

Regulations and other acts

Gouvernement du Québec

O.C. 655-2006, 28 June 2006

An Act respecting the Ministère des
Ressources naturelles
(R.S.Q., c. M-25.2)

Program for the delegation of the land and forest management of intramunicipal public lands in favour of the regional county municipalities in the administrative region of Saguenay–Lac-Saint-Jean and Ville de Saguenay

WHEREAS the Government approved, by Order in Council 891-96 dated 10 July 1996, the Programme relatif à une délégation de gestion de terres du domaine public en faveur de municipalités régionales de comté de la région administrative du Saguenay–Lac-Saint-Jean;

WHEREAS, in 1996, the Minister of Natural Resources entered into a specific agreement on the management and development of the intramunicipal public territory of Saguenay–Lac-Saint-Jean with the Conseil régional de concertation et de développement du Saguenay–Lac-Saint-Jean;

WHEREAS, by Order in Council 362-97 dated 19 March 1997, the Government authorized the Minister of Natural Resources to sign an agreement respecting the transfer to the regional county municipalities in the Saguenay–Lac-Saint-Jean region, on an experimental basis, of responsibilities regarding public forest management and land regulations;

WHEREAS, on 1 April 1997, the Minister of Natural Resources signed, in accordance with the program and the latter agreement, territorial management agreements with each of the four regional county municipalities in the administrative region of Saguenay–Lac-Saint-Jean to entrust, for and on behalf of the Government, powers and responsibilities regarding planning, land management, land regulations and forest management;

WHEREAS the Act respecting the Ministère des Ressources naturelles (R.S.Q., c. M-25.2) was amended by chapter 93 of the Statutes of 1997 to authorize in particular a delegation regarding land regulations;

WHEREAS, on 24 August 2000, the Government, by Order in Council 997-2000, replaced the Programme relatif à une délégation de gestion de terres du domaine

public en faveur de municipalités régionales de comté de la région administrative du Saguenay–Lac-Saint-Jean, in order to include in the program a delegation regarding land regulations;

WHEREAS that Order in Council extended the term of the agreement respecting the transfer to the regional county municipalities in the Saguenay–Lac-Saint-Jean region, on an experimental basis, of responsibilities regarding public forest management and land regulations to 1 April 2002;

WHEREAS the Government made Order in Council 394-2002 dated 27 March 2002 which renewed until 1 April 2004 the Program for the delegation of the management of lands in the domain of the State to regional county municipalities in the administrative region of Saguenay–Lac-Saint-Jean and the agreement respecting the transfer to the regional county municipalities in the Saguenay–Lac-Saint-Jean region, on an experimental basis, of responsibilities regarding public forest management and land regulations;

WHEREAS, following the creation of Ville de Saguenay, the Minister of Natural Resources entrusted to Ville de Saguenay in 2002 the land and forest management of the intramunicipal public lands in its territory;

WHEREAS the Government made Order in Council 504-2004 dated 26 May 2004 which renewed until 1 April 2005 the Program for the delegation of the management of lands in the domain of the State to regional county municipalities in the administrative region of Saguenay–Lac-Saint-Jean, which also applies to Ville de Saguenay, and authorized the Minister of Natural Resources, Wildlife and Parks to enter into an agreement under article 10.5 of the Municipal Code of Québec (R.S.Q., c. C-27.1), on the same terms and conditions as those set out in the agreement under Order in Council 362-97 dated 19 March 1997, which had effect until that date;

WHEREAS the Act respecting the Ministère des Ressources naturelles was amended by chapter 6 of the Statutes of 2001 to authorize, in particular, the delegation of forest management;

WHEREAS, under section 17.13 of that Act, the Minister may, with the approval of the Government, prepare programs for the development of lands in the domain of the State in order to encourage regional development;

WHEREAS, under section 17.14 of that Act, the Minister may, for the purposes of such programs, entrust the management of any land in the domain of the State that is under the Minister's authority and the property situated thereon or, in a forest reserve, the management of forest resources in the domain of the State, to a legal person ;

WHEREAS the Minister of Natural Resources and Wildlife and the elected officers of the regional county municipalities in the administrative region of Saguenay–Lac-Saint-Jean and Ville de Saguenay have agreed to adopt a new program for the delegation of land and forest management to replace the current program and forest management agreement, while retaining the terms and conditions of delegation set out in the territorial management agreements, except for adjustments incidental to amendments to the Act and departmental orientations or the deadline ;

WHEREAS, for that purpose, it is expedient to approve the Program for the delegation of the land and forest management of intramunicipal public lands in favour of the regional county municipalities in the administrative region of Saguenay–Lac-Saint-Jean and Ville de Saguenay, on the same conditions as those provided for in the program approved by Order in Council 997-2000 dated 24 August 2000 which replaced Order in Council 891-96 dated 10 July 1996 and in the agreement authorized by Order in Council 504-2004 dated 26 May 2004, except for adjustments incidental to amendments to the Act and departmental orientations or the deadline ;

WHEREAS it is expedient to entrust the administration of the program to the Minister of Natural Resources and Wildlife and to have the planning aspect of the program managed by the Minister in cooperation with the other government departments and bodies involved ;

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

THAT the Program for the delegation of the land and forest management of intramunicipal public lands in favour of the regional county municipalities in the administrative region of Saguenay–Lac-Saint-Jean and Ville de Saguenay, attached to this Order in Council, be approved, on the same conditions as those set out in the program approved by Order in Council 997-2000 dated 24 August 2000 which replaced Order in Council 891-96 dated 10 July 1996 and the agreement authorized by Order in Council 504-2004 dated 26 May 2004, except for adjustments incidental to amendments to the Act and departmental orientations or the deadline ;

THAT the administration of the Program be entrusted to the Minister of Natural Resources and Wildlife.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Program for the delegation of the land and forest management of intramunicipal public lands in favour of the regional county municipalities in the administrative region of Saguenay–Lac-Saint-Jean and Ville de Saguenay

1. OBJECTIVE OF THE PROGRAM

To entrust the management of intramunicipal public lands and their forest resources to the regional county municipalities in the administrative region of Saguenay–Lac-Saint-Jean and to Ville de Saguenay with a view to promoting regional development through the development of those lands.

2. DEFINITIONS

For the purposes of this Program, unless the context indicates otherwise,

2.1. “territorial management agreement” means a multisectoral act of delegation whereby the Government on certain conditions transfers management powers and responsibilities to the regional county municipalities in the administrative region of Saguenay–Lac-Saint-Jean and Ville de Saguenay. (convention de gestion territoriale)

2.2. “Minister” means the Minister of Natural Resources and Wildlife. (ministre)

2.3. “Program” means this Program, prepared under Division II.2 of the Act respecting the Ministère des Ressources naturelles et de la Faune (R.S.Q., c. M-25.2). (programme)

3. CONDITIONS OF ELIGIBILITY

The regional county municipalities and Ville de Saguenay must have adopted a resolution whereby they agree to the terms, conditions, commitments and obligations set out in the Program and authorize the warden or mayor to sign amendment No. 4 to the territorial management agreement.

4. TERRITORIAL JURISDICTION

4.1. The intramunicipal public lands on which