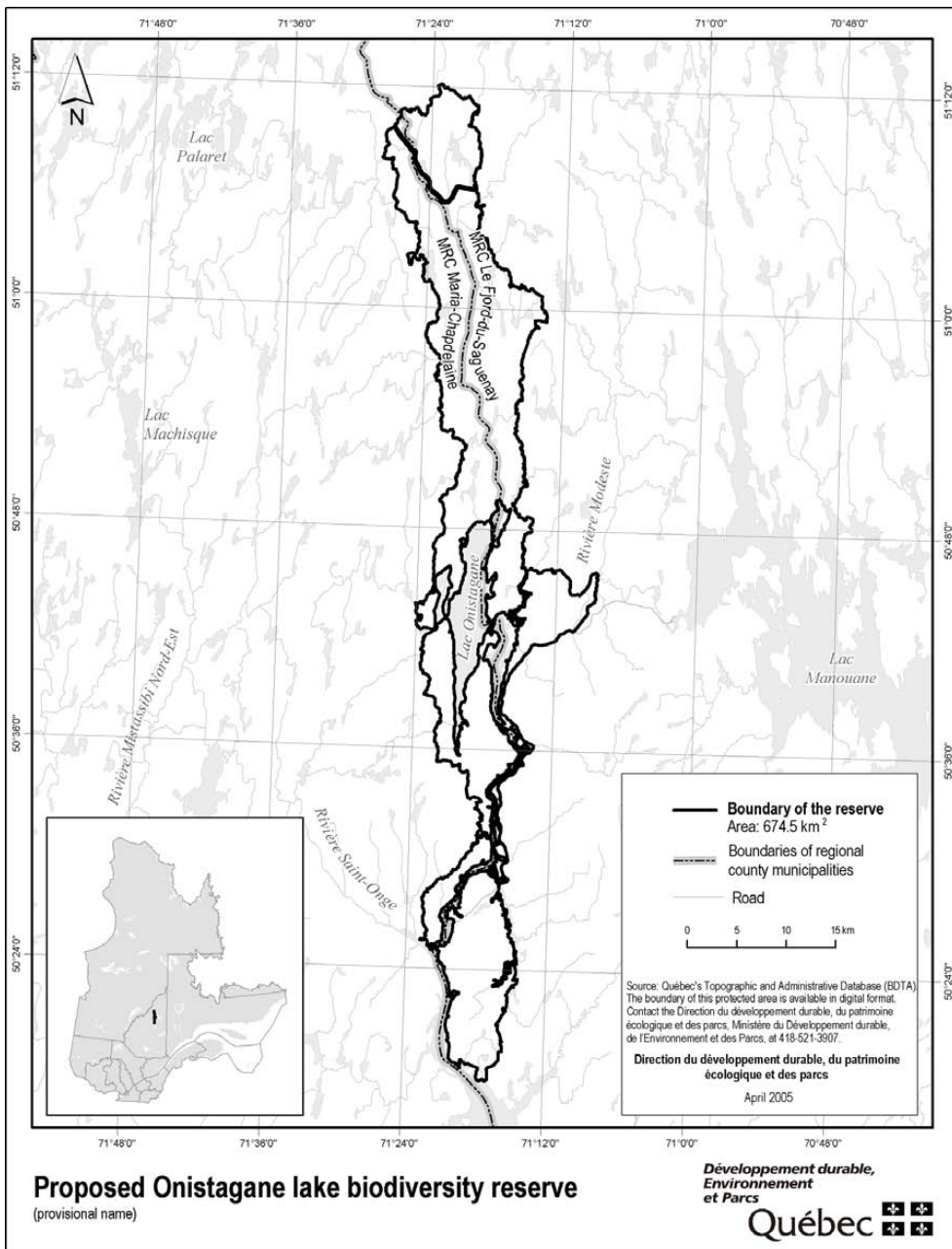
— Operation of vehicles: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and in the regulation on motor vehicle traffic in certain fragile environments made under the Environment Quality Act (R.S.Q., c. Q-2).

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

The Minister of Sustainable Development, Environment and Parks is responsible for the management of the proposed Onistagane lake biodiversity reserve and is therefore responsible for the supervision and monitoring of the activities that may be carried on within the reserve. The Minister in the management of the reserve works collaboratively with other government representatives having specific responsibilities within the boundaries of the reserve or on adjoining land, such as the Minister of Natural Resources and Wildlife. In the exercise of their powers and functions, the Ministers will take into consideration the protection sought for these natural environments and the protection status that has been granted.

Schedule

Map of the proposed Onistagane lake biodiversity reserve (provisional name)



PROPOSED BERTÉ LAKE BIODIVERSITY
RESERVE
(provisional name)

CONSERVATION PLAN

June 2005

1. Protection status and toponym

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

The proposed reserve is to have the name “Réserve de biodiversité projetée du lac Berté”. The official toponym will be determined at the time of the assignment of permanent protection status to the land.

2. Plan and description

2.1. Location, boundaries and dimensions

The boundaries and location of the proposed Berté lake biodiversity reserve are shown on the plan.

The proposed Berté lake biodiversity reserve is located in the Côte-Nord administrative region, between 50°41' and 50°58' north latitude and 68°11' and 68°36' west longitude. It is situated some 15 km northeast of the Daniel-Johnson dam. The proposed biodiversity reserve covers an area of 482.4 km² in the unorganized territory of Rivière-aux-Outardes in Municipalité régionale de comté de Manicouagan.

2.2. Geography

The proposed Berté lake biodiversity reserve is in the Manicouagan Plateau natural region in the Central Laurentian natural province. It is formed mainly of hills covered with till. The altitude varies from 320 to 900 m. Berté lake which covers more than 67 km² is an important headwater lake. The vegetation consists mainly of old-growth black spruce stands, mixed with balsam fir stands. The proposed biodiversity reserve is dotted with heaths and peat bogs. The territory includes an area of interest for woodland caribou. Berté lake is home to only one species of fish, brook trout.

2.3. Occupation, rights and land uses

Four land rights have been granted in the territory of the proposed biodiversity reserve: 2 for vacation resort purposes and 2 for rough shelters. An outfitting opera-

tion with exclusive rights (Pourvoirie Manicouagan inc.) is also found within the limits of the proposed biodiversity reserve.

The proposed Berté lake biodiversity reserve lies within the Bersimis beaver reserve, in which the Innu communities have special rights regarding the hunting and trapping of fur-bearing animals.

3. Activities within the reserve

§1. Introduction

The activities carried on within the proposed reserve are governed for the most part by the provisions of the Natural Heritage Conservation Act.

This Division prohibits activities in addition to those prohibited under the Act and provides a framework for the carrying on of certain permitted activities so as to better ensure the protection of the natural environment. Accordingly, certain activities require the prior authorization of the Minister and compliance with the conditions determined by the Minister.

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

— mining, and gas or petroleum development;

— forest management within the meaning of section 3 of the Forest Act (R.S.Q., c. F-4.1);

— the development of hydraulic resources and any production of energy on a commercial or industrial basis.

§2. Prohibitions, prior authorizations and conditions on which certain activities may be carried on in the proposed reserve

§2.1. Protection of resources and the natural environment

3.1. No person may introduce non-native species of flora or fauna into the proposed reserve.

3.2. No person may stock a watercourse or body of water

(1) for aquaculture, sports or commercial fishing or any other commercial purpose;

(2) for any other purpose, if the fish stocked are not from a genetic strain originating from the proposed reserve.

3.3. No person may bury, abandon or dispose of waste, snow or other residual materials other than in waste disposal containers, facilities or sites determined by the Minister or elsewhere, with the authorization of the Minister and in compliance with the conditions the Minister determines.

Despite the first paragraph, no authorization need be obtained by an outfitting operation to use a disposal facility or site in compliance with the Environment Quality Act and its regulations if the outfitting operation was already using the facility or site on the date on which the protection status as a proposed reserve takes effect.

3.4. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry on any activity likely to severely degrade the banks or shores or to otherwise seriously affect the integrity of a watercourse, body of water or other wetland area, in particular by discharging or dumping waste or other pollutant into the watercourse, body of water or wetland area; or

(2) dig, fill, obstruct or divert a watercourse or body of water.

§2.2. *Rules of conduct for users*

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

3.6. Every person who makes a campfire must

(1) clear an area around the fire site sufficient to prevent the fire from spreading by removing all branches, scrub, dry leaves and other combustible materials;

(2) see that there is always a person on the premises to attend the fire; and

(3) ensure that the fire is completely extinguished before leaving the premises.

3.7. In the proposed reserve, no person may

(1) cause any excessive noise; or

(2) behave in a manner that unduly disturbs other persons in the reserve or interferes with their enjoyment of the reserve.

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

3.9. No person may enter, carry on an activity in or operate a vehicle in a given sector of the proposed reserve unless the person has been authorized by the Minister and complies with the conditions determined, if the signage erected by the Minister restricts access, traffic or certain activities in order to protect the public from a danger or to avoid placing the fauna, flora or other components of the natural environment at risk.

§2.3. *Activities requiring an authorization*

3.10. No person may, unless the person has been authorized by the Minister and complies with the conditions the Minister determines, stay or reside on or otherwise occupy the same site within the proposed reserve for a period of more than three months in the same year. No authorization need be obtained by a person who,

(1) on the date on which the protection status as a proposed reserve takes effect, was a party to a lease or had already obtained another form of permit or authorization allowing the person to occupy the land under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) or, if applicable, the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), and whose right to occupy the land is renewed or extended;

(2) in accordance with the applicable provisions of law, has entitlement under a sublease, an assignment of a lease or a transfer of an authorization, as referred to in paragraph 1, and whose right to occupy the land is renewed or extended;

(3) avails himself or herself of the possibility of acquiring the land the person legally occupies on the date on which the protection status as a proposed reserve takes effect, pursuant to the Act respecting the lands in the domain of the State.

3.11. (1) No person may carry on forest management activities to meet domestic needs or for the purpose of maintaining biodiversity, unless the person has been authorized by the Minister and carries on the activities in compliance with the conditions the Minister determines.

The conditions of that authorization may pertain, among other things, to species of trees or shrubs, the size of the stems that may be cut, the quantities authorized and the places where the activities may be carried on.

(2) Despite subsection 1, the authorization of the Minister under this plan need not be obtained by a person staying or residing in the proposed reserve who collects wood to make a campfire.

No such authorization need be obtained by a person to collect wood to meet domestic needs

(a) if the wood is collected within a sector reserved by the Minister of Natural Resources and Wildlife as a sector for which a permit for the harvest of firewood for domestic purposes under the Forest Act (R.S.Q., c. F-4.1) may be issued and which has already been reserved as such by the Minister on the date on which the protection status as a proposed reserve takes effect;

(b) if the wood is collected by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the proposed reserve; or

(c) if the wood is collected by a person in accordance with the conditions set out in the permit for the harvest of firewood for domestic purposes issued by the Minister of Natural Resources and Wildlife under the Forest Act.

(3) Despite subsection 1, no authorization need be obtained by a person authorized by lease to occupy land within the proposed reserve, pursuant to this plan, to carry on a forest management activity for the purpose of

(a) clearing permitted harvested areas, maintaining them or creating visual openings, and any other similar removal purposes permitted under the regulation that applies to the sale, lease and granting of immovable rights made under the Act respecting the lands in the domain of the State;

(b) creating and maintaining access roads, stairways or other trails permitted under that regulation; or

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

When the work referred to in subparagraph *c* of subsection 3 is carried out 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 3.13 and 3.14.

(4) Despite subsection 1, no authorization need be obtained by a person to carry on a forest management activity to maintain a sugar bush and harvest maple products for domestic purposes

(a) if the activity is carried on by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act allowing the person to carry on the activities of a sugar bush operator within the proposed reserve;

(b) if the activity is carried on within a zone for which the permit obtained allowed the carrying on of sugar bush operations on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years; or

(c) if the activity is carried on by a person in compliance with the conditions set out in the sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act.

3.12. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry out soil development work, including any fill, burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose including recreational and tourism purposes such as the development of trails;

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

(3) reconstruct or demolish an existing structure, infrastructure or works;

(4) use a pesticide, although no authorization is required for the use of insect repellent for personal purposes;

(5) carry on an activity that is likely to severely degrade the soil or a geological formation or damage the vegetation cover, such as stripping, the digging of trenches or excavation work; or

(6) carry on educational or research-related activities if the activities are likely to significantly damage or disturb the natural environment, in particular by the extent of the moving or removal of natural resources or by the use of explosives.

The conditions of the Minister's authorization for the work may pertain to the location of the authorized activity, the methods used, the areas that may be cleared or deforested, the types of material that may be used including the material taken from the site, and the presence of ancillary works or facilities. The conditions may also include a requirement to ensure periodic follow-up or to report to the Minister, in particular as regards the results obtained from the research to which subparagraph 6 of the first paragraph refers.

Subject to the conditions determined in the authorization, work to repair or maintain trails authorized by the Minister or trails existing on the date on which the protection status as a proposed reserve takes effect may be carried on without an authorization under subparagraph 1 of the first paragraph.

Work to repair or maintain forest roads or roads authorized under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) carried on in accordance with the Forest Act and its regulations that concern standards of forest management may be carried on without an authorization under subparagraph 1 of the first paragraph.

§2.4. Authorization exemptions

3.13. Despite the preceding provisions, no authorization need be obtained by a person to carry on an activity or for any other form of intervention within the proposed reserve if urgent action is required 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.

3.14. Despite the preceding provisions, the following activities and interventions involving the production, transmission and distribution of electricity carried out by Hydro-Québec (Société) or by any other person for Hydro-Québec do not require the prior authorization of the Minister under this plan:

(1) any activity or intervention required within the proposed reserve to complete a project which was previously expressly authorized by the Government and the Minister, or only by the latter, in accordance with the

requirements of the Environment Quality Act (R.S.Q., c. Q-2), if the activity or intervention is carried out in compliance with the authorizations issued;

(2) any activity or intervention necessary for the preparation and presentation of a pre-project report for a project requiring an authorization under the Environment Quality Act;

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

(4) any activity or intervention by the Société, if the conditions for the carrying out of the activity or intervention have been determined in an agreement between the Minister and the Société and the activity or intervention is carried out in compliance with those conditions.

For the purposes of this section, the activities and interventions of the Société include 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 equipment movement necessary for the carrying on of such work.

§2.5. General provisions

3.15. Every person who applies to the Minister for an individual authorization or for an authorization for a group or for a number of persons must provide any information or document requested by the Minister for the examination of the application.

3.16. The Minister's authorization, which is general and can be used by more than one person, may be communicated to the persons concerned by any appropriate means including by a posted notice or appropriate signage at the reception centre or any other location within the proposed reserve that is readily accessible to the public. The Minister is to provide a copy to any person requesting a copy.

§3. Activities governed by other statutes

Certain activities likely to be carried on within the proposed reserve are also governed by other applicable legislative and regulatory provisions, including those

that require the issue of a permit or authorization or the payment of fees. The carrying on of certain activities may also be prohibited or limited by other Acts or regulations applicable within the boundaries of the proposed reserve.

A special legal framework may govern permitted and prohibited activities within the proposed reserve in connection with the following matters :

— Environmental protection : measures set out in particular in the Environment Quality Act (R.S.Q., c. Q-2) ;

— Archaeological research : measures set out in particular in the Cultural Property Act (R.S.Q., c. B-4) ;

— Development of wildlife resources : measures set out in particular in the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), including the provisions pertaining to outfitting operations and beaver reserves and the measures contained in applicable federal legislation, including the fishery regulations ;

— Removal of species of fauna or flora that are threatened or vulnerable or are likely to be designated as such : measures prohibiting the removal of the species under the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01) ;

— Access and land rights : measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) ;

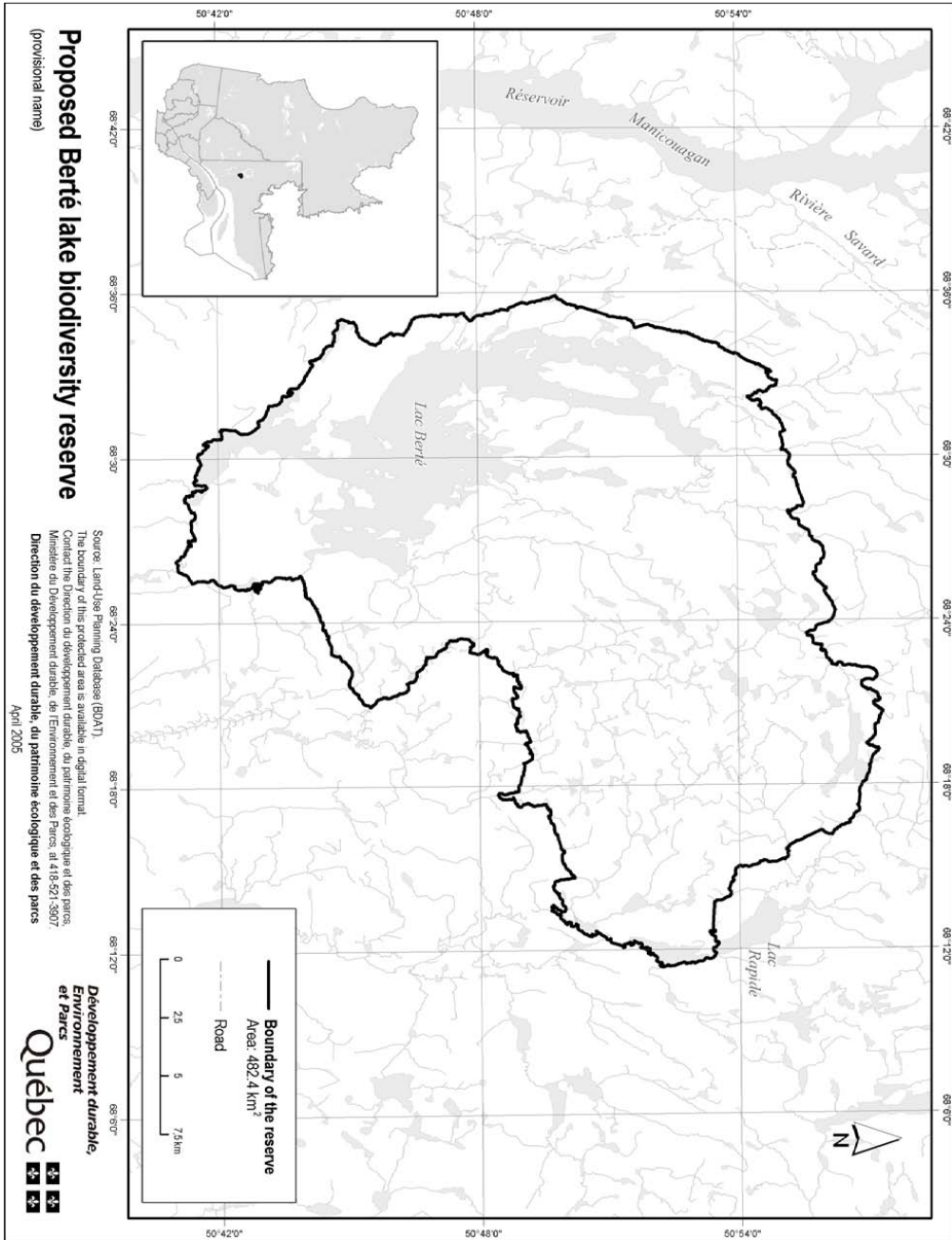
— Operation of vehicles : measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and in the regulation on motor vehicle traffic in certain fragile environments made under the Environment Quality Act (R.S.Q., c. Q-2).

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

The Minister of Sustainable Development, Environment and Parks is responsible for the management of the proposed Berté lake biodiversity reserve and is therefore responsible for the supervision and monitoring of the activities that may be carried on within the reserve. The Minister in the management of the reserve works collaboratively with other government representatives having specific responsibilities within the boundaries of the reserve or on adjoining land, such as the Minister of Natural Resources and Wildlife. In the exercise of their powers and functions, the Ministers will take into consideration the protection sought for these natural environments and the protection status that has been granted.

Schedule

Map of the proposed Berté lake biodiversity reserve (provisional name)



Proposed Berté lake biodiversity reserve
(provisional name)

PROPOSED PAUL-PROVENCHER BIODIVERSITY RESERVE

(provisional name)

CONSERVATION PLAN

June 2005

1. Protection status and toponym

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

The proposed reserve is to have the name “Réserve de biodiversité projetée Paul-Provencher”. The official toponym will be determined at the time of the assignment of permanent protection status to the land.

2. Plan and description

2.1. Location, boundaries and dimensions

The boundaries and location of the proposed Paul-Provencher biodiversity reserve are shown on the plan.

The proposed Paul-Provencher biodiversity reserve is located in the Côte-Nord administrative region, between 49°59' and 50°16' north latitude and 68°05' and 68°23' west longitude. It is situated some 100 km north of Baie-Comeau. The proposed biodiversity reserve covers an area of 112.8 km² in the unorganized territory of Rivière-aux-Outardes in Municipalité régionale de comté de Manicouagan.

The proposed biodiversity reserve is divided into two sectors by the proposed Paul-Provencher ecological reserve. The western boundary of the northern sector and the western boundary of the Fléché lake sector are determined essentially by the boundary of the right-of-way of an unpaved road.

2.2. Geography

The proposed Paul-Provencher biodiversity reserve is in the Manicouagan Plateau natural region in the Central Laurentian natural province. It protects a landscape characteristic of hills of till and rock covered by old-growth forests of black spruce and balsam fir. The northern sector of the protected area has been identified by the Ministère des Ressources naturelles et de la Faune as an exceptional forest ecosystem project for its old-growth black spruce stands.

The proposed biodiversity reserve coincides with a protection barrier for woodland caribou habitats. The Barrow's goldeneye has reportedly been observed in that sector. Fléché lake, southeast of the proposed biodiversity reserve, is home to lake trout, a unique fish species.

2.3. Occupation, rights and land uses

Seven land rights have been granted in the territory of the proposed biodiversity reserve: 1 for vacation resort purposes and 6 for rough shelters.

The proposed Paul-Provencher biodiversity reserve lies within the Bersimis beaver reserve, in which the Innu communities have special rights regarding the hunting and trapping of fur-bearing animals. It includes a portion of an Innu heritage site (river).

A major forest road runs through a portion of that land.

3. Activities within the reserve

§1. Introduction

The activities carried on within the proposed reserve are governed for the most part by the provisions of the Natural Heritage Conservation Act.

This Division prohibits activities in addition to those prohibited under the Act and provides a framework for the carrying on of certain permitted activities so as to better ensure the protection of the natural environment. Accordingly, certain activities require the prior authorization of the Minister and compliance with the conditions determined by the Minister.

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

- mining, and gas or petroleum development;
- forest management within the meaning of section 3 of the Forest Act (R.S.Q., c. F-4.1);
- the development of hydraulic resources and any production of energy on a commercial or industrial basis.

§2. Prohibitions, prior authorizations and conditions on which certain activities may be carried on in the proposed reserve

§2.1. Protection of resources and the natural environment

3.1. No person may introduce non-native species of flora or fauna into the proposed reserve.

3.2. No person may stock a watercourse or body of water

(1) for aquaculture, sports or commercial fishing or any other commercial purpose;

(2) for any other purpose, if the fish stocked are not from a genetic strain originating from the proposed reserve.

3.3. No person may bury, abandon or dispose of waste, snow or other residual materials other than in waste disposal containers, facilities or sites determined by the Minister or elsewhere, with the authorization of the Minister and in compliance with the conditions the Minister determines.

Despite the first paragraph, no authorization need be obtained by an outfitting operation to use a disposal facility or site in compliance with the Environment Quality Act and its regulations if the outfitting operation was already using the facility or site on the date on which the protection status as a proposed reserve takes effect.

3.4. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry on any activity likely to severely degrade the banks or shores or to otherwise seriously affect the integrity of a watercourse, body of water or other wetland area, in particular by discharging or dumping waste or other pollutant into the watercourse, body of water or wetland area; or

(2) dig, fill, obstruct or divert a watercourse or body of water.

§2.2. Rules of conduct for users

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

3.6. Every person who makes a campfire must

(1) clear an area around the fire site sufficient to prevent the fire from spreading by removing all branches, scrub, dry leaves and other combustible materials;

(2) see that there is always a person on the premises to attend the fire; and

(3) ensure that the fire is completely extinguished before leaving the premises.

3.7. In the proposed reserve, no person may

(1) cause any excessive noise; or

(2) behave in a manner that unduly disturbs other persons in the reserve or interferes with their enjoyment of the reserve.

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

3.9. No person may enter, carry on an activity in or operate a vehicle in a given sector of the proposed reserve unless the person has been authorized by the Minister and complies with the conditions determined, if the signage erected by the Minister restricts access, traffic or certain activities in order to protect the public from a danger or to avoid placing the fauna, flora or other components of the natural environment at risk.

§2.3. Activities requiring an authorization

3.10. No person may, unless the person has been authorized by the Minister and complies with the conditions the Minister determines, stay or reside on or otherwise occupy the same site within the proposed reserve for a period of more than three months in the same year. No authorization need be obtained by a person who,

(1) on the date on which the protection status as a proposed reserve takes effect, was a party to a lease or had already obtained another form of permit or authorization allowing the person to occupy the land under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) or, if applicable, the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), and whose right to occupy the land is renewed or extended;

(2) in accordance with the applicable provisions of law, has entitlement under a sublease, an assignment of a lease or a transfer of an authorization, as referred to in paragraph 1, and whose right to occupy the land is renewed or extended;

(3) avails himself or herself of the possibility of acquiring the land the person legally occupies on the date on which the protection status as a proposed reserve takes effect, pursuant to the Act respecting the lands in the domain of the State.

3.11. (1) No person may carry on forest management activities to meet domestic needs or for the purpose of maintaining biodiversity, unless the person has been authorized by the Minister and carries on the activities in compliance with the conditions the Minister determines.

The conditions of that authorization may pertain, among other things, to species of trees or shrubs, the size of the stems that may be cut, the quantities authorized and the places where the activities may be carried on.

(2) Despite subsection 1, the authorization of the Minister under this plan need not be obtained by a person staying or residing in the proposed reserve who collects wood to make a campfire.

No such authorization need be obtained by a person to collect wood to meet domestic needs

(a) if the wood is collected within a sector reserved by the Minister of Natural Resources and Wildlife as a sector for which a permit for the harvest of firewood for domestic purposes under the Forest Act (R.S.Q., c. F-4.1) may be issued and which has already been reserved as such by the Minister on the date on which the protection status as a proposed reserve takes effect;

(b) if the wood is collected by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the proposed reserve; or

(c) if the wood is collected by a person in accordance with the conditions set out in the permit for the harvest of firewood for domestic purposes issued by the Minister of Natural Resources and Wildlife under the Forest Act.

(3) Despite subsection 1, no authorization need be obtained by a person authorized by lease to occupy land within the proposed reserve, pursuant to this plan, to carry on a forest management activity for the purpose of

(a) clearing permitted harvested areas, maintaining them or creating visual openings, and any other similar removal purposes permitted under the regulation that applies to the sale, lease and granting of immovable rights made under the Act respecting the lands in the domain of the State;

(b) creating and maintaining access roads, stairways or other trails permitted under that regulation; or

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

When the work referred to in subparagraph *c* of subsection 3 is carried out 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 3.13 and 3.14.

(4) Despite subsection 1, no authorization need be obtained by a person to carry on a forest management activity to maintain a sugar bush and harvest maple products for domestic purposes

(a) if the activity is carried on by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act allowing the person to carry on the activities of a sugar bush operator within the proposed reserve;

(b) if the activity is carried on within a zone for which the permit obtained allowed the carrying on of sugar bush operations on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years; or

(c) if the activity is carried on by a person in compliance with the conditions set out in the sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act.

3.12. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry out soil development work, including any fill, burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose including recreational and tourism purposes such as the development of trails;

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

(3) reconstruct or demolish an existing structure, infrastructure or works;

(4) use a pesticide, although no authorization is required for the use of insect repellent for personal purposes;

(5) carry on an activity that is likely to severely degrade the soil or a geological formation or damage the vegetation cover, such as stripping, the digging of trenches or excavation work; or

(6) carry on educational or research-related activities if the activities are likely to significantly damage or disturb the natural environment, in particular by the extent of the moving or removal of natural resources or by the use of explosives.

The conditions of the Minister's authorization for the work may pertain to the location of the authorized activity, the methods used, the areas that may be cleared or deforested, the types of material that may be used including the material taken from the site, and the presence of ancillary works or facilities. The conditions may also include a requirement to ensure periodic follow-up or to report to the Minister, in particular as regards the results obtained from the research to which subparagraph 6 of the first paragraph refers.

Subject to the conditions determined in the authorization, work to repair or maintain trails authorized by the Minister or trails existing on the date on which the protection status as a proposed reserve takes effect may be carried on without an authorization under subparagraph 1 of the first paragraph.

Work to repair or maintain forest roads or roads authorized under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) carried on in accordance with the Forest Act and its regulations that concern standards of forest management may be carried on without an authorization under subparagraph 1 of the first paragraph.

§2.4. Authorization exemptions

3.13. Despite the preceding provisions, no authorization need be obtained by a person to carry on an activity or for any other form of intervention within the proposed reserve if urgent action is required 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.

3.14. Despite the preceding provisions, the following activities and interventions involving the production, transmission and distribution of electricity carried out by Hydro-Québec (Société) or by any other person for Hydro-Québec do not require the prior authorization of the Minister under this plan :

(1) any activity or intervention required within the proposed reserve to complete a project which was previously expressly authorized by the Government and the Minister, or only by the latter, in accordance with the requirements of the Environment Quality Act (R.S.Q., c. Q-2), if the activity or intervention is carried out in compliance with the authorizations issued;

(2) any activity or intervention necessary for the preparation and presentation of a pre-project report for a project requiring an authorization under the Environment Quality Act;

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

(4) any activity or intervention by the Société, if the conditions for the carrying out of the activity or intervention have been determined in an agreement between the Minister and the Société and the activity or intervention is carried out in compliance with those conditions.

For the purposes of this section, the activities and interventions of the Société include 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 equipment movement necessary for the carrying on of such work.

§2.5. *General provisions*

3.15. Every person who applies to the Minister for an individual authorization or for an authorization for a group or for a number of persons must provide any information or document requested by the Minister for the examination of the application.

3.16. The Minister's authorization, which is general and can be used by more than one person, may be communicated to the persons concerned by any appropriate means including by a posted notice or appropriate signage at the reception centre or any other location within the proposed reserve that is readily accessible to the public. The Minister is to provide a copy to any person requesting a copy.

§3. *Activities governed by other statutes*

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

A special legal framework may govern permitted and prohibited activities within the proposed reserve in connection with the following matters:

— Environmental protection: measures set out in particular in the Environment Quality Act (R.S.Q., c. Q-2);

— Archaeological research: measures set out in particular in the Cultural Property Act (R.S.Q., c. B-4);

— Development of wildlife resources: measures set out in particular in the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), including the provisions pertaining to outfitting operations and beaver reserves and the measures contained in applicable federal legislation, including the fishery regulations;

— Removal of species of fauna or flora that are threatened or vulnerable or are likely to be designated as such: measures prohibiting the removal of the species under the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01);

— Access and land rights: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1);

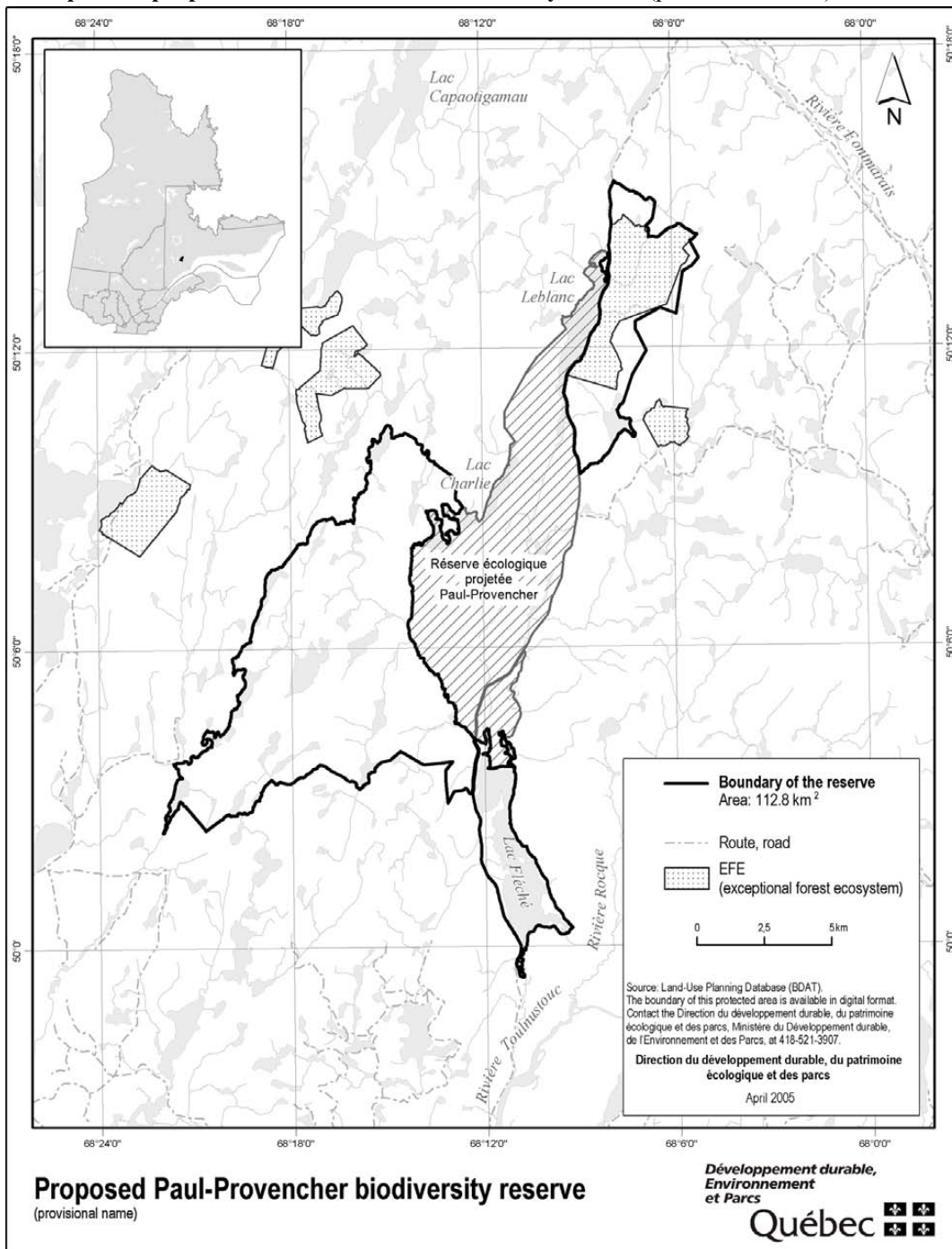
— Operation of vehicles: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and in the regulation on motor vehicle traffic in certain fragile environments made under the Environment Quality Act (R.S.Q., c. Q-2).

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

The Minister of Sustainable Development, Environment and Parks is responsible for the management of the proposed Paul-Provencher biodiversity reserve and is therefore responsible for the supervision and monitoring of the activities that may be carried on within the reserve. The Minister in the management of the reserve works collaboratively with other government representatives having specific responsibilities within the boundaries of the reserve or on adjoining land, such as the Minister of Natural Resources and Wildlife. In the exercise of their powers and functions, the Ministers will take into consideration the protection sought for these natural environments and the protection status that has been granted.

Schedule

Map of the proposed Paul-Provencher biodiversity reserve (provisional name)



PROPOSED GODBOUT RIVER VALLEY
BIODIVERSITY RESERVE
(provisional name)

CONSERVATION PLAN

June 2005

1. Protection status and toponym

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

The proposed reserve is to have the name “Réserve de biodiversité projetée de la vallée de la rivière Godbout”. The official toponym will be determined at the time of the assignment of permanent protection status to the land.

2. Plan and description

2.1. Location, boundaries and dimensions

The boundaries and location of the proposed Godbout river valley biodiversity reserve are shown on the plan.

The proposed Godbout river valley biodiversity reserve is located in the Côte-Nord administrative region, between 49°32' and 49°45' north latitude and 67°39' and 67°59' west longitude. It is situated some 25 km north of Godbout. The proposed biodiversity reserve covers an area of 147.5 km² in the unorganized territory of Rivière-aux-Outardes in Municipalité régionale de comté de Manicouagan.

Electric power transmission lines 7028-7029 and line 7027 are excluded from the proposed biodiversity reserve with a respective 162 m and 93 m right-of-way.

2.2. Geography

The proposed Godbout river valley biodiversity reserve is in the Betsiamites Plateau natural region in the Central Laurentian natural province. It is formed of low hills covered with till and a river valley bottom through which the Godbout river flows. The vegetation consists mainly of virgin stands dominated by softwood, namely black spruce and fir stands, with mixed stands dominated by white birch. Also present are an old-growth black spruce – balsam fir stand and some jack pine stands. The north-eastern sector of the proposed biodiversity reserve has been identified by the Ministère des Ressources naturelles et de la Faune as an exceptional forest ecosystem project for its black spruce *Pleurozium* stands. Godbout river, which runs east of the proposed biodiversity reserve, is a salmon river.

2.3. Occupation, rights and land uses

The proposed Godbout river valley biodiversity reserve is accessible from Municipalité de Godbout by an unpaved road suitable for road vehicles. Seven land rights have been granted in the territory: 1 for vacation resort purposes and 6 for rough shelters.

The Cyprès lake outfitting operation occupies the northern part and a reception station of the Rivières-Godbout-et-Mistassini controlled zone, manager of the “salmon” resource of the Godbout river, is within the southern part.

The proposed Godbout river valley biodiversity reserve lies entirely within the Bersimis beaver reserve, in which the Innu communities have special rights regarding the hunting and trapping of fur-bearing animals. An Innu heritage site is found within the boundaries of the proposed biodiversity reserve.

The Godbout river is recognized as a canoe-kayak route.

3. Activities within the reserve

§1. Introduction

The activities carried on within the proposed reserve are governed for the most part by the provisions of the Natural Heritage Conservation Act.

This Division prohibits activities in addition to those prohibited under the Act and provides a framework for the carrying on of certain permitted activities so as to better ensure the protection of the natural environment. Accordingly, certain activities require the prior authorization of the Minister and compliance with the conditions determined by the Minister.

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

- mining, and gas or petroleum development;
- forest management within the meaning of section 3 of the Forest Act (R.S.Q., c. F-4.1);
- the development of hydraulic resources and any production of energy on a commercial or industrial basis.

§2. Prohibitions, prior authorizations and conditions on which certain activities may be carried on in the proposed reserve

§2.1. Protection of resources and the natural environment

3.1. No person may introduce non-native species of flora or fauna into the proposed reserve.

3.2. No person may stock a watercourse or body of water

(1) for aquaculture, sports or commercial fishing or any other commercial purpose;

(2) for any other purpose, if the fish stocked are not from a genetic strain originating from the proposed reserve.

3.3. No person may bury, abandon or dispose of waste, snow or other residual materials other than in waste disposal containers, facilities or sites determined by the Minister or elsewhere, with the authorization of the Minister and in compliance with the conditions the Minister determines.

Despite the first paragraph, no authorization need be obtained by an outfitting operation to use a disposal facility or site in compliance with the Environment Quality Act and its regulations if the outfitting operation was already using the facility or site on the date on which the protection status as a proposed reserve takes effect.

3.4. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry on any activity likely to severely degrade the banks or shores or to otherwise seriously affect the integrity of a watercourse, body of water or other wetland area, in particular by discharging or dumping waste or other pollutant into the watercourse, body of water or wetland area; or

(2) dig, fill, obstruct or divert a watercourse or body of water.

§2.2. Rules of conduct for users

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

3.6. Every person who makes a campfire must

(1) clear an area around the fire site sufficient to prevent the fire from spreading by removing all branches, scrub, dry leaves and other combustible materials;

(2) see that there is always a person on the premises to attend the fire; and

(3) ensure that the fire is completely extinguished before leaving the premises.

3.7. In the proposed reserve, no person may

(1) cause any excessive noise; or

(2) behave in a manner that unduly disturbs other persons in the reserve or interferes with their enjoyment of the reserve.

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

3.9. No person may enter, carry on an activity in or operate a vehicle in a given sector of the proposed reserve unless the person has been authorized by the Minister and complies with the conditions determined, if the signage erected by the Minister restricts access, traffic or certain activities in order to protect the public from a danger or to avoid placing the fauna, flora or other components of the natural environment at risk.

§2.3. Activities requiring an authorization

3.10. No person may, unless the person has been authorized by the Minister and complies with the conditions the Minister determines, stay or reside on or otherwise occupy the same site within the proposed reserve for a period of more than three months in the same year. No authorization need be obtained by a person who,

(1) on the date on which the protection status as a proposed reserve takes effect, was a party to a lease or had already obtained another form of permit or authorization allowing the person to occupy the land under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) or, if applicable, the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), and whose right to occupy the land is renewed or extended;

(2) in accordance with the applicable provisions of law, has entitlement under a sublease, an assignment of a lease or a transfer of an authorization, as referred to in paragraph 1, and whose right to occupy the land is renewed or extended;

(3) avails himself or herself of the possibility of acquiring the land the person legally occupies on the date on which the protection status as a proposed reserve takes effect, pursuant to the Act respecting the lands in the domain of the State.

3.11. (1) No person may carry on forest management activities to meet domestic needs or for the purpose of maintaining biodiversity, unless the person has been authorized by the Minister and carries on the activities in compliance with the conditions the Minister determines.

The conditions of that authorization may pertain, among other things, to species of trees or shrubs, the size of the stems that may be cut, the quantities authorized and the places where the activities may be carried on.

(2) Despite subsection 1, the authorization of the Minister under this plan need not be obtained by a person staying or residing in the proposed reserve who collects wood to make a campfire.

No such authorization need be obtained by a person to collect wood to meet domestic needs

(a) if the wood is collected within a sector reserved by the Minister of Natural Resources and Wildlife as a sector for which a permit for the harvest of firewood for domestic purposes under the Forest Act (R.S.Q., c. F-4.1) may be issued and which has already been reserved as such by the Minister on the date on which the protection status as a proposed reserve takes effect;

(b) if the wood is collected by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the proposed reserve; or

(c) if the wood is collected by a person in accordance with the conditions set out in the permit for the harvest of firewood for domestic purposes issued by the Minister of Natural Resources and Wildlife under the Forest Act.

(3) Despite subsection 1, no authorization need be obtained by a person authorized by lease to occupy land within the proposed reserve, pursuant to this plan, to carry on a forest management activity for the purpose of

(a) clearing permitted harvested areas, maintaining them or creating visual openings, and any other similar removal purposes permitted under the regulation that applies to the sale, lease and granting of immovable rights made under the Act respecting the lands in the domain of the State;

(b) creating and maintaining access roads, stairways or other trails permitted under that regulation; or

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

When the work referred to in subparagraph *c* of subsection 3 is carried out 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 3.13 and 3.14.

(4) Despite subsection 1, no authorization need be obtained by a person to carry on a forest management activity to maintain a sugar bush and harvest maple products for domestic purposes

(a) if the activity is carried on by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act allowing the person to carry on the activities of a sugar bush operator within the proposed reserve;

(b) if the activity is carried on within a zone for which the permit obtained allowed the carrying on of sugar bush operations on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years; or

(c) if the activity is carried on by a person in compliance with the conditions set out in the sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act.

3.12. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry out soil development work, including any fill, burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose including recreational and tourism purposes such as the development of trails;

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

(3) reconstruct or demolish an existing structure, infrastructure or works;

(4) use a pesticide, although no authorization is required for the use of insect repellent for personal purposes;

(5) carry on an activity that is likely to severely degrade the soil or a geological formation or damage the vegetation cover, such as stripping, the digging of trenches or excavation work; or

(6) carry on educational or research-related activities if the activities are likely to significantly damage or disturb the natural environment, in particular by the extent of the moving or removal of natural resources or by the use of explosives.

The conditions of the Minister's authorization for the work may pertain to the location of the authorized activity, the methods used, the areas that may be cleared or deforested, the types of material that may be used including the material taken from the site, and the presence of ancillary works or facilities. The conditions may also include a requirement to ensure periodic follow-up or to report to the Minister, in particular as regards the results obtained from the research to which subparagraph 6 of the first paragraph refers.

Subject to the conditions determined in the authorization, work to repair or maintain trails authorized by the Minister or trails existing on the date on which the protection status as a proposed reserve takes effect may be carried on without an authorization under subparagraph 1 of the first paragraph.

Work to repair or maintain forest roads or roads authorized under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) carried on in accordance with the Forest Act and its regulations that concern standards of forest management may be carried on without an authorization under subparagraph 1 of the first paragraph.

§2.4. Authorization exemptions

3.13. Despite the preceding provisions, no authorization need be obtained by a person to carry on an activity or for any other form of intervention within the proposed reserve if urgent action is required 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.

3.14. Despite the preceding provisions, the following activities and interventions involving the production, transmission and distribution of electricity carried out by Hydro-Québec (Société) or by any other person for Hydro-Québec do not require the prior authorization of the Minister under this plan :

(1) any activity or intervention required within the proposed reserve to complete a project which was previously expressly authorized by the Government and the Minister, or only by the latter, in accordance with the requirements of the Environment Quality Act (R.S.Q., c. Q-2), if the activity or intervention is carried out in compliance with the authorizations issued;

(2) any activity or intervention necessary for the preparation and presentation of a pre-project report for a project requiring an authorization under the Environment Quality Act;

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

(4) any activity or intervention by the Société, if the conditions for the carrying out of the activity or intervention have been determined in an agreement between the Minister and the Société and the activity or intervention is carried out in compliance with those conditions.

For the purposes of this section, the activities and interventions of the Société include 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 equipment movement necessary for the carrying on of such work.

§2.5. *General provisions*

3.15. Every person who applies to the Minister for an individual authorization or for an authorization for a group or for a number of persons must provide any information or document requested by the Minister for the examination of the application.

3.16. The Minister's authorization, which is general and can be used by more than one person, may be communicated to the persons concerned by any appropriate means including by a posted notice or appropriate signage at the reception centre or any other location within the proposed reserve that is readily accessible to the public. The Minister is to provide a copy to any person requesting a copy.

§3. *Activities governed by other statutes*

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

A special legal framework may govern permitted and prohibited activities within the proposed reserve in connection with the following matters:

— Environmental protection: measures set out in particular in the Environment Quality Act (R.S.Q., c. Q-2);

— Archaeological research: measures set out in particular in the Cultural Property Act (R.S.Q., c. B-4);

— Development of wildlife resources: measures set out in particular in the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), including the provisions pertaining to outfitting operations and beaver reserves and the measures contained in applicable federal legislation, including the fishery regulations;

— Removal of species of fauna or flora that are threatened or vulnerable or are likely to be designated as such: measures prohibiting the removal of the species under the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01);

— Access and land rights: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1);

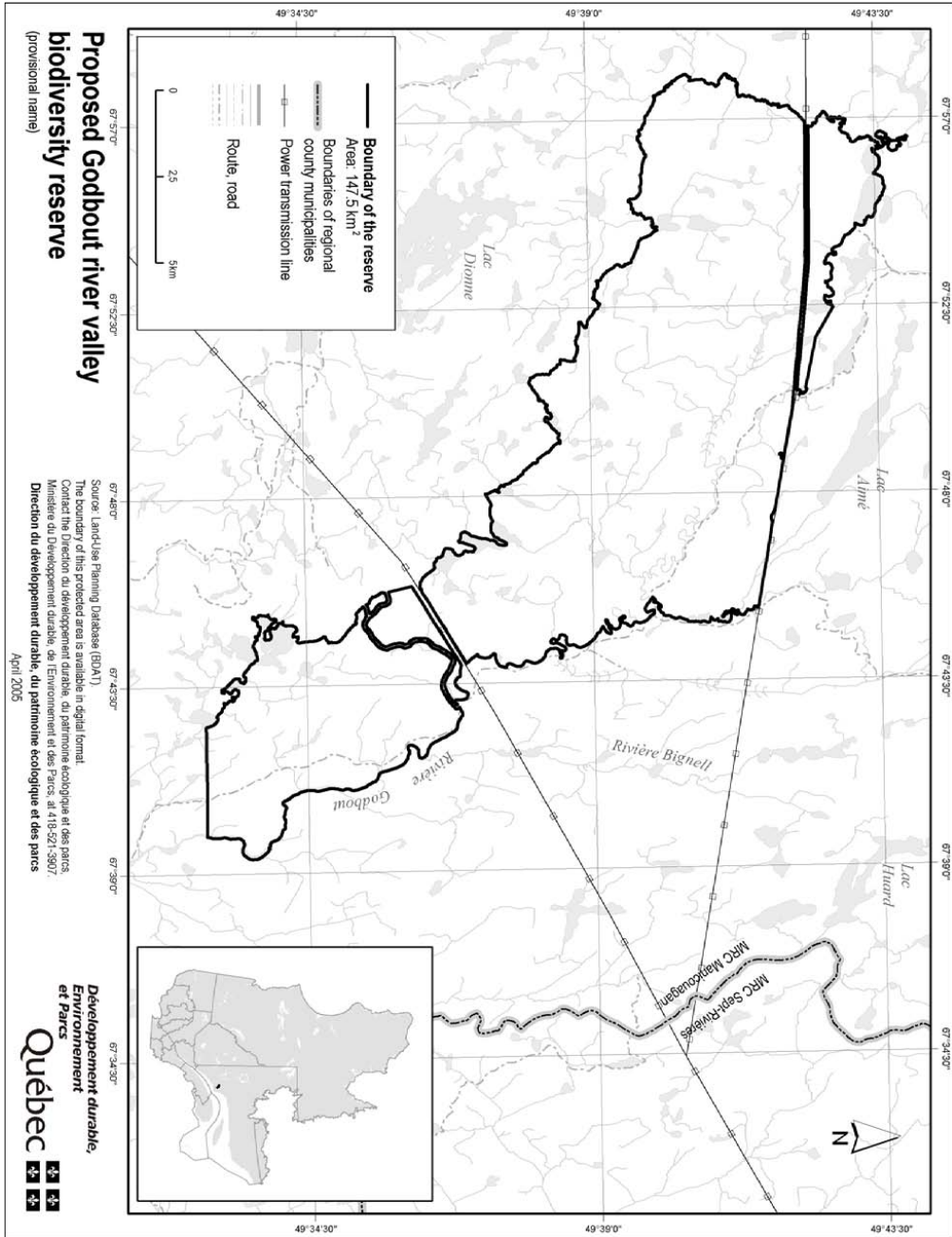
— Operation of vehicles: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and in the regulation on motor vehicle traffic in certain fragile environments made under the Environment Quality Act (R.S.Q., c. Q-2).

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

The Minister of Sustainable Development, Environment and Parks is responsible for the management of the proposed Godbout river valley biodiversity reserve and is therefore responsible for the supervision and monitoring of the activities that may be carried on within the reserve. The Minister in the management of the reserve works collaboratively with other government representatives having specific responsibilities within the boundaries of the reserve or on adjoining land, such as the Minister of Natural Resources and Wildlife. In the exercise of their powers and functions, the Ministers will take into consideration the protection sought for these natural environments and the protection status that has been granted.

Schedule

Map of the proposed Godbout river valley biodiversity reserve (provisional name)



PROPOSED FRÉGATE LAKE BURN AREA
BIODIVERSITY RESERVE
(provisional name)

CONSERVATION PLAN

June 2005

1. Protection status and toponym

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

The proposed reserve is to have the name “Réserve de biodiversité projetée du brûlis du lac Frégate”. The official toponym will be determined at the time of the assignment of permanent protection status to the land.

2. Plan and description

2.1. Location, boundaries and dimensions

The boundaries and location of the proposed Frégate lake burn area biodiversity reserve are shown on the plan.

The proposed Frégate lake burn area biodiversity reserve is located in the Côte-Nord administrative region, between 49°23' and 49°38' north latitude and 69°07' and 69°24' west longitude. It is situated some 75 km north of Forestville. The proposed biodiversity reserve covers an area of 268.1 km² in the unorganized territories of Lac-au-Brochet and Rivières-aux-Outardes in the regional county municipalities of La Haute-Côte-Nord and Manicouagan, respectively.

Electric power transmission lines 7004-7019 bisect the proposed biodiversity reserve. Those lines are excluded from the proposed biodiversity reserve with a 160 m right-of-way.

2.2. Geography

The proposed Frégate lake burn area biodiversity reserve is in the Central Laurentian natural province. It protects natural environments characteristic of the Betsiamites Plateau natural region. The proposed biodiversity reserve is formed mainly of low hills covered by rock and till. The altitude varies from 330 m to 575 m. Almost the entire territory was burned in a fire in 1991. A sector northeast of the proposed biodiversity reserve was not affected by the fire and is formed of old-growth black spruce and balsam fir stands. Cutting took place in 1993 on less than 2% of the land. Boucher river which runs through the northern part of the proposed biodiversity reserve is home to lake trout, a unique fish species.

2.3. Occupation, rights and land uses

Thirteen land rights have been granted in the territory of the proposed biodiversity reserve: 9 for vacation resort purposes and 4 for rough shelters.

The proposed Frégate lake burn area biodiversity reserve lies within the Bersimis beaver reserve, in which the Innu communities have special rights regarding the hunting and trapping of fur-bearing animals.

3. Activities within the reserve

§1. Introduction

The activities carried on within the proposed reserve are governed for the most part by the provisions of the Natural Heritage Conservation Act.

This Division prohibits activities in addition to those prohibited under the Act and provides a framework for the carrying on of certain permitted activities so as to better ensure the protection of the natural environment. Accordingly, certain activities require the prior authorization of the Minister and compliance with the conditions determined by the Minister.

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

- mining, and gas or petroleum development;
- forest management within the meaning of section 3 of the Forest Act (R.S.Q., c. F-4.1);
- the development of hydraulic resources and any production of energy on a commercial or industrial basis.

§2. Prohibitions, prior authorizations and conditions on which certain activities may be carried on in the proposed reserve

§2.1. Protection of resources and the natural environment

3.1. No person may introduce non-native species of flora or fauna into the proposed reserve.

3.2. No person may stock a watercourse or body of water

(1) for aquaculture, sports or commercial fishing or any other commercial purpose;

(2) for any other purpose, if the fish stocked are not from a genetic strain originating from the proposed reserve.

3.3. No person may bury, abandon or dispose of waste, snow or other residual materials other than in waste disposal containers, facilities or sites determined by the Minister or elsewhere, with the authorization of the Minister and in compliance with the conditions the Minister determines.

Despite the first paragraph, no authorization need be obtained by an outfitting operation to use a disposal facility or site in compliance with the Environment Quality Act and its regulations if the outfitting operation was already using the facility or site on the date on which the protection status as a proposed reserve takes effect.

3.4. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry on any activity likely to severely degrade the banks or shores or to otherwise seriously affect the integrity of a watercourse, body of water or other wetland area, in particular by discharging or dumping waste or other pollutant into the watercourse, body of water or wetland area; or

(2) dig, fill, obstruct or divert a watercourse or body of water.

§2.2. *Rules of conduct for users*

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

3.6. Every person who makes a campfire must

(1) clear an area around the fire site sufficient to prevent the fire from spreading by removing all branches, scrub, dry leaves and other combustible materials;

(2) see that there is always a person on the premises to attend the fire; and

(3) ensure that the fire is completely extinguished before leaving the premises.

3.7. In the proposed reserve, no person may

(1) cause any excessive noise; or

(2) behave in a manner that unduly disturbs other persons in the reserve or interferes with their enjoyment of the reserve.

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

3.9. No person may enter, carry on an activity in or operate a vehicle in a given sector of the proposed reserve unless the person has been authorized by the Minister and complies with the conditions determined, if the signage erected by the Minister restricts access, traffic or certain activities in order to protect the public from a danger or to avoid placing the fauna, flora or other components of the natural environment at risk.

§2.3. *Activities requiring an authorization*

3.10. No person may, unless the person has been authorized by the Minister and complies with the conditions the Minister determines, stay or reside on or otherwise occupy the same site within the proposed reserve for a period of more than three months in the same year. No authorization need be obtained by a person who,

(1) on the date on which the protection status as a proposed reserve takes effect, was a party to a lease or had already obtained another form of permit or authorization allowing the person to occupy the land under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) or, if applicable, the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), and whose right to occupy the land is renewed or extended;

(2) in accordance with the applicable provisions of law, has entitlement under a sublease, an assignment of a lease or a transfer of an authorization, as referred to in paragraph 1, and whose right to occupy the land is renewed or extended;

(3) avails himself or herself of the possibility of acquiring the land the person legally occupies on the date on which the protection status as a proposed reserve takes effect, pursuant to the Act respecting the lands in the domain of the State.

3.11. (1) No person may carry on forest management activities to meet domestic needs or for the purpose of maintaining biodiversity, unless the person has been authorized by the Minister and carries on the activities in compliance with the conditions the Minister determines.

The conditions of that authorization may pertain, among other things, to species of trees or shrubs, the size of the stems that may be cut, the quantities authorized and the places where the activities may be carried on.

(2) Despite subsection 1, the authorization of the Minister under this plan need not be obtained by a person staying or residing in the proposed reserve who collects wood to make a campfire.

No such authorization need be obtained by a person to collect wood to meet domestic needs

(a) if the wood is collected within a sector reserved by the Minister of Natural Resources and Wildlife as a sector for which a permit for the harvest of firewood for domestic purposes under the Forest Act (R.S.Q., c. F-4.1) may be issued and which has already been reserved as such by the Minister on the date on which the protection status as a proposed reserve takes effect;

(b) if the wood is collected by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the proposed reserve; or

(c) if the wood is collected by a person in accordance with the conditions set out in the permit for the harvest of firewood for domestic purposes issued by the Minister of Natural Resources and Wildlife under the Forest Act.

(3) Despite subsection 1, no authorization need be obtained by a person authorized by lease to occupy land within the proposed reserve, pursuant to this plan, to carry on a forest management activity for the purpose of

(a) clearing permitted harvested areas, maintaining them or creating visual openings, and any other similar removal purposes permitted under the regulation that applies to the sale, lease and granting of immovable rights made under the Act respecting the lands in the domain of the State;

(b) creating and maintaining access roads, stairways or other trails permitted under that regulation; or

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

When the work referred to in subparagraph *c* of subsection 3 is carried out 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 3.13 and 3.14.

(4) Despite subsection 1, no authorization need be obtained by a person to carry on a forest management activity to maintain a sugar bush and harvest maple products for domestic purposes

(a) if the activity is carried on by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act allowing the person to carry on the activities of a sugar bush operator within the proposed reserve;

(b) if the activity is carried on within a zone for which the permit obtained allowed the carrying on of sugar bush operations on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years; or

(c) if the activity is carried on by a person in compliance with the conditions set out in the sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act.

3.12. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry out soil development work, including any fill, burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose including recreational and tourism purposes such as the development of trails;

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

(3) reconstruct or demolish an existing structure, infrastructure or works;

(4) use a pesticide, although no authorization is required for the use of insect repellent for personal purposes;

(5) carry on an activity that is likely to severely degrade the soil or a geological formation or damage the vegetation cover, such as stripping, the digging of trenches or excavation work; or

(6) carry on educational or research-related activities if the activities are likely to significantly damage or disturb the natural environment, in particular by the extent of the moving or removal of natural resources or by the use of explosives.

The conditions of the Minister's authorization for the work may pertain to the location of the authorized activity, the methods used, the areas that may be cleared or deforested, the types of material that may be used including the material taken from the site, and the presence of ancillary works or facilities. The conditions may also include a requirement to ensure periodic follow-up or to report to the Minister, in particular as regards the results obtained from the research to which subparagraph 6 of the first paragraph refers.

Subject to the conditions determined in the authorization, work to repair or maintain trails authorized by the Minister or trails existing on the date on which the protection status as a proposed reserve takes effect may be carried on without an authorization under subparagraph 1 of the first paragraph.

Work to repair or maintain forest roads or roads authorized under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) carried on in accordance with the Forest Act and its regulations that concern standards of forest management may be carried on without an authorization under subparagraph 1 of the first paragraph.

§2.4. *Authorization exemptions*

3.13. Despite the preceding provisions, no authorization need be obtained by a person to carry on an activity or for any other form of intervention within the proposed reserve if urgent action is required 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.

3.14. Despite the preceding provisions, the following activities and interventions involving the production, transmission and distribution of electricity carried out by Hydro-Québec (Société) or by any other person for Hydro-Québec do not require the prior authorization of the Minister under this plan:

(1) any activity or intervention required within the proposed reserve to complete a project which was previously expressly authorized by the Government and the Minister, or only by the latter, in accordance with the requirements of the Environment Quality Act (R.S.Q., c. Q-2), if the activity or intervention is carried out in compliance with the authorizations issued;

(2) any activity or intervention necessary for the preparation and presentation of a pre-project report for a project requiring an authorization under the Environment Quality Act;

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

(4) any activity or intervention by the Société, if the conditions for the carrying out of the activity or intervention have been determined in an agreement between the Minister and the Société and the activity or intervention is carried out in compliance with those conditions.

For the purposes of this section, the activities and interventions of the Société include 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 equipment movement necessary for the carrying on of such work.

§2.5. *General provisions*

3.15. Every person who applies to the Minister for an individual authorization or for an authorization for a group or for a number of persons must provide any information or document requested by the Minister for the examination of the application.

3.16. The Minister's authorization, which is general and can be used by more than one person, may be communicated to the persons concerned by any appropriate means including by a posted notice or appropriate signage at the reception centre or any other location within the proposed reserve that is readily accessible to the public. The Minister is to provide a copy to any person requesting a copy.

§3. *Activities governed by other statutes*

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

A special legal framework may govern permitted and prohibited activities within the proposed reserve in connection with the following matters:

— Environmental protection: measures set out in particular in the Environment Quality Act (R.S.Q., c. Q-2);

— Archaeological research: measures set out in particular in the Cultural Property Act (R.S.Q., c. B-4);

— Development of wildlife resources: measures set out in particular in the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), including the provisions pertaining to outfitting operations and beaver reserves and the measures contained in applicable federal legislation, including the fishery regulations;

— Removal of species of fauna or flora that are threatened or vulnerable or are likely to be designated as such: measures prohibiting the removal of the species under the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01);

— Access and land rights: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1);

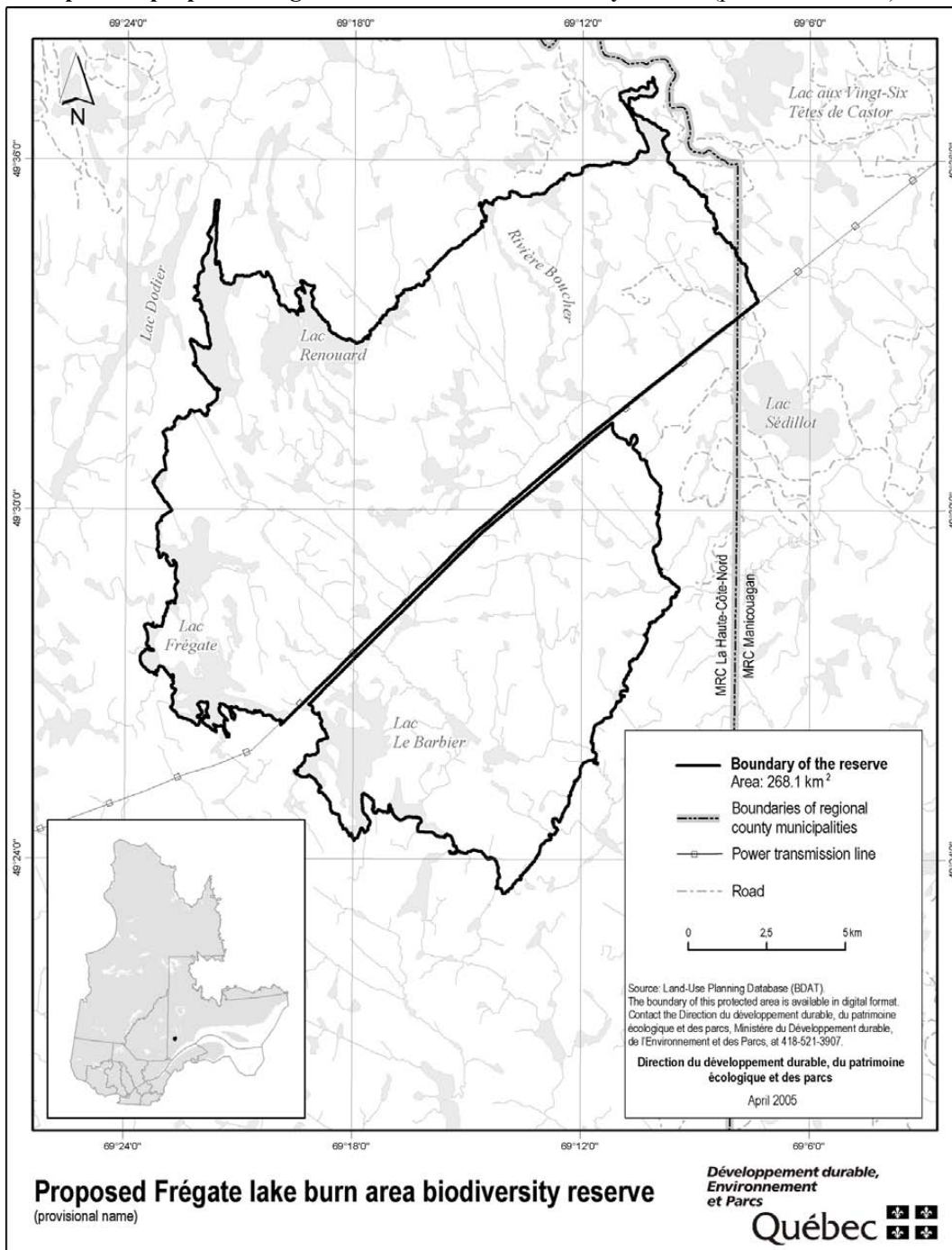
— Operation of vehicles: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and in the regulation on motor vehicle traffic in certain fragile environments made under the Environment Quality Act (R.S.Q., c. Q-2).

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

The Minister of Sustainable Development, Environment and Parks is responsible for the management of the proposed Frégate lake burn area biodiversity reserve and is therefore responsible for the supervision and monitoring of the activities that may be carried on within the reserve. The Minister in the management of the reserve works collaboratively with other government representatives having specific responsibilities within the boundaries of the reserve or on adjoining land, such as the Minister of Natural Resources and Wildlife. In the exercise of their powers and functions, the Ministers will take into consideration the protection sought for these natural environments and the protection status that has been granted.

Schedule

Map of the proposed Frégate lake burn area biodiversity reserve (provisional name)



PROPOSED PIPMUACAN EAST ISLANDS
BIODIVERSITY RESERVE
(provisional name)

CONSERVATION PLAN

June 2005

1. Protection status and toponym

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

The proposed reserve is to have the name “Réserve de biodiversité projetée des îles de l’est du Pipmuacan”. The official toponym will be determined at the time of the assignment of permanent protection status to the land.

2. Plan and description

2.1. Location, boundaries and dimensions

The boundaries and location of the proposed Pipmuacan east islands biodiversity reserve are shown on the plan.

The proposed Pipmuacan east islands biodiversity reserve is located primarily in the Saguenay-Lac-Saint-Jean administrative region and lies partially within the unorganized territory of Mont-Valin which is part of Municipalité régionale de comté de Fjord-du-Saguenay. A small portion in the east is within the Côte-Nord administrative region, in the unorganized territory of Lac-au-Brochet, in Municipalité régionale de comté de La Haute-Côte-Nord. The proposed biodiversity reserve is some 115 km northwest of Forestville, between 49°28' and 49°37' north latitude and 70° and 70°11' west longitude. The proposed biodiversity reserve covers an area of 88.4 km².

The boundaries of the proposed biodiversity reserve are based on the tidal range of the Pipmuacan reservoir that is 400.30 m.

2.2. Geography

The proposed Pipmuacan east islands biodiversity reserve is in the Betsiamites Plateau and Péribonka Lake Hills natural regions in the Central Laurentian natural province. The proposed Pipmuacan east islands biodiversity reserve is divided into four islands formed of low hills on rock and till. The forest cover is characterized mainly by black spruce stands and by a few stands dominated by jack pine, trembling aspen or white birch.

Inventories have confirmed the presence of woodland caribou around the Pipmuacan reservoir. The forest massifs of the area are of great importance for the maintenance of woodland caribou.

2.3. Occupation, rights and land uses

Five land rights have been granted in the territory of the proposed biodiversity reserve: 3 for rough shelters, 1 for vacation resort purposes and 1 authorization for various sustainable infrastructures (Hydro-Québec hydrometric station).

The Betsiamites river is a recognized canoe-kayak route and salmon river.

The proposed Pipmuacan east islands biodiversity reserve lies within the Bersimis beaver reserve, in which the Innu community of Betsiamites has special rights regarding the hunting and trapping of fur-bearing animals.

The territory is part of the Nitassinan of Betsiamites.

3. Activities within the reserve

§1. Introduction

The activities carried on within the proposed reserve are governed for the most part by the provisions of the Natural Heritage Conservation Act.

This Division prohibits activities in addition to those prohibited under the Act and provides a framework for the carrying on of certain permitted activities so as to better ensure the protection of the natural environment. Accordingly, certain activities require the prior authorization of the Minister and compliance with the conditions determined by the Minister.

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

— mining, and gas or petroleum development;

— forest management within the meaning of section 3 of the Forest Act (R.S.Q., c. F-4.1);

— the development of hydraulic resources and any production of energy on a commercial or industrial basis.

§2. Prohibitions, prior authorizations and conditions on which certain activities may be carried on in the proposed reserve

§2.1. Protection of resources and the natural environment

3.1. No person may introduce non-native species of flora or fauna into the proposed reserve.

3.2. No person may stock a watercourse or body of water

(1) for aquaculture, sports or commercial fishing or any other commercial purpose;

(2) for any other purpose, if the fish stocked are not from a genetic strain originating from the proposed reserve.

3.3. No person may bury, abandon or dispose of waste, snow or other residual materials other than in waste disposal containers, facilities or sites determined by the Minister or elsewhere, with the authorization of the Minister and in compliance with the conditions the Minister determines.

Despite the first paragraph, no authorization need be obtained by an outfitting operation to use a disposal facility or site in compliance with the Environment Quality Act and its regulations if the outfitting operation was already using the facility or site on the date on which the protection status as a proposed reserve takes effect.

3.4. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry on any activity likely to severely degrade the banks or shores or to otherwise seriously affect the integrity of a watercourse, body of water or other wetland area, in particular by discharging or dumping waste or other pollutant into the watercourse, body of water or wetland area; or

(2) dig, fill, obstruct or divert a watercourse or body of water.

§2.2. Rules of conduct for users

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

3.6. Every person who makes a campfire must

(1) clear an area around the fire site sufficient to prevent the fire from spreading by removing all branches, scrub, dry leaves and other combustible materials;

(2) see that there is always a person on the premises to attend the fire; and

(3) ensure that the fire is completely extinguished before leaving the premises.

3.7. In the proposed reserve, no person may

(1) cause any excessive noise; or

(2) behave in a manner that unduly disturbs other persons in the reserve or interferes with their enjoyment of the reserve.

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

3.9. No person may enter, carry on an activity in or operate a vehicle in a given sector of the proposed reserve unless the person has been authorized by the Minister and complies with the conditions determined, if the signage erected by the Minister restricts access, traffic or certain activities in order to protect the public from a danger or to avoid placing the fauna, flora or other components of the natural environment at risk.

§2.3. Activities requiring an authorization

3.10. No person may, unless the person has been authorized by the Minister and complies with the conditions the Minister determines, stay or reside on or otherwise occupy the same site within the proposed reserve for a period of more than three months in the same year. No authorization need be obtained by a person who,

(1) on the date on which the protection status as a proposed reserve takes effect, was a party to a lease or had already obtained another form of permit or authorization allowing the person to occupy the land under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) or, if applicable, the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), and whose right to occupy the land is renewed or extended;

(2) in accordance with the applicable provisions of law, has entitlement under a sublease, an assignment of a lease or a transfer of an authorization, as referred to in paragraph 1, and whose right to occupy the land is renewed or extended;

(3) avails himself or herself of the possibility of acquiring the land the person legally occupies on the date on which the protection status as a proposed reserve takes effect, pursuant to the Act respecting the lands in the domain of the State.

3.11. (1) No person may carry on forest management activities to meet domestic needs or for the purpose of maintaining biodiversity, unless the person has been authorized by the Minister and carries on the activities in compliance with the conditions the Minister determines.

The conditions of that authorization may pertain, among other things, to species of trees or shrubs, the size of the stems that may be cut, the quantities authorized and the places where the activities may be carried on.

(2) Despite subsection 1, the authorization of the Minister under this plan need not be obtained by a person staying or residing in the proposed reserve who collects wood to make a campfire.

No such authorization need be obtained by a person to collect wood to meet domestic needs

(a) if the wood is collected within a sector reserved by the Minister of Natural Resources and Wildlife as a sector for which a permit for the harvest of firewood for domestic purposes under the Forest Act (R.S.Q., c. F-4.1) may be issued and which has already been reserved as such by the Minister on the date on which the protection status as a proposed reserve takes effect;

(b) if the wood is collected by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the proposed reserve; or

(c) if the wood is collected by a person in accordance with the conditions set out in the permit for the harvest of firewood for domestic purposes issued by the Minister of Natural Resources and Wildlife under the Forest Act.

(3) Despite subsection 1, no authorization need be obtained by a person authorized by lease to occupy land within the proposed reserve, pursuant to this plan, to carry on a forest management activity for the purpose of

(a) clearing permitted harvested areas, maintaining them or creating visual openings, and any other similar removal purposes permitted under the regulation that applies to the sale, lease and granting of immovable rights made under the Act respecting the lands in the domain of the State;

(b) creating and maintaining access roads, stairways or other trails permitted under that regulation; or

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

When the work referred to in subparagraph *c* of subsection 3 is carried out 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 3.13 and 3.14.

(4) Despite subsection 1, no authorization need be obtained by a person to carry on a forest management activity to maintain a sugar bush and harvest maple products for domestic purposes

(a) if the activity is carried on by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act allowing the person to carry on the activities of a sugar bush operator within the proposed reserve;

(b) if the activity is carried on within a zone for which the permit obtained allowed the carrying on of sugar bush operations on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years; or

(c) if the activity is carried on by a person in compliance with the conditions set out in the sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act.

3.12. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry out soil development work, including any fill, burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose including recreational and tourism purposes such as the development of trails;

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

(3) reconstruct or demolish an existing structure, infrastructure or works;

(4) use a pesticide, although no authorization is required for the use of insect repellent for personal purposes;

(5) carry on an activity that is likely to severely degrade the soil or a geological formation or damage the vegetation cover, such as stripping, the digging of trenches or excavation work; or

(6) carry on educational or research-related activities if the activities are likely to significantly damage or disturb the natural environment, in particular by the extent of the moving or removal of natural resources or by the use of explosives.

The conditions of the Minister's authorization for the work may pertain to the location of the authorized activity, the methods used, the areas that may be cleared or deforested, the types of material that may be used including the material taken from the site, and the presence of ancillary works or facilities. The conditions may also include a requirement to ensure periodic follow-up or to report to the Minister, in particular as regards the results obtained from the research to which subparagraph 6 of the first paragraph refers.

Subject to the conditions determined in the authorization, work to repair or maintain trails authorized by the Minister or trails existing on the date on which the protection status as a proposed reserve takes effect may be carried on without an authorization under subparagraph 1 of the first paragraph.

Work to repair or maintain forest roads or roads authorized under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) carried on in accordance with the Forest Act and its regulations that concern standards of forest management may be carried on without an authorization under subparagraph 1 of the first paragraph.

§2.4. Authorization exemptions

3.13. Despite the preceding provisions, no authorization need be obtained by a person to carry on an activity or for any other form of intervention within the proposed reserve if urgent action is required 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.

3.14. Despite the preceding provisions, the following activities and interventions involving the production, transmission and distribution of electricity carried out by Hydro-Québec (Société) or by any other person for Hydro-Québec do not require the prior authorization of the Minister under this plan :

(1) any activity or intervention required within the proposed reserve to complete a project which was previously expressly authorized by the Government and the Minister, or only by the latter, in accordance with the requirements of the Environment Quality Act (R.S.Q., c. Q-2), if the activity or intervention is carried out in compliance with the authorizations issued;

(2) any activity or intervention necessary for the preparation and presentation of a pre-project report for a project requiring an authorization under the Environment Quality Act;

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

(4) any activity or intervention by the Société, if the conditions for the carrying out of the activity or intervention have been determined in an agreement between the Minister and the Société and the activity or intervention is carried out in compliance with those conditions.

For the purposes of this section, the activities and interventions of the Société include 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 equipment movement necessary for the carrying on of such work.

§2.5. *General provisions*

3.15. Every person who applies to the Minister for an individual authorization or for an authorization for a group or for a number of persons must provide any information or document requested by the Minister for the examination of the application.

3.16. The Minister's authorization, which is general and can be used by more than one person, may be communicated to the persons concerned by any appropriate means including by a posted notice or appropriate signage at the reception centre or any other location within the proposed reserve that is readily accessible to the public. The Minister is to provide a copy to any person requesting a copy.

§3. *Activities governed by other statutes*

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

A special legal framework may govern permitted and prohibited activities within the proposed reserve in connection with the following matters:

— Environmental protection: measures set out in particular in the Environment Quality Act (R.S.Q., c. Q-2);

— Archaeological research: measures set out in particular in the Cultural Property Act (R.S.Q., c. B-4);

— Development of wildlife resources: measures set out in particular in the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), including the provisions pertaining to outfitting operations and beaver reserves and the measures contained in applicable federal legislation, including the fishery regulations;

— Removal of species of fauna or flora that are threatened or vulnerable or are likely to be designated as such: measures prohibiting the removal of the species under the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01);

— Access and land rights: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1);

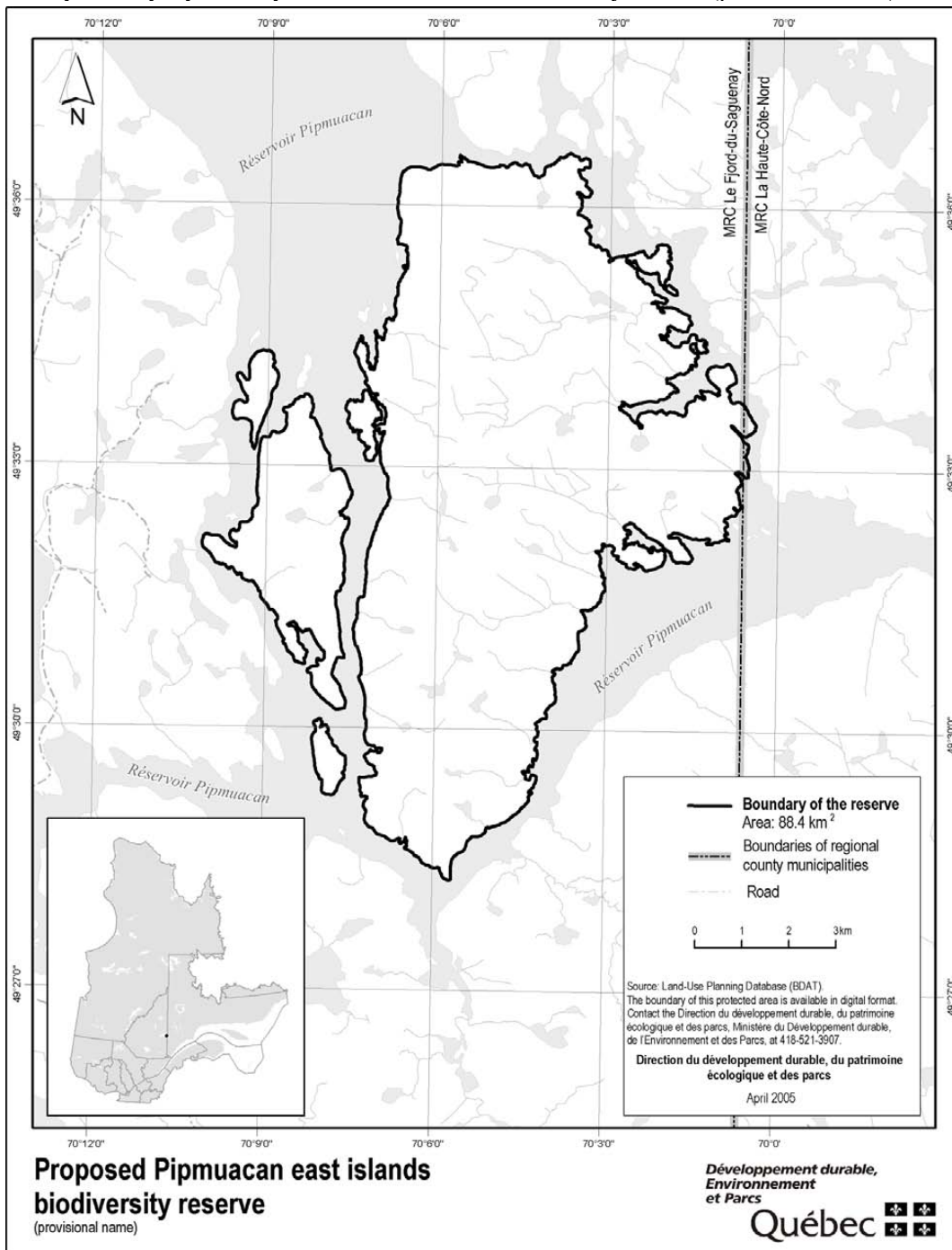
— Operation of vehicles: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and in the regulation on motor vehicle traffic in certain fragile environments made under the Environment Quality Act (R.S.Q., c. Q-2).

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

The Minister of Sustainable Development, Environment and Parks is responsible for the management of the proposed Pipmuacan east islands biodiversity reserve and is therefore responsible for the supervision and monitoring of the activities that may be carried on within the reserve. The Minister in the management of the reserve works collaboratively with other government representatives having specific responsibilities within the boundaries of the reserve or on adjoining land, such as the Minister of Natural Resources and Wildlife. In the exercise of their powers and functions, the Ministers will take into consideration the protection sought for these natural environments and the protection status that has been granted.

Schedule

Map of the proposed Pipmuacan east islands biodiversity reserve (provisional name)



PROPOSED AKUMUNAN BIODIVERSITY
RESERVE
(provisional name)

CONSERVATION PLAN

June 2005

1. Protection status and toponym

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

The proposed reserve is to have the name “Réserve de biodiversité projetée Akumunan”. The official toponym will be determined at the time of the assignment of permanent protection status to the land.

2. Plan and description

2.1. Location, boundaries and dimensions

The boundaries and location of the proposed Akumunan biodiversity reserve are shown on the plan.

The proposed Akumunan biodiversity reserve is located almost entirely in the Saguenay-Lac-Saint-Jean administrative region within the unorganized territory of Mont-Valin, in Municipalité régionale de comté de Fjord-du-Saguenay. A portion to the east is situated in the Côte-Nord administrative region, within the unorganized territory of Lac-au-Brochet, in Municipalité régionale de comté de La Haute-Côte-Nord. The proposed biodiversity reserve is situated a little over fifty kilometres north of Tadoussac, between 48°34' and 48°47' north latitude and 70° and 70°16' west longitude. It covers an area of 206.6 km².

The western boundary of the proposed biodiversity reserve runs along the boundaries of the Sainte-Marguerite river controlled zone.

2.2. Geography

The proposed Akumunan biodiversity reserve belongs to the Mont-Valin natural region in the Central Laurentian natural province. It consists mainly of low hills covered with till. Black spruce stands comprise most of the forest cover in the proposed biodiversity reserve along with balsam fir stands and mixed stands dominated by white birch. Various sectors have been logged at different times. Recent inventories have confirmed the presence of more than forty woodland caribou in the area. The territory overlaps a major sector of allopatric distribution of brook

trout. The Sainte-Marguerite Nord-Est river, alongside the boundary of the proposed biodiversity reserve, is recognized as a salmon river. The Barrow's goldeneye has been observed near the lakes high in the proposed biodiversity reserve.

2.3. Occupation, rights and land uses

Eighteen land rights have been granted in the territory of the proposed biodiversity reserve: 11 for a rough shelter, 5 for vacation resort purposes and 2 for trapping camps.

The proposed biodiversity reserve covers part of the Nordique Controlled Zone and includes an outfitting operation with exclusive rights, Domaine du lac des Cœurs. The territory overlaps traplines for non-native trappers holding an exclusive lease.

The western portion of the proposed biodiversity reserve is in FAMU-53 and the eastern portion is in FAMU-54. Three traplines are affected by the proposed biodiversity reserve. The traplines are covered by leases granted to the Essipit native community under an agreement signed in 1989.

The land is part of the Nitassinan of Essipit.

The Sainte-Marguerite Nord-Est river that borders the south-western limit is recognized as a canoe-kayak route.

A few forest roads are present in the protected area.

3. Activities within the reserve

§1. Introduction

The activities carried on within the proposed reserve are governed for the most part by the provisions of the Natural Heritage Conservation Act.

This Division prohibits activities in addition to those prohibited under the Act and provides a framework for the carrying on of certain permitted activities so as to better ensure the protection of the natural environment. Accordingly, certain activities require the prior authorization of the Minister and compliance with the conditions determined by the Minister.

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

— mining, and gas or petroleum development;

— forest management within the meaning of section 3 of the Forest Act (R.S.Q., c. F-4.1);

— the development of hydraulic resources and any production of energy on a commercial or industrial basis.

§2. Prohibitions, prior authorizations and conditions on which certain activities may be carried on in the proposed reserve

§2.1. Protection of resources and the natural environment

3.1. No person may introduce non-native species of flora or fauna into the proposed reserve.

3.2. No person may stock a watercourse or body of water

(1) for aquaculture, sports or commercial fishing or any other commercial purpose;

(2) for any other purpose, if the fish stocked are not from a genetic strain originating from the proposed reserve.

3.3. No person may bury, abandon or dispose of waste, snow or other residual materials other than in waste disposal containers, facilities or sites determined by the Minister or elsewhere, with the authorization of the Minister and in compliance with the conditions the Minister determines.

Despite the first paragraph, no authorization need be obtained by an outfitting operation to use a disposal facility or site in compliance with the Environment Quality Act and its regulations if the outfitting operation was already using the facility or site on the date on which the protection status as a proposed reserve takes effect.

3.4. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry on any activity likely to severely degrade the banks or shores or to otherwise seriously affect the integrity of a watercourse, body of water or other wetland area, in particular by discharging or dumping waste or other pollutant into the watercourse, body of water or wetland area; or

(2) dig, fill, obstruct or divert a watercourse or body of water.

§2.2. Rules of conduct for users

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

3.6. Every person who makes a campfire must

(1) clear an area around the fire site sufficient to prevent the fire from spreading by removing all branches, scrub, dry leaves and other combustible materials;

(2) see that there is always a person on the premises to attend the fire; and

(3) ensure that the fire is completely extinguished before leaving the premises.

3.7. In the proposed reserve, no person may

(1) cause any excessive noise; or

(2) behave in a manner that unduly disturbs other persons in the reserve or interferes with their enjoyment of the reserve.

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

3.9. No person may enter, carry on an activity in or operate a vehicle in a given sector of the proposed reserve unless the person has been authorized by the Minister and complies with the conditions determined, if the signage erected by the Minister restricts access, traffic or certain activities in order to protect the public from a danger or to avoid placing the fauna, flora or other components of the natural environment at risk.

§2.3. Activities requiring an authorization

3.10. No person may, unless the person has been authorized by the Minister and complies with the conditions the Minister determines, stay or reside on or otherwise occupy the same site within the proposed reserve for a period of more than three months in the same year. No authorization need be obtained by a person who,

(1) on the date on which the protection status as a proposed reserve takes effect, was a party to a lease or had already obtained another form of permit or authorization allowing the person to occupy the land under the Act respecting the lands in the domain of the State

(R.S.Q., c. T-8.1) or, if applicable, the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), and whose right to occupy the land is renewed or extended;

(2) in accordance with the applicable provisions of law, has entitlement under a sublease, an assignment of a lease or a transfer of an authorization, as referred to in paragraph 1, and whose right to occupy the land is renewed or extended;

(3) avails himself or herself of the possibility of acquiring the land the person legally occupies on the date on which the protection status as a proposed reserve takes effect, pursuant to the Act respecting the lands in the domain of the State.

3.11. (1) No person may carry on forest management activities to meet domestic needs or for the purpose of maintaining biodiversity, unless the person has been authorized by the Minister and carries on the activities in compliance with the conditions the Minister determines.

The conditions of that authorization may pertain, among other things, to species of trees or shrubs, the size of the stems that may be cut, the quantities authorized and the places where the activities may be carried on.

(2) Despite subsection 1, the authorization of the Minister under this plan need not be obtained by a person staying or residing in the proposed reserve who collects wood to make a campfire.

No such authorization need be obtained by a person to collect wood to meet domestic needs

(a) if the wood is collected within a sector reserved by the Minister of Natural Resources and Wildlife as a sector for which a permit for the harvest of firewood for domestic purposes under the Forest Act (R.S.Q., c. F-4.1) may be issued and which has already been reserved as such by the Minister on the date on which the protection status as a proposed reserve takes effect;

(b) if the wood is collected by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the proposed reserve; or

(c) if the wood is collected by a person in accordance with the conditions set out in the permit for the harvest of firewood for domestic purposes issued by the Minister of Natural Resources and Wildlife under the Forest Act.

(3) Despite subsection 1, no authorization need be obtained by a person authorized by lease to occupy land within the proposed reserve, pursuant to this plan, to carry on a forest management activity for the purpose of

(a) clearing permitted harvested areas, maintaining them or creating visual openings, and any other similar removal purposes permitted under the regulation that applies to the sale, lease and granting of immovable rights made under the Act respecting the lands in the domain of the State;

(b) creating and maintaining access roads, stairways or other trails permitted under that regulation; or

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

When the work referred to in subparagraph *c* of subsection 3 is carried out 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 3.13 and 3.14.

(4) Despite subsection 1, no authorization need be obtained by a person to carry on a forest management activity to maintain a sugar bush and harvest maple products for domestic purposes

(a) if the activity is carried on by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act allowing the person to carry on the activities of a sugar bush operator within the proposed reserve;

(b) if the activity is carried on within a zone for which the permit obtained allowed the carrying on of sugar bush operations on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years; or

(c) if the activity is carried on by a person in compliance with the conditions set out in the sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act.

3.12. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry out soil development work, including any fill, burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose including recreational and tourism purposes such as the development of trails ;

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

(3) reconstruct or demolish an existing structure, infrastructure or works ;

(4) use a pesticide, although no authorization is required for the use of insect repellent for personal purposes ;

(5) carry on an activity that is likely to severely degrade the soil or a geological formation or damage the vegetation cover, such as stripping, the digging of trenches or excavation work ; or

(6) carry on educational or research-related activities if the activities are likely to significantly damage or disturb the natural environment, in particular by the extent of the moving or removal of natural resources or by the use of explosives.

The conditions of the Minister's authorization for the work may pertain to the location of the authorized activity, the methods used, the areas that may be cleared or deforested, the types of material that may be used including the material taken from the site, and the presence of ancillary works or facilities. The conditions may also include a requirement to ensure periodic follow-up or to report to the Minister, in particular as regards the results obtained from the research to which subparagraph 6 of the first paragraph refers.

Subject to the conditions determined in the authorization, work to repair or maintain trails authorized by the Minister or trails existing on the date on which the protection status as a proposed reserve takes effect may be carried on without an authorization under subparagraph 1 of the first paragraph.

Work to repair or maintain forest roads or roads authorized under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) carried on in accordance with the Forest Act and its regulations that concern standards of forest management may be carried on without an authorization under subparagraph 1 of the first paragraph.

§2.4. Authorization exemptions

3.13. Despite the preceding provisions, no authorization need be obtained by a person to carry on an activity or for any other form of intervention within the proposed reserve if urgent action is required 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.

3.14. Despite the preceding provisions, the following activities and interventions involving the production, transmission and distribution of electricity carried out by Hydro-Québec (Société) or by any other person for Hydro-Québec do not require the prior authorization of the Minister under this plan :

(1) any activity or intervention required within the proposed reserve to complete a project which was previously expressly authorized by the Government and the Minister, or only by the latter, in accordance with the requirements of the Environment Quality Act (R.S.Q., c. Q-2), if the activity or intervention is carried out in compliance with the authorizations issued ;

(2) any activity or intervention necessary for the preparation and presentation of a pre-project report for a project requiring an authorization under the Environment Quality Act ;

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

(4) any activity or intervention by the Société, if the conditions for the carrying out of the activity or intervention have been determined in an agreement between the Minister and the Société and the activity or intervention is carried out in compliance with those conditions.

For the purposes of this section, the activities and interventions of the Société include 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 equipment movement necessary for the carrying on of such work.

§2.5. *General provisions*

3.15. Every person who applies to the Minister for an individual authorization or for an authorization for a group or for a number of persons must provide any information or document requested by the Minister for the examination of the application.

3.16. The Minister's authorization, which is general and can be used by more than one person, may be communicated to the persons concerned by any appropriate means including by a posted notice or appropriate signage at the reception centre or any other location within the proposed reserve that is readily accessible to the public. The Minister is to provide a copy to any person requesting a copy.

§3. *Activities governed by other statutes*

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

A special legal framework may govern permitted and prohibited activities within the proposed reserve in connection with the following matters:

— Environmental protection: measures set out in particular in the Environment Quality Act (R.S.Q., c. Q-2);

— Archaeological research: measures set out in particular in the Cultural Property Act (R.S.Q., c. B-4);

— Development of wildlife resources: measures set out in particular in the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), including the provisions pertaining to outfitting operations and beaver reserves and the measures contained in applicable federal legislation, including the fishery regulations;

— Removal of species of fauna or flora that are threatened or vulnerable or are likely to be designated as such: measures prohibiting the removal of the species under the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01);

— Access and land rights: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1);

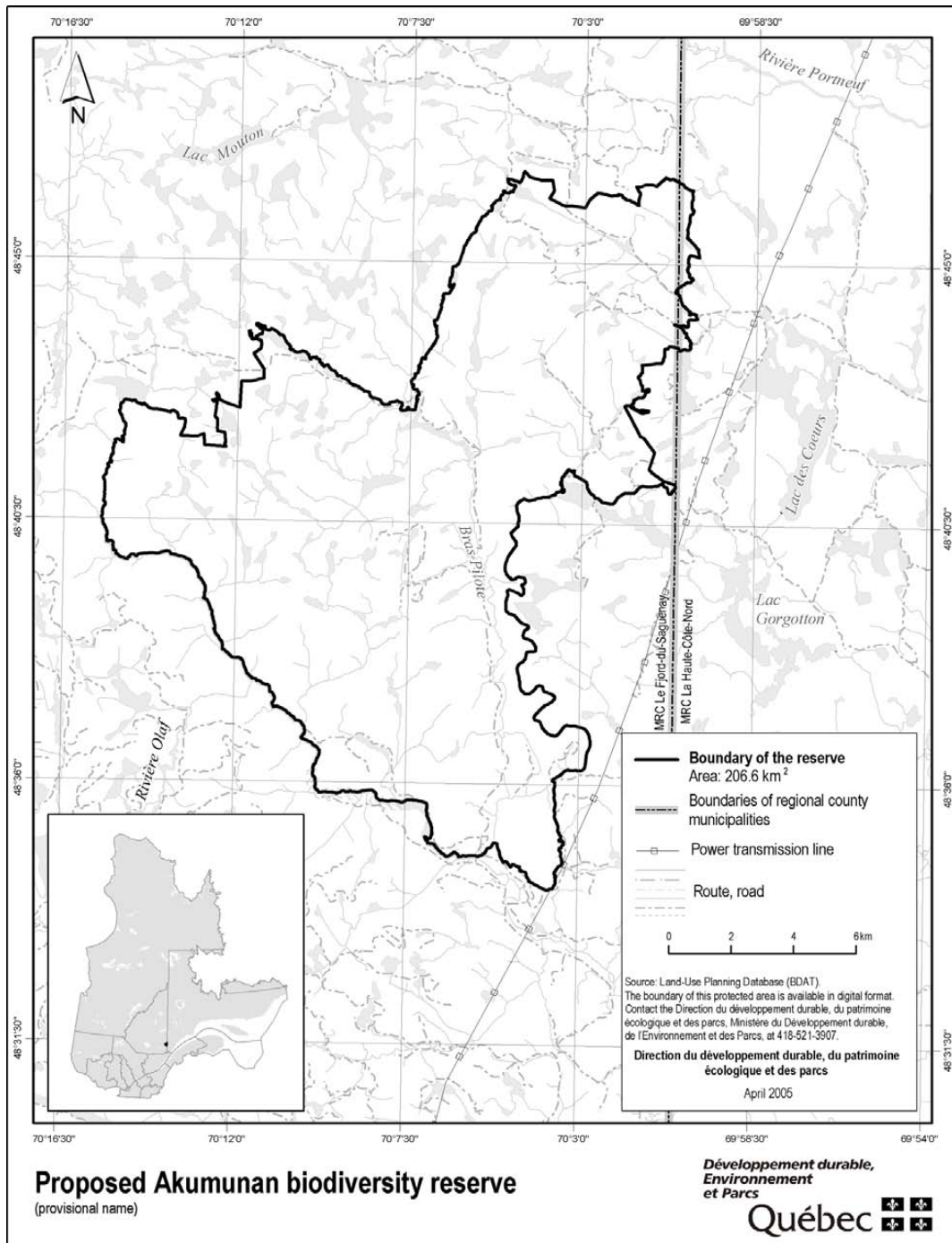
— Operation of vehicles: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and in the regulation on motor vehicle traffic in certain fragile environments made under the Environment Quality Act (R.S.Q., c. Q-2).

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

The Minister of Sustainable Development, Environment and Parks is responsible for the management of the proposed Akumunan biodiversity reserve and is therefore responsible for the supervision and monitoring of the activities that may be carried on within the reserve. The Minister in the management of the reserve works collaboratively with other government representatives having specific responsibilities within the boundaries of the reserve or on adjoining land, such as the Minister of Natural Resources and Wildlife. In the exercise of their powers and functions, the Ministers will take into consideration the protection sought for these natural environments and the protection status that has been granted.

Schedule

Map of the proposed Akumunan biodiversity reserve (provisional name)



PROPOSED MÉNISTOUC LAKE BIODIVERSITY
RESERVE
(provisional name)

CONSERVATION PLAN

June 2005

1. Protection status and toponym

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

The proposed reserve is to have the name “Réserve de biodiversité projetée du lac Ménistouc”. The official toponym will be determined at the time of the assignment of permanent protection status to the land.

2. Plan and description

2.1. Location, boundaries and dimensions

The boundaries and location of the proposed Ménistouc lake biodiversity reserve are shown on the plan.

The proposed Ménistouc lake biodiversity reserve is located in the Côte-Nord administrative region, between 52°43' and 53°04' north latitude and 66°15' and 66°38' west longitude. It is situated some 40 km east of Fermont. The proposed biodiversity reserve covers an area of 354.7 km² in the unorganized territory of Rivière-Mouchalagane in Municipalité régionale de comté de Caniapiscau.

2.2. Geography

The proposed Ménistouc lake biodiversity reserve is in the Manicouagan reservoir basin natural region in the Central Laurentian natural province. The territory is formed of a subdued topography dominated by a deposit of till. There is also an area characterized by a poorly drained organic deposit. Geologically, the proposed biodiversity reserve is characterized by a dominance of marbles. A great proportion of the territory is covered by Ménistouc lake which is an important headwater lake for the Moisie river. The watershed of the lake constitutes the divide between the waters drained toward the St. Lawrence River and the Atlantic. The proposed biodiversity reserve is covered by open softwood forests, dotted with high-density stands of softwood and burned areas.

Several potential habitats for woodland caribou are found in the proposed biodiversity reserve.

2.3. Occupation, rights and land uses

No land right has been granted in the territory of the proposed biodiversity reserve.

The proposed Ménistouc lake biodiversity reserve lies within the Saguenay beaver reserve, in which the Innu communities have special rights regarding the hunting and trapping of fur-bearing animals.

Ménistouc lake is recognized as a headwater lake where a canoe-kayak route begins along the Moisie river.

3. Activities within the reserve

§1. Introduction

The activities carried on within the proposed reserve are governed for the most part by the provisions of the Natural Heritage Conservation Act.

This Division prohibits activities in addition to those prohibited under the Act and provides a framework for the carrying on of certain permitted activities so as to better ensure the protection of the natural environment. Accordingly, certain activities require the prior authorization of the Minister and compliance with the conditions determined by the Minister.

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

— mining, and gas or petroleum development;

— forest management within the meaning of section 3 of the Forest Act (R.S.Q., c. F-4.1);

— the development of hydraulic resources and any production of energy on a commercial or industrial basis.

§2. Prohibitions, prior authorizations and conditions on which certain activities may be carried on in the proposed reserve

§2.1. Protection of resources and the natural environment

3.1. No person may introduce non-native species of flora or fauna into the proposed reserve.

3.2. No person may stock a watercourse or body of water

(1) for aquaculture, sports or commercial fishing or any other commercial purpose;

(2) for any other purpose, if the fish stocked are not from a genetic strain originating from the proposed reserve.

3.3. No person may bury, abandon or dispose of waste, snow or other residual materials other than in waste disposal containers, facilities or sites determined by the Minister or elsewhere, with the authorization of the Minister and in compliance with the conditions the Minister determines.

Despite the first paragraph, no authorization need be obtained by an outfitting operation to use a disposal facility or site in compliance with the Environment Quality Act and its regulations if the outfitting operation was already using the facility or site on the date on which the protection status as a proposed reserve takes effect.

3.4. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry on any activity likely to severely degrade the banks or shores or to otherwise seriously affect the integrity of a watercourse, body of water or other wetland area, in particular by discharging or dumping waste or other pollutant into the watercourse, body of water or wetland area; or

(2) dig, fill, obstruct or divert a watercourse or body of water.

§2.2. *Rules of conduct for users*

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

3.6. Every person who makes a campfire must

(1) clear an area around the fire site sufficient to prevent the fire from spreading by removing all branches, scrub, dry leaves and other combustible materials;

(2) see that there is always a person on the premises to attend the fire; and

(3) ensure that the fire is completely extinguished before leaving the premises.

3.7. In the proposed reserve, no person may

(1) cause any excessive noise; or

(2) behave in a manner that unduly disturbs other persons in the reserve or interferes with their enjoyment of the reserve.

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

3.9. No person may enter, carry on an activity in or operate a vehicle in a given sector of the proposed reserve unless the person has been authorized by the Minister and complies with the conditions determined, if the signage erected by the Minister restricts access, traffic or certain activities in order to protect the public from a danger or to avoid placing the fauna, flora or other components of the natural environment at risk.

§2.3. *Activities requiring an authorization*

3.10. No person may, unless the person has been authorized by the Minister and complies with the conditions the Minister determines, stay or reside on or otherwise occupy the same site within the proposed reserve for a period of more than three months in the same year. No authorization need be obtained by a person who,

(1) on the date on which the protection status as a proposed reserve takes effect, was a party to a lease or had already obtained another form of permit or authorization allowing the person to occupy the land under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) or, if applicable, the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), and whose right to occupy the land is renewed or extended;

(2) in accordance with the applicable provisions of law, has entitlement under a sublease, an assignment of a lease or a transfer of an authorization, as referred to in paragraph 1, and whose right to occupy the land is renewed or extended;

(3) avails himself or herself of the possibility of acquiring the land the person legally occupies on the date on which the protection status as a proposed reserve takes effect, pursuant to the Act respecting the lands in the domain of the State.

3.11. (1) No person may carry on forest management activities to meet domestic needs or for the purpose of maintaining biodiversity, unless the person has been authorized by the Minister and carries on the activities in compliance with the conditions the Minister determines.

The conditions of that authorization may pertain, among other things, to species of trees or shrubs, the size of the stems that may be cut, the quantities authorized and the places where the activities may be carried on.

(2) Despite subsection 1, the authorization of the Minister under this plan need not be obtained by a person staying or residing in the proposed reserve who collects wood to make a campfire.

No such authorization need be obtained by a person to collect wood to meet domestic needs

(a) if the wood is collected within a sector reserved by the Minister of Natural Resources and Wildlife as a sector for which a permit for the harvest of firewood for domestic purposes under the Forest Act (R.S.Q., c. F-4.1) may be issued and which has already been reserved as such by the Minister on the date on which the protection status as a proposed reserve takes effect;

(b) if the wood is collected by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the proposed reserve; or

(c) if the wood is collected by a person in accordance with the conditions set out in the permit for the harvest of firewood for domestic purposes issued by the Minister of Natural Resources and Wildlife under the Forest Act.

(3) Despite subsection 1, no authorization need be obtained by a person authorized by lease to occupy land within the proposed reserve, pursuant to this plan, to carry on a forest management activity for the purpose of

(a) clearing permitted harvested areas, maintaining them or creating visual openings, and any other similar removal purposes permitted under the regulation that applies to the sale, lease and granting of immovable rights made under the Act respecting the lands in the domain of the State;

(b) creating and maintaining access roads, stairways or other trails permitted under that regulation; or

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

When the work referred to in subparagraph *c* of subsection 3 is carried out 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 3.13 and 3.14.

(4) Despite subsection 1, no authorization need be obtained by a person to carry on a forest management activity to maintain a sugar bush and harvest maple products for domestic purposes

(a) if the activity is carried on by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act allowing the person to carry on the activities of a sugar bush operator within the proposed reserve;

(b) if the activity is carried on within a zone for which the permit obtained allowed the carrying on of sugar bush operations on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years; or

(c) if the activity is carried on by a person in compliance with the conditions set out in the sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act.

3.12. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry out soil development work, including any fill, burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose including recreational and tourism purposes such as the development of trails;

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

(3) reconstruct or demolish an existing structure, infrastructure or works;

(4) use a pesticide, although no authorization is required for the use of insect repellent for personal purposes;

(5) carry on an activity that is likely to severely degrade the soil or a geological formation or damage the vegetation cover, such as stripping, the digging of trenches or excavation work; or

(6) carry on educational or research-related activities if the activities are likely to significantly damage or disturb the natural environment, in particular by the extent of the moving or removal of natural resources or by the use of explosives.

The conditions of the Minister's authorization for the work may pertain to the location of the authorized activity, the methods used, the areas that may be cleared or deforested, the types of material that may be used including the material taken from the site, and the presence of ancillary works or facilities. The conditions may also include a requirement to ensure periodic follow-up or to report to the Minister, in particular as regards the results obtained from the research to which subparagraph 6 of the first paragraph refers.

Subject to the conditions determined in the authorization, work to repair or maintain trails authorized by the Minister or trails existing on the date on which the protection status as a proposed reserve takes effect may be carried on without an authorization under subparagraph 1 of the first paragraph.

Work to repair or maintain forest roads or roads authorized under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) carried on in accordance with the Forest Act and its regulations that concern standards of forest management may be carried on without an authorization under subparagraph 1 of the first paragraph.

§2.4. *Authorization exemptions*

3.13. Despite the preceding provisions, no authorization need be obtained by a person to carry on an activity or for any other form of intervention within the proposed reserve if urgent action is required 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.

3.14. Despite the preceding provisions, the following activities and interventions involving the production, transmission and distribution of electricity carried out by Hydro-Québec (Société) or by any other person for Hydro-Québec do not require the prior authorization of the Minister under this plan:

(1) any activity or intervention required within the proposed reserve to complete a project which was previously expressly authorized by the Government and the Minister, or only by the latter, in accordance with the requirements of the Environment Quality Act (R.S.Q., c. Q-2), if the activity or intervention is carried out in compliance with the authorizations issued;

(2) any activity or intervention necessary for the preparation and presentation of a pre-project report for a project requiring an authorization under the Environment Quality Act;

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

(4) any activity or intervention by the Société, if the conditions for the carrying out of the activity or intervention have been determined in an agreement between the Minister and the Société and the activity or intervention is carried out in compliance with those conditions.

For the purposes of this section, the activities and interventions of the Société include 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 equipment movement necessary for the carrying on of such work.

§2.5. *General provisions*

3.15. Every person who applies to the Minister for an individual authorization or for an authorization for a group or for a number of persons must provide any information or document requested by the Minister for the examination of the application.

3.16. The Minister's authorization, which is general and can be used by more than one person, may be communicated to the persons concerned by any appropriate means including by a posted notice or appropriate signage at the reception centre or any other location within the proposed reserve that is readily accessible to the public. The Minister is to provide a copy to any person requesting a copy.

§3. *Activities governed by other statutes*

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

A special legal framework may govern permitted and prohibited activities within the proposed reserve in connection with the following matters:

— Environmental protection: measures set out in particular in the Environment Quality Act (R.S.Q., c. Q-2);

— Archaeological research: measures set out in particular in the Cultural Property Act (R.S.Q., c. B-4);

— Development of wildlife resources: measures set out in particular in the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), including the provisions pertaining to outfitting operations and beaver reserves and the measures contained in applicable federal legislation, including the fishery regulations;

— Removal of species of fauna or flora that are threatened or vulnerable or are likely to be designated as such: measures prohibiting the removal of the species under the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01);

— Access and land rights: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1);

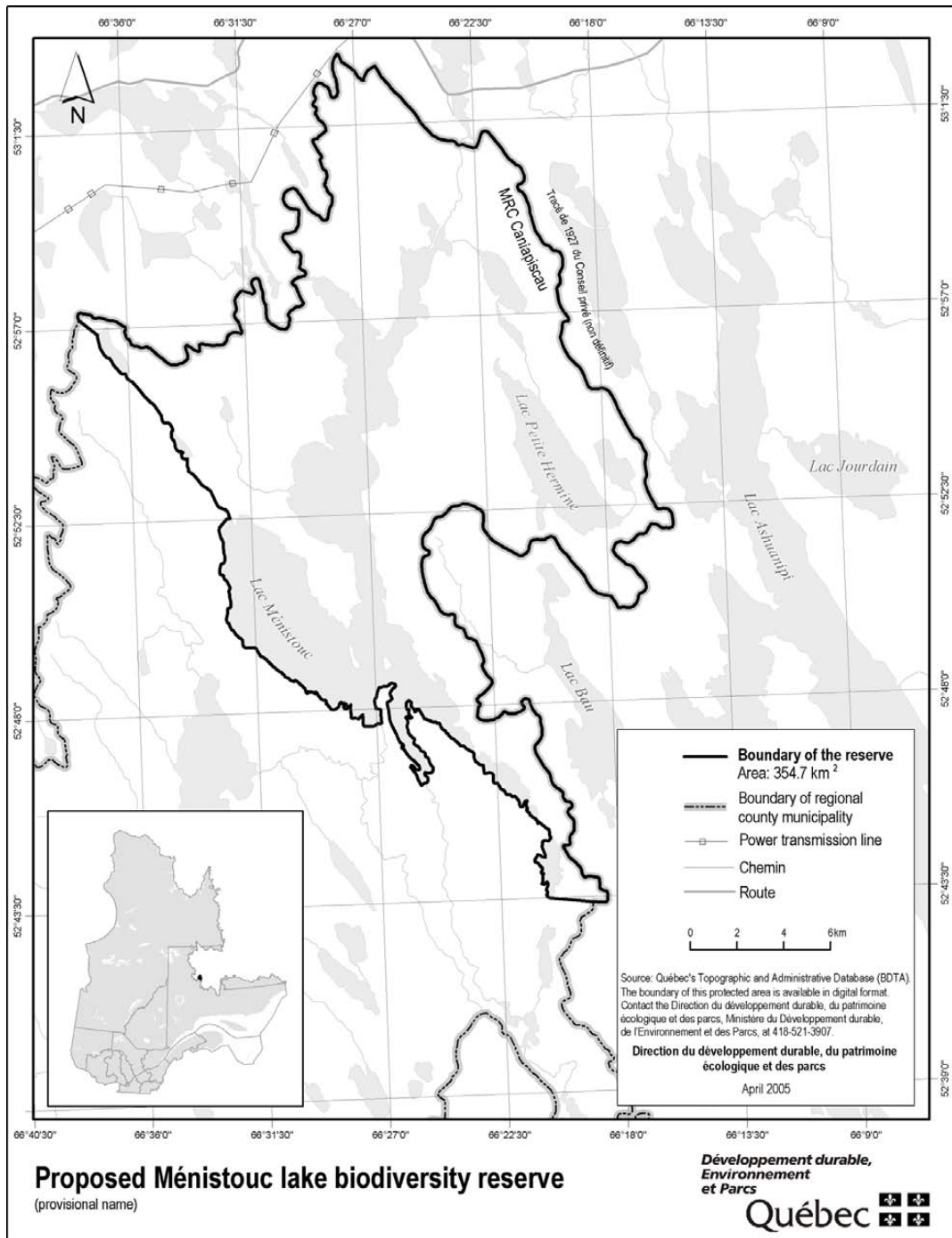
— Operation of vehicles: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and in the regulation on motor vehicle traffic in certain fragile environments made under the Environment Quality Act (R.S.Q., c. Q-2).

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

The Minister of Sustainable Development, Environment and Parks is responsible for the management of the proposed Ménotouc lake biodiversity reserve and is therefore responsible for the supervision and monitoring of the activities that may be carried on within the reserve. The Minister in the management of the reserve works collaboratively with other government representatives having specific responsibilities within the boundaries of the reserve or on adjoining land, such as the Minister of Natural Resources and Wildlife. In the exercise of their powers and functions, the Ministers will take into consideration the protection sought for these natural environments and the protection status that has been granted.

Schedule

Map of the proposed Ménistouc lake biodiversity reserve (provisional name)



PROPOSED RACINE DE BOULEAU RIVER
BIODIVERSITY RESERVE
(provisional name)

CONSERVATION PLAN

June 2005

1. Protection status and toponym

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

The proposed reserve is to have the name “Réserve de biodiversité projetée de la rivière de la Racine de Bouleau”. The official toponym will be determined at the time of the assignment of permanent protection status to the land.

2. Plan and description

2.1. Location, boundaries and dimensions

The boundaries and location of the proposed Racine de Bouleau river biodiversity reserve are shown on the plan.

The proposed Racine de Bouleau river biodiversity reserve is located in the Côte-Nord administrative region, between 52°05' and 52°28' north latitude and 68°19' and 68°42' west longitude. It is situated some 45 km north of the Manicouagan reservoir. The proposed biodiversity reserve covers an area of 529.2 km² in the unorganized territory of Rivière-Mouchalagane in Municipalité régionale de comté de Caniapiscau.

2.2. Geography

The proposed Racine de Bouleau river biodiversity reserve is in the Manicouagan reservoir basin natural region in the Central Laurentian natural province. Its geology is of interest because it is mainly formed of marbles. The region also has quartzites, schists and gneiss. The topography is formed mainly of mounds and low hills covered by till. The forest cover is characterized by an open softwood forest, through which there are some high-density stands of softwood, heaths and peat bogs. The habitats present in the territory are favourable to the presence of woodland caribou and intersect a small part of a sector of interest for that species. One of the tributaries of the Manicouagan reservoir that runs through the western part of the proposed biodiversity reserve is home to lake trout, a unique fish species.

2.3. Occupation, rights and land uses

One right for vacation resort purposes has been granted in the territory of the proposed biodiversity reserve.

The proposed Racine de Bouleau river biodiversity reserve lies within the Bersimis and Saguenay beaver reserves, in which the Innu communities have special rights regarding the hunting and trapping of fur-bearing animals.

3. Activities within the reserve

§1. Introduction

The activities carried on within the proposed reserve are governed for the most part by the provisions of the Natural Heritage Conservation Act.

This Division prohibits activities in addition to those prohibited under the Act and provides a framework for the carrying on of certain permitted activities so as to better ensure the protection of the natural environment. Accordingly, certain activities require the prior authorization of the Minister and compliance with the conditions determined by the Minister.

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

- mining, and gas or petroleum development;
- forest management within the meaning of section 3 of the Forest Act (R.S.Q., c. F-4.1);
- the development of hydraulic resources and any production of energy on a commercial or industrial basis.

§2. Prohibitions, prior authorizations and conditions on which certain activities may be carried on in the proposed reserve

§2.1. Protection of resources and the natural environment

3.1. No person may introduce non-native species of flora or fauna into the proposed reserve.

3.2. No person may stock a watercourse or body of water

(1) for aquaculture, sports or commercial fishing or any other commercial purpose;

(2) for any other purpose, if the fish stocked are not from a genetic strain originating from the proposed reserve.

3.3. No person may bury, abandon or dispose of waste, snow or other residual materials other than in waste disposal containers, facilities or sites determined by the Minister or elsewhere, with the authorization of the Minister and in compliance with the conditions the Minister determines.

Despite the first paragraph, no authorization need be obtained by an outfitting operation to use a disposal facility or site in compliance with the Environment Quality Act and its regulations if the outfitting operation was already using the facility or site on the date on which the protection status as a proposed reserve takes effect.

3.4. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry on any activity likely to severely degrade the banks or shores or to otherwise seriously affect the integrity of a watercourse, body of water or other wetland area, in particular by discharging or dumping waste or other pollutant into the watercourse, body of water or wetland area; or

(2) dig, fill, obstruct or divert a watercourse or body of water.

§2.2. *Rules of conduct for users*

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

3.6. Every person who makes a campfire must

(1) clear an area around the fire site sufficient to prevent the fire from spreading by removing all branches, scrub, dry leaves and other combustible materials;

(2) see that there is always a person on the premises to attend the fire; and

(3) ensure that the fire is completely extinguished before leaving the premises.

3.7. In the proposed reserve, no person may

(1) cause any excessive noise; or

(2) behave in a manner that unduly disturbs other persons in the reserve or interferes with their enjoyment of the reserve.

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

3.9. No person may enter, carry on an activity in or operate a vehicle in a given sector of the proposed reserve unless the person has been authorized by the Minister and complies with the conditions determined, if the signage erected by the Minister restricts access, traffic or certain activities in order to protect the public from a danger or to avoid placing the fauna, flora or other components of the natural environment at risk.

§2.3. *Activities requiring an authorization*

3.10. No person may, unless the person has been authorized by the Minister and complies with the conditions the Minister determines, stay or reside on or otherwise occupy the same site within the proposed reserve for a period of more than three months in the same year. No authorization need be obtained by a person who,

(1) on the date on which the protection status as a proposed reserve takes effect, was a party to a lease or had already obtained another form of permit or authorization allowing the person to occupy the land under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) or, if applicable, the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), and whose right to occupy the land is renewed or extended;

(2) in accordance with the applicable provisions of law, has entitlement under a sublease, an assignment of a lease or a transfer of an authorization, as referred to in paragraph 1, and whose right to occupy the land is renewed or extended;

(3) avails himself or herself of the possibility of acquiring the land the person legally occupies on the date on which the protection status as a proposed reserve takes effect, pursuant to the Act respecting the lands in the domain of the State.

3.11. (1) No person may carry on forest management activities to meet domestic needs or for the purpose of maintaining biodiversity, unless the person has been authorized by the Minister and carries on the activities in compliance with the conditions the Minister determines.

The conditions of that authorization may pertain, among other things, to species of trees or shrubs, the size of the stems that may be cut, the quantities authorized and the places where the activities may be carried on.

(2) Despite subsection 1, the authorization of the Minister under this plan need not be obtained by a person staying or residing in the proposed reserve who collects wood to make a campfire.

No such authorization need be obtained by a person to collect wood to meet domestic needs

(a) if the wood is collected within a sector reserved by the Minister of Natural Resources and Wildlife as a sector for which a permit for the harvest of firewood for domestic purposes under the Forest Act (R.S.Q., c. F-4.1) may be issued and which has already been reserved as such by the Minister on the date on which the protection status as a proposed reserve takes effect;

(b) if the wood is collected by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the proposed reserve; or

(c) if the wood is collected by a person in accordance with the conditions set out in the permit for the harvest of firewood for domestic purposes issued by the Minister of Natural Resources and Wildlife under the Forest Act.

(3) Despite subsection 1, no authorization need be obtained by a person authorized by lease to occupy land within the proposed reserve, pursuant to this plan, to carry on a forest management activity for the purpose of

(a) clearing permitted harvested areas, maintaining them or creating visual openings, and any other similar removal purposes permitted under the regulation that applies to the sale, lease and granting of immovable rights made under the Act respecting the lands in the domain of the State;

(b) creating and maintaining access roads, stairways or other trails permitted under that regulation; or

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

When the work referred to in subparagraph *c* of subsection 3 is carried out 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 3.13 and 3.14.

(4) Despite subsection 1, no authorization need be obtained by a person to carry on a forest management activity to maintain a sugar bush and harvest maple products for domestic purposes

(a) if the activity is carried on by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act allowing the person to carry on the activities of a sugar bush operator within the proposed reserve;

(b) if the activity is carried on within a zone for which the permit obtained allowed the carrying on of sugar bush operations on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years; or

(c) if the activity is carried on by a person in compliance with the conditions set out in the sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act.

3.12. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry out soil development work, including any fill, burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose including recreational and tourism purposes such as the development of trails;

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

(3) reconstruct or demolish an existing structure, infrastructure or works;

(4) use a pesticide, although no authorization is required for the use of insect repellent for personal purposes;

(5) carry on an activity that is likely to severely degrade the soil or a geological formation or damage the vegetation cover, such as stripping, the digging of trenches or excavation work; or

(6) carry on educational or research-related activities if the activities are likely to significantly damage or disturb the natural environment, in particular by the extent of the moving or removal of natural resources or by the use of explosives.

The conditions of the Minister's authorization for the work may pertain to the location of the authorized activity, the methods used, the areas that may be cleared or deforested, the types of material that may be used including the material taken from the site, and the presence of ancillary works or facilities. The conditions may also include a requirement to ensure periodic follow-up or to report to the Minister, in particular as regards the results obtained from the research to which subparagraph 6 of the first paragraph refers.

Subject to the conditions determined in the authorization, work to repair or maintain trails authorized by the Minister or trails existing on the date on which the protection status as a proposed reserve takes effect may be carried on without an authorization under subparagraph 1 of the first paragraph.

Work to repair or maintain forest roads or roads authorized under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) carried on in accordance with the Forest Act and its regulations that concern standards of forest management may be carried on without an authorization under subparagraph 1 of the first paragraph.

§2.4. Authorization exemptions

3.13. Despite the preceding provisions, no authorization need be obtained by a person to carry on an activity or for any other form of intervention within the proposed reserve if urgent action is required 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.

3.14. Despite the preceding provisions, the following activities and interventions involving the production, transmission and distribution of electricity carried out by Hydro-Québec (Société) or by any other person for Hydro-Québec do not require the prior authorization of the Minister under this plan:

(1) any activity or intervention required within the proposed reserve to complete a project which was previously expressly authorized by the Government and the Minister, or only by the latter, in accordance with the requirements of the Environment Quality Act (R.S.Q., c. Q-2), if the activity or intervention is carried out in compliance with the authorizations issued;

(2) any activity or intervention necessary for the preparation and presentation of a pre-project report for a project requiring an authorization under the Environment Quality Act;

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

(4) any activity or intervention by the Société, if the conditions for the carrying out of the activity or intervention have been determined in an agreement between the Minister and the Société and the activity or intervention is carried out in compliance with those conditions.

For the purposes of this section, the activities and interventions of the Société include 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 equipment movement necessary for the carrying on of such work.

§2.5. General provisions

3.15. Every person who applies to the Minister for an individual authorization or for an authorization for a group or for a number of persons must provide any information or document requested by the Minister for the examination of the application.

3.16. The Minister's authorization, which is general and can be used by more than one person, may be communicated to the persons concerned by any appropriate means including by a posted notice or appropriate signage at the reception centre or any other location within the proposed reserve that is readily accessible to the public. The Minister is to provide a copy to any person requesting a copy.

§3. *Activities governed by other statutes*

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

A special legal framework may govern permitted and prohibited activities within the proposed reserve in connection with the following matters:

— Environmental protection: measures set out in particular in the Environment Quality Act (R.S.Q., c. Q-2);

— Archaeological research: measures set out in particular in the Cultural Property Act (R.S.Q., c. B-4);

— Development of wildlife resources: measures set out in particular in the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), including the provisions pertaining to outfitting operations and beaver reserves and the measures contained in applicable federal legislation, including the fishery regulations;

— Removal of species of fauna or flora that are threatened or vulnerable or are likely to be designated as such: measures prohibiting the removal of the species under the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01);

— Access and land rights: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1);

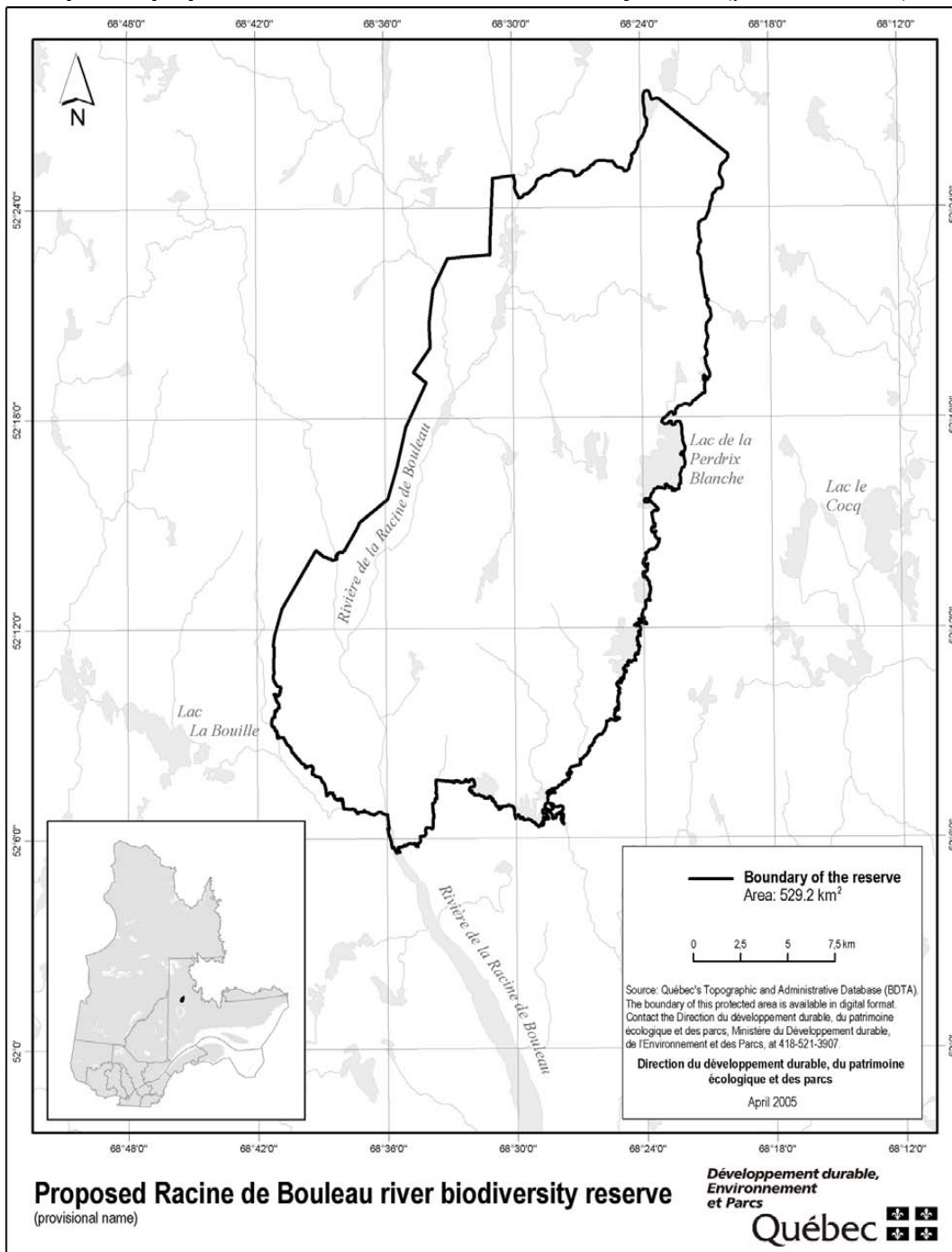
— Operation of vehicles: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and in the regulation on motor vehicle traffic in certain fragile environments made under the Environment Quality Act (R.S.Q., c. Q-2).

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

The Minister of Sustainable Development, Environment and Parks is responsible for the management of the proposed Racine de Bouleau river biodiversity reserve and is therefore responsible for the supervision and monitoring of the activities that may be carried on within the reserve. The Minister in the management of the reserve works collaboratively with other government representatives having specific responsibilities within the boundaries of the reserve or on adjoining land, such as the Minister of Natural Resources and Wildlife. In the exercise of their powers and functions, the Ministers will take into consideration the protection sought for these natural environments and the protection status that has been granted.

Schedule

Map of the proposed Racine de Bouleau river biodiversity reserve (provisional name)



PROPOSED CLÉRAC LAKE DRUMLINS
BIODIVERSITY RESERVE
(provisional name)

CONSERVATION PLAN

June 2005

1. Protection status and toponym

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

The proposed reserve is to have the name “Réserve de biodiversité projetée des drumlins du lac Clérac”. The official toponym will be determined at the time of the assignment of permanent protection status to the land.

2. Plan and description

2.1. Location, boundaries and dimensions

The boundaries and location of the proposed Clérac lake drumlins biodiversity reserve are shown on the plan.

The proposed Clérac lake drumlins biodiversity reserve is located in the Saguenay-Lac-Saint-Jean administrative region, between 50°26' and 50°44' north latitude and 72°42' and 73°06' west longitude. It is situated a little over thirty kilometres south-east of Albanel lake. It covers an area of 375.4 km² and lies almost entirely within the unorganized territory of Rivière-Mistassini in Municipalité régionale de comté de Maria-Chapdelaine. A small portion to the north-west lies within the territory of Municipalité de Baie-James.

2.2. Geography

The proposed Clérac lake drumlins biodiversity reserve forms part of the Manouane Lake Depression natural region in the Central Laurentian natural province. The topography is nearly level and glacial and glaciofluvial deposits and peat bogs dominate. Dry heaths are also prevalent. The rest of the vegetation cover consists mainly of black spruce and jack pine stands. Recent inventories have confirmed the presence of woodland caribou in the area.

2.3. Occupation, rights and land uses

Two land rights have been granted in the territory of the proposed biodiversity reserve: 1 for vacation resort purposes and 1 for a hydrometric station (Alcan).

The proposed Clérac lake drumlins biodiversity reserve covers traplines M46A and M46B that belong to the Cree community of Mistissini. The proposed reserve lies within the Mistassini beaver reserve. The land is also part of the Nitassinan of Mashteuiatsh.

The Nestaocano river that borders the proposed biodiversity reserve to the west is a recognized canoe-kayak route.

3. Activities within the reserve

§1. Introduction

The activities carried on within the proposed reserve are governed for the most part by the provisions of the Natural Heritage Conservation Act.

This Division prohibits activities in addition to those prohibited under the Act and provides a framework for the carrying on of certain permitted activities so as to better ensure the protection of the natural environment. Accordingly, certain activities require the prior authorization of the Minister and compliance with the conditions determined by the Minister.

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

- mining, and gas or petroleum development;
- forest management within the meaning of section 3 of the Forest Act (R.S.Q., c. F-4.1);
- the development of hydraulic resources and any production of energy on a commercial or industrial basis.

§2. Prohibitions, prior authorizations and conditions on which certain activities may be carried on in the proposed reserve

§2.1. Protection of resources and the natural environment

3.1. No person may introduce non-native species of flora or fauna into the proposed reserve.

3.2. No person may stock a watercourse or body of water

(1) for aquaculture, sports or commercial fishing or any other commercial purpose;

(2) for any other purpose, if the fish stocked are not from a genetic strain originating from the proposed reserve.

3.3. No person may bury, abandon or dispose of waste, snow or other residual materials other than in waste disposal containers, facilities or sites determined by the Minister or elsewhere, with the authorization of the Minister and in compliance with the conditions the Minister determines.

Despite the first paragraph, no authorization need be obtained by an outfitting operation to use a disposal facility or site in compliance with the Environment Quality Act and its regulations if the outfitting operation was already using the facility or site on the date on which the protection status as a proposed reserve takes effect.

3.4. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry on any activity likely to severely degrade the banks or shores or to otherwise seriously affect the integrity of a watercourse, body of water or other wetland area, in particular by discharging or dumping waste or other pollutant into the watercourse, body of water or wetland area; or

(2) dig, fill, obstruct or divert a watercourse or body of water.

§2.2. *Rules of conduct for users*

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

3.6. Every person who makes a campfire must

(1) clear an area around the fire site sufficient to prevent the fire from spreading by removing all branches, scrub, dry leaves and other combustible materials;

(2) see that there is always a person on the premises to attend the fire; and

(3) ensure that the fire is completely extinguished before leaving the premises.

3.7. In the proposed reserve, no person may

(1) cause any excessive noise; or

(2) behave in a manner that unduly disturbs other persons in the reserve or interferes with their enjoyment of the reserve.

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

3.9. No person may enter, carry on an activity in or operate a vehicle in a given sector of the proposed reserve unless the person has been authorized by the Minister and complies with the conditions determined, if the signage erected by the Minister restricts access, traffic or certain activities in order to protect the public from a danger or to avoid placing the fauna, flora or other components of the natural environment at risk.

§2.3. *Activities requiring an authorization*

3.10. No person may, unless the person has been authorized by the Minister and complies with the conditions the Minister determines, stay or reside on or otherwise occupy the same site within the proposed reserve for a period of more than three months in the same year. No authorization need be obtained by a person who,

(1) on the date on which the protection status as a proposed reserve takes effect, was a party to a lease or had already obtained another form of permit or authorization allowing the person to occupy the land under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) or, if applicable, the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), and whose right to occupy the land is renewed or extended;

(2) in accordance with the applicable provisions of law, has entitlement under a sublease, an assignment of a lease or a transfer of an authorization, as referred to in paragraph 1, and whose right to occupy the land is renewed or extended;

(3) avails himself or herself of the possibility of acquiring the land the person legally occupies on the date on which the protection status as a proposed reserve takes effect, pursuant to the Act respecting the lands in the domain of the State.

3.11. (1) No person may carry on forest management activities to meet domestic needs or for the purpose of maintaining biodiversity, unless the person has been authorized by the Minister and carries on the activities in compliance with the conditions the Minister determines.

The conditions of that authorization may pertain, among other things, to species of trees or shrubs, the size of the stems that may be cut, the quantities authorized and the places where the activities may be carried on.

(2) Despite subsection 1, the authorization of the Minister under this plan need not be obtained by a person staying or residing in the proposed reserve who collects wood to make a campfire.

No such authorization need be obtained by a person to collect wood to meet domestic needs

(a) if the wood is collected within a sector reserved by the Minister of Natural Resources and Wildlife as a sector for which a permit for the harvest of firewood for domestic purposes under the Forest Act (R.S.Q., c. F-4.1) may be issued and which has already been reserved as such by the Minister on the date on which the protection status as a proposed reserve takes effect;

(b) if the wood is collected by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the proposed reserve; or

(c) if the wood is collected by a person in accordance with the conditions set out in the permit for the harvest of firewood for domestic purposes issued by the Minister of Natural Resources and Wildlife under the Forest Act.

(3) Despite subsection 1, no authorization need be obtained by a person authorized by lease to occupy land within the proposed reserve, pursuant to this plan, to carry on a forest management activity for the purpose of

(a) clearing permitted harvested areas, maintaining them or creating visual openings, and any other similar removal purposes permitted under the regulation that applies to the sale, lease and granting of immovable rights made under the Act respecting the lands in the domain of the State;

(b) creating and maintaining access roads, stairways or other trails permitted under that regulation; or

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

When the work referred to in subparagraph *c* of subsection 3 is carried out 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 3.13 and 3.14.

(4) Despite subsection 1, no authorization need be obtained by a person to carry on a forest management activity to maintain a sugar bush and harvest maple products for domestic purposes

(a) if the activity is carried on by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act allowing the person to carry on the activities of a sugar bush operator within the proposed reserve;

(b) if the activity is carried on within a zone for which the permit obtained allowed the carrying on of sugar bush operations on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years; or

(c) if the activity is carried on by a person in compliance with the conditions set out in the sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act.

3.12. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry out soil development work, including any fill, burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose including recreational and tourism purposes such as the development of trails;

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

(3) reconstruct or demolish an existing structure, infrastructure or works;

(4) use a pesticide, although no authorization is required for the use of insect repellent for personal purposes;

(5) carry on an activity that is likely to severely degrade the soil or a geological formation or damage the vegetation cover, such as stripping, the digging of trenches or excavation work; or

(6) carry on educational or research-related activities if the activities are likely to significantly damage or disturb the natural environment, in particular by the extent of the moving or removal of natural resources or by the use of explosives.

The conditions of the Minister's authorization for the work may pertain to the location of the authorized activity, the methods used, the areas that may be cleared or deforested, the types of material that may be used including the material taken from the site, and the presence of ancillary works or facilities. The conditions may also include a requirement to ensure periodic follow-up or to report to the Minister, in particular as regards the results obtained from the research to which subparagraph 6 of the first paragraph refers.

Subject to the conditions determined in the authorization, work to repair or maintain trails authorized by the Minister or trails existing on the date on which the protection status as a proposed reserve takes effect may be carried on without an authorization under subparagraph 1 of the first paragraph.

Work to repair or maintain forest roads or roads authorized under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) carried on in accordance with the Forest Act and its regulations that concern standards of forest management may be carried on without an authorization under subparagraph 1 of the first paragraph.

§2.4. *Authorization exemptions*

3.13. Despite the preceding provisions, no authorization need be obtained by a person to carry on an activity or for any other form of intervention within the proposed reserve if urgent action is required 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.

3.14. Despite the preceding provisions, the following activities and interventions involving the production, transmission and distribution of electricity carried out by Hydro-Québec (Société) or by any other person for Hydro-Québec do not require the prior authorization of the Minister under this plan:

(1) any activity or intervention required within the proposed reserve to complete a project which was previously expressly authorized by the Government and the

Minister, or only by the latter, in accordance with the requirements of the Environment Quality Act (R.S.Q., c. Q-2), if the activity or intervention is carried out in compliance with the authorizations issued;

(2) any activity or intervention necessary for the preparation and presentation of a pre-project report for a project requiring an authorization under the Environment Quality Act;

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

(4) any activity or intervention by the Société, if the conditions for the carrying out of the activity or intervention have been determined in an agreement between the Minister and the Société and the activity or intervention is carried out in compliance with those conditions.

For the purposes of this section, the activities and interventions of the Société include 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 equipment movement necessary for the carrying on of such work.

§2.5. *General provisions*

3.15. Every person who applies to the Minister for an individual authorization or for an authorization for a group or for a number of persons must provide any information or document requested by the Minister for the examination of the application.

3.16. The Minister's authorization, which is general and can be used by more than one person, may be communicated to the persons concerned by any appropriate means including by a posted notice or appropriate signage at the reception centre or any other location within the proposed reserve that is readily accessible to the public. The Minister is to provide a copy to any person requesting a copy.

§3. *Activities governed by other statutes*

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

A special legal framework may govern permitted and prohibited activities within the proposed reserve in connection with the following matters:

— Environmental protection: measures set out in particular in the Environment Quality Act (R.S.Q., c. Q-2);

— Archaeological research: measures set out in particular in the Cultural Property Act (R.S.Q., c. B-4);

— Development of wildlife resources: measures set out in particular in the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), including the provisions pertaining to outfitting operations and beaver reserves and the measures contained in applicable federal legislation, including the fishery regulations;

— Removal of species of fauna or flora that are threatened or vulnerable or are likely to be designated as such: measures prohibiting the removal of the species under the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01);

— Access and land rights: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1);

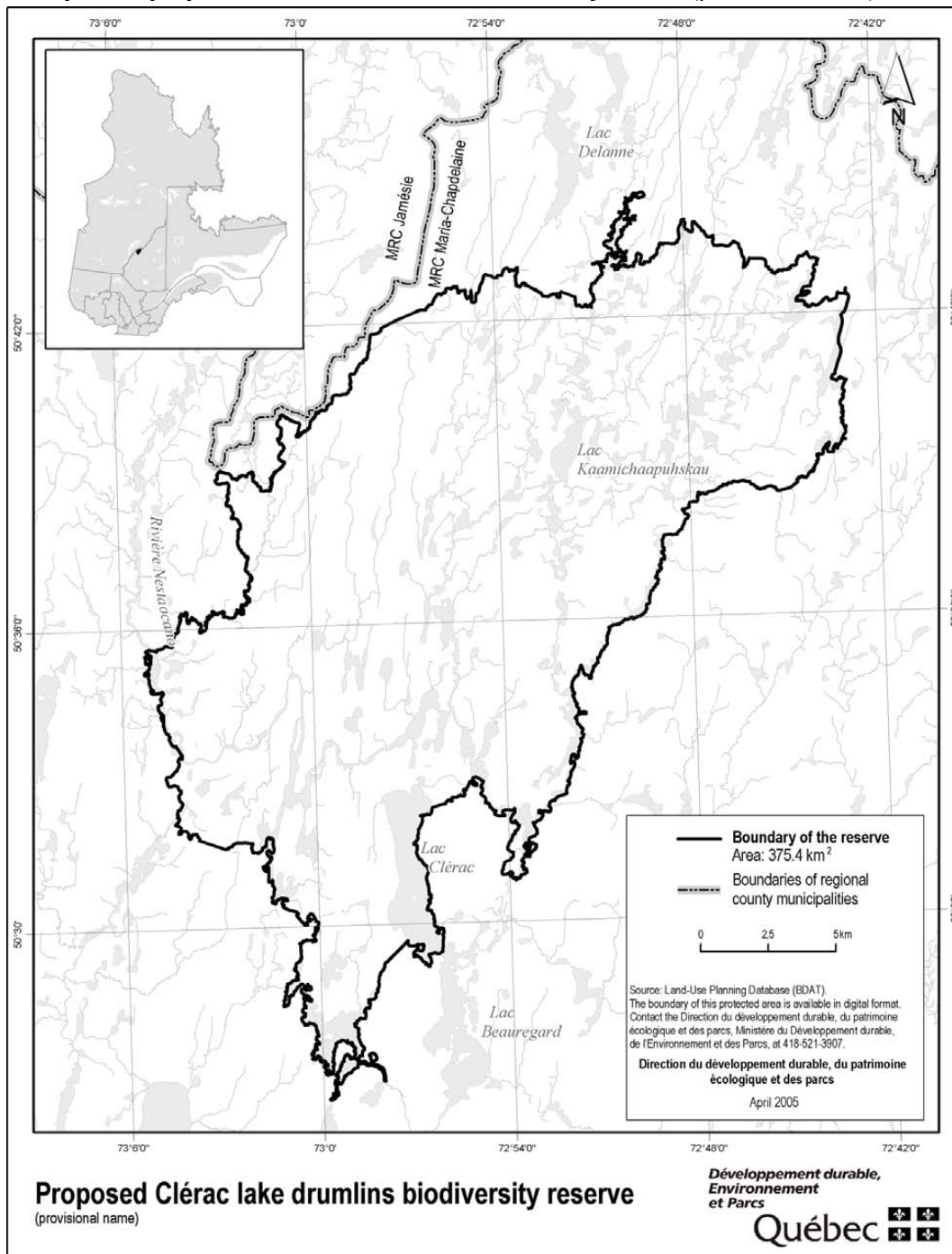
— Operation of vehicles: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and in the regulation on motor vehicle traffic in certain fragile environments made under the Environment Quality Act (R.S.Q., c. Q-2).

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

The Minister of Sustainable Development, Environment and Parks is responsible for the management of the proposed Clérac lake drumlins biodiversity reserve and is therefore responsible for the supervision and monitoring of the activities that may be carried on within the reserve. The Minister in the management of the reserve works collaboratively with other government representatives having specific responsibilities within the boundaries of the reserve or on adjoining land, such as the Minister of Natural Resources and Wildlife. In the exercise of their powers and functions, the Ministers will take into consideration the protection sought for these natural environments and the protection status that has been granted.

Schedule

Map of the proposed Clérac lake drumlins biodiversity reserve (provisional name)



PROPOSED SAINT-ELZÉAR KARST
BIODIVERSITY RESERVE
(provisional name)

CONSERVATION PLAN

June 2005

1. Protection status and toponym

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

The proposed reserve is to have the name “Réserve de biodiversité projetée du karst de Saint-Elzéar”. The official toponym will be determined at the time of the assignment of permanent protection status to the land.

The proposed biodiversity reserve protects a scientifically unique and exceptional heritage, in particular from the perspective of its geology. The area is a mosaic of forest ecosystems of great ecological interest owing to the evolution of the vegetation cover that prevents degradation of underground karst formations. The reserve also is a landscape of great quality.

Biodiversity reserve status will allow the pursuit of the following conservation objectives :

- conservation of a portion of land having a physiography characteristic of the Appalachians natural province;
- preservation of an area of geological interest (recognized or potential);
- protection of the biodiversity of forest ecosystems;
- acquisition of additional knowledge about that natural heritage, in particular karst phenomena and the evolution of the vegetation cover.

2. Plan et description

2.1. Location, boundaries and dimensions

The boundaries and location of the proposed Saint-Elzéar karst biodiversity reserve are shown on the attached plan.

The proposed Saint-Elzéar karst biodiversity reserve is located between 48°13' and 48°19' north latitude and 65°17' and 65°25' west longitude, immediately north of Municipalité de Saint-Elzéar, in the unorganized territory of Municipalité régionale de comté de Bonaventure, in the Gaspésie-Îles-de-la-Madeleine administrative region.

The proposed biodiversity reserve covers an area of 44.5 km² and lies within the north-eastern portion of the Duval river watershed. It also includes bluffs to the north-west that border on the left shore of the Garin river. The proposed biodiversity reserve is accessible by public and forest roads from Municipalité de Saint-Elzéar. The forest road, crossing the proposed reserve from the Garin escarpment in the south-west towards the north-east, having a 30-metre right-of-way as shown on the attached plan, is excluded from the proposed biodiversity reserve.

2.2. Geography

The protected area is in the Appalachians natural province. The general topography is characterized by an undulating plateau sloping slightly towards the south, deeply scored by a lattice network of streams running along the fractures in the geological base, and bordered on the south by a steep escarpment referred to as the Garin escarpment. The elevation of the proposed reserve ranges between 135 and 605 metres.

2.2.1. Representative elements

Climate : The proposed biodiversity reserve is characterized by a subpolar and subhumid continental climate, with an average growing season. It is located in an area that belongs to the bioclimatic domain of fir stands with yellow birch.

Geology and geomorphology : The proposed biodiversity reserve is part of the Appalachians geologic province, whose Paleozoic basement (545 to 250 million years) was severely deformed during successive orogenies. The bedrock consists of strata of Ordovician and Silurian sedimentary rock (450-420 million years) deformed during the Acadian orogeny (between 400 and 360 million years) and which contain relatively pure limestone of La Vieille Formation. The limestone is sensitive to chemical erosion (dissolution) and the formation of karsts. The strata are in anticlinal and synclinal folds so that the limestone units reappear in long north-east – south-west parallel bands, 200 to 300 metres wide. The surface area of the limestone outcrops is increased because the hinge lines of the folds are not always horizontal but undulate slightly, plunging alternately to the north-east and the south-west.

The extent of the rock outcrop, generally covered with vegetation, is approximately 25% of the area between the Garin escarpment and the Garin river to the north. Elsewhere, the rock is covered with a thin layer of sedimentary rock derived till or well-drained very stony sandy till. Sandy loams that are well or badly drained

cover the valley floors. Very stony sand and gravel and peat moss border the Duval river.

The Garin escarpment extending some 450 metres above the plateau of the Saint-Elzéar region, which is at an elevation of some 250 metres, delimits the southern portion of the proposed reserve. North of the escarpment, the surface rises gradually to an elevation of some 600 metres forming the Garin plateau.

Hydrography: The major part of the proposed biodiversity reserve is in the Duval river watershed, a tributary of the Bonaventure river. The Duval Est stream drains the northern half of the proposed biodiversity reserve. A small portion of the territory located to the north-west is drained by the Garin river. The Garin escarpment is drained to the west by the Duval river and to the east by the Hall Ouest river, a tributary of the Bonaventure river.

A lattice hydrographic network sometimes highly entrenched along the geological strata (generally limestone) cuts into the land or uses the nearly perpendicular fractures. The proposed biodiversity reserve will ensure the conservation of a representative, relatively uneven physiographic unit that is distinct from the rest of the southern part of Gaspésie.

Vegetation: The forest consisting of mixed hardwoods and softwoods covers approximately 60% of the territory. The forest was nearly completely burned in 1924. Some 90% of the forest is between 20 and 80 years old. Forest areas dominated by hardwoods cover some 30% of the area. A few softwood forests, covering approximately 7% of the area, and some 3% of the hardwood forests are over 80 years old, and cover especially the valley floors; they probably escaped the fires. The youngest forests, less than 20 years old, are a product of logging and are found mostly in the north-western portion of the reserve that is drained by the Garin river.

White birch (*Betula papyrifera*) and trembling aspen (*Populus tremuloides*) dominate most of the area. Softwoods are represented mainly by balsam fir (*Abies balsamea*), white spruce (*Picea glauca*), red spruce (*Picea rubens*) and black spruce (*Picea mariana*). In well-drained soils, the herbaceous and arbustive flora of the forest floor consists of about twenty species that characterize boreal forests. The few tree clumps consisting of eastern white cedar (*Thuja occidentalis*), balsam fir and white spruce are confined to the north of the territory at the bottom of the valleys and along the Duval river. Yellow birch (*Betula alleghaniensis*) forms up to 5% of the mixed stands, growing on slopes in the western and north-western portions. The sugar maple-yellow birch stand covers only 0.2% of the area, in a valley lying across the Duval river, at low elevation.

2.2.2. Outstanding elements

The Garin plateau is the only place in Québec and Eastern Canada where it is possible to observe active karst phenomena and other karst phenomena 200,000 years old dating back to the middle Pleistocene. Karst phenomena, the variety and the age difference of which are unique to Québec, are found in the area between the village of Saint-Elzéar and the Garin river. It is the only place where major karst phenomena active today coexist in the same limestone with surface and underground karst forms, either inactive or fossilized by deposits. The latest studies show that karst phenomena are identified throughout the proposed biodiversity reserve. The Saint-Elzéar cave and dolines near the cave, in the interior of the proposed biodiversity reserve, and karst phenomena (swallow holes, resurgences) around the village of Saint-Elzéar are the local karst phenomena most studied over the last 20 years and the best known in the Gaspésie region.

The presence of hundreds of closed depressions and numerous dolines would indicate that the cave network is larger than the network currently known.

2.3. Occupation, rights and land uses

Nine land rights have been granted by the Ministère des Ressources naturelles et de la Faune within the perimeter of the proposed biodiversity reserve. They are apportioned as follows:

- 2 for the construction of a rough shelter in the forest;
- 2 for personal vacation resort purposes (cottages), situated near the north-west limit of the proposed reserve;
- 2 for a trail for hiking and observing the karst phenomena;
- 3 for recreational equipment (access to the Saint-Elzéar cave), the construction of a lookout and observation tower.

Part of the territory is served by forest roads and a road and hiking trail leading to the Saint-Elzéar cave. In the fall, the local population hunts moose in the area.

Saint-Elzéar cave was “officially” discovered by Saint-Elzéar residents in 1976, but local legend has it that the cave entrance was observed long before. Since then, a number of researchers from the Government of Québec, Québec universities and the Société québécoise de spéléologie have studied the cave and karst phenomena of the Saint-Elzéar region. Local organizations such as the Comité de promotion des ressources naturelles de

Saint-Elzéar inc. and Habitafor are also involved in the understanding of karst phenomena in the area. The significance of the phenomena justified in 1977 the proposed assigning of conservation status (ecological reserve) to part of the area. The local population, however, under the Comité de promotion des ressources naturelles de Saint-Elzéar inc., sought to have the Saint-Elzéar cave developed for educational, recreational and tourism purposes. The descriptive work and management plans of the Saint-Elzéar cave were consequently carried out between 1983 and 1985 in close collaboration with the Ministère de l'Environnement. In 1980, the Comité de promotion des Ressources naturelles de Saint-Elzéar inc. established a cave museum in the village of Saint-Elzéar where educational and recreo-touristic activities centred on the discovery of the Saint-Elzéar cave and karst phenomena in the area have been carried on for approximately fifteen years.

3. Activities within the reserve

§1. Introduction

The activities carried on within the proposed reserve are governed for the most part by the provisions of the Natural Heritage Conservation Act.

This Division prohibits activities in addition to those prohibited under the Act and provides a framework for the carrying on of certain permitted activities so as to better ensure the protection of the natural environment. Accordingly, certain activities require the prior authorization of the Minister and compliance with the conditions determined by the Minister.

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

- mining, and gas or petroleum development;
- forest management within the meaning of section 3 of the Forest Act (R.S.Q., c. F-4.1);
- the development of hydraulic resources and any production of energy on a commercial or industrial basis.

§2. Prohibitions, prior authorizations and conditions on which certain activities may be carried on in the proposed reserve

§2.1. Protection of resources and the natural environment

3.1. No person may introduce non-native species of flora or fauna into the proposed reserve.

3.2. No person may stock a watercourse or body of water

(1) for aquaculture, sports or commercial fishing or any other commercial purpose;

(2) for any other purpose, if the fish stocked are not from a genetic strain originating from the proposed reserve.

3.3. No person may bury, abandon or dispose of waste, snow or other residual materials other than in waste disposal containers, facilities or sites determined by the Minister or elsewhere, with the authorization of the Minister and in compliance with the conditions the Minister determines.

Despite the first paragraph, no authorization need be obtained by an outfitting operation to use a disposal facility or site in compliance with the Environment Quality Act and its regulations if the outfitting operation was already using the facility or site on the date on which the protection status as a proposed reserve takes effect.

3.4. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry on any activity likely to severely degrade the banks or shores or to otherwise seriously affect the integrity of a watercourse, body of water or other wetland area, in particular by discharging or dumping waste or other pollutant into the watercourse, body of water or wetland area; or

(2) dig, fill, obstruct or divert a watercourse or body of water.

§2.2. Rules of conduct for users

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

3.6. Every person who makes a campfire must

(1) clear an area around the fire site sufficient to prevent the fire from spreading by removing all branches, scrub, dry leaves and other combustible materials;

(2) see that there is always a person on the premises to attend the fire; and

(3) ensure that the fire is completely extinguished before leaving the premises.

3.7. In the proposed reserve, no person may

(1) cause any excessive noise; or

(2) behave in a manner that unduly disturbs other persons in the reserve or interferes with their enjoyment of the reserve.

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

3.9. No person may enter, carry on an activity in or operate a vehicle in a given sector of the proposed reserve unless the person has been authorized by the Minister and complies with the conditions determined, if the signage erected by the Minister restricts access, traffic or certain activities in order to protect the public from a danger or to avoid placing the fauna, flora or other components of the natural environment at risk.

§2.3. *Activities requiring an authorization*

3.10. No person may establish a campsite, a shelter or otherwise stay in the proposed reserve, or occupy a site by installing or leaving property, unless the person has been authorized by the Minister and complies with the conditions determined by the Minister. No authorization need be obtained by a person who,

(1) on the date on which the protection status as a proposed reserve takes effect, was a party to a lease or had already obtained another form of permit or authorization allowing the person to occupy the land under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) or, if applicable, the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), and whose right to occupy the land is renewed or extended;

(2) in accordance with the applicable provisions of law, has entitlement under a sublease, an assignment of a lease or a transfer of an authorization, as referred to in paragraph 1, and whose right to occupy the land is renewed or extended;

(3) avails himself or herself of the possibility of acquiring the land the person legally occupies on the date on which the protection status as a proposed reserve takes effect, pursuant to the Act respecting the lands in the domain of the State.

3.11. (1) No person may carry on forest management activities to meet domestic needs or for the purpose of maintaining biodiversity, unless the person has been authorized by the Minister and carries on the activities in compliance with the conditions the Minister determines.

The conditions of that authorization may pertain, among other things, to species of trees or shrubs, the size of the stems that may be cut, the quantities authorized and the places where the activities may be carried on.

(2) Despite subsection 1, the authorization of the Minister under this plan need not be obtained by a person staying or residing in the proposed reserve who collects wood to make a campfire.

No such authorization need be obtained by a person to collect wood to meet domestic needs

(a) if the wood is collected within a sector reserved by the Minister of Natural Resources and Wildlife as a sector for which a permit for the harvest of firewood for domestic purposes under the Forest Act (R.S.Q., c. F-4.1) may be issued and which has already been reserved as such by the Minister on the date on which the protection status as a proposed reserve takes effect;

(b) if the wood is collected by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the proposed reserve; or

(c) if the wood is collected by a person in accordance with the conditions set out in the permit for the harvest of firewood for domestic purposes issued by the Minister of Natural Resources and Wildlife under the Forest Act.

(3) Despite subsection 1, no authorization need be obtained by a person authorized by lease to occupy land within the proposed reserve, pursuant to this plan, to carry on a forest management activity for the purpose of

(a) clearing permitted harvested areas, maintaining them or creating visual openings, and any other similar removal purposes permitted under the regulation that applies to the sale, lease and granting of immovable rights made under the Act respecting the lands in the domain of the State;

(b) creating and maintaining access roads, stairways or other trails permitted under that regulation; or

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

When the work referred to in subparagraph *c* of subsection 3 is carried out 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 3.13 and 3.14.

(4) Despite subsection 1, no authorization need be obtained by a person to carry on a forest management activity to maintain a sugar bush and harvest maple products for domestic purposes

(a) if the activity is carried on by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act allowing the person to carry on the activities of a sugar bush operator within the proposed reserve;

(b) if the activity is carried on within a zone for which the permit obtained allowed the carrying on of sugar bush operations on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years; or

(c) if the activity is carried on by a person in compliance with the conditions set out in the sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act.

3.12. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry out soil development work, including any fill, burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose including recreational and tourism purposes such as the development of trails;

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

(3) reconstruct or demolish an existing structure, infrastructure or works;

(4) use a pesticide, although no authorization is required for the use of insect repellent for personal purposes;

(5) carry on an activity that is likely to severely degrade the soil or a geological formation or damage the vegetation cover, such as stripping, the digging of trenches or excavation work; or

(6) carry on educational or research-related activities if the activities are likely to significantly damage or disturb the natural environment, in particular by the extent of the moving or removal of natural resources or by the use of explosives.

The conditions of the Minister's authorization for the work may pertain to the location of the authorized activity, the methods used, the areas that may be cleared or deforested, the types of material that may be used including the material taken from the site, and the presence of ancillary works or facilities. The conditions may also include a requirement to ensure periodic follow-up or to report to the Minister, in particular as regards the results obtained from the research to which subparagraph 6 of the first paragraph refers.

Subject to the conditions determined in the authorization, work to repair or maintain trails authorized by the Minister or trails existing on the date on which the protection status as a proposed reserve takes effect may be carried on without an authorization under subparagraph 1 of the first paragraph.

Work to repair or maintain forest roads or roads authorized under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) carried on in accordance with the Forest Act and its regulations that concern standards of forest management may be carried on without an authorization under subparagraph 1 of the first paragraph.

§2.4. Authorization exemptions

3.13. Despite the preceding provisions, no authorization need be obtained by a person to carry on an activity or for any other form of intervention within the proposed reserve if urgent action is required 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.

3.14. Despite the preceding provisions, the following activities and interventions involving the production, transmission and distribution of electricity carried out by Hydro-Québec (Société) or by any other person for Hydro-Québec do not require the prior authorization of the Minister under this plan:

(1) any activity or intervention required within the proposed reserve to complete a project which was previously expressly authorized by the Government and the Minister, or only by the latter, in accordance with the requirements of the Environment Quality Act (R.S.Q., c. Q-2), if the activity or intervention is carried out in compliance with the authorizations issued;

(2) any activity or intervention necessary for the preparation and presentation of a pre-project report for a project requiring an authorization under the Environment Quality Act;

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

(4) any activity or intervention by the Société, if the conditions for the carrying out of the activity or intervention have been determined in an agreement between the Minister and the Société and the activity or intervention is carried out in compliance with those conditions.

For the purposes of this section, the activities and interventions of the Société include 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 equipment movement necessary for the carrying on of such work.

§2.5. *General provisions*

3.15. Every person who applies to the Minister for an individual authorization or for an authorization for a group or for a number of persons must provide any information or document requested by the Minister for the examination of the application.

3.16. The Minister's authorization, which is general and can be used by more than one person, may be communicated to the persons concerned by any appropriate means including by a posted notice or appropriate signage at the reception centre or any other location within the proposed reserve that is readily accessible to the public. The Minister is to provide a copy to any person requesting a copy.

§3. *Activities governed by other statutes*

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

A special legal framework may govern permitted and prohibited activities within the proposed reserve in connection with the following matters:

— Environmental protection: measures set out in particular in the Environment Quality Act (R.S.Q., c. Q-2);

— Archaeological research: measures set out in particular in the Cultural Property Act (R.S.Q., c. B-4);

— Development of wildlife resources: measures set out in particular in the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), including the provisions pertaining to outfitting operations and beaver reserves and the measures contained in applicable federal legislation, including the fishery regulations;

— Removal of species of fauna or flora that are threatened or vulnerable or are likely to be designated as such: measures prohibiting the removal of the species under the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01);

— Access and land rights: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1);

— Operation of vehicles: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and in the regulation on motor vehicle traffic in certain fragile environments made under the Environment Quality Act (R.S.Q., c. Q-2).

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

The Minister of Sustainable Development, Environment and Parks is responsible for the management of the proposed Saint-Elzéar karst biodiversity reserve and is therefore responsible for the supervision and monitoring of the activities that may be carried on within the reserve. The Minister in the management of the reserve works collaboratively with other government representatives having specific responsibilities within the boundaries of the reserve or on adjoining land, such as the Minister of Natural Resources and Wildlife. In the exercise of their powers and functions, the Ministers will take into consideration the protection sought for these natural environments and the protection status that has been granted.

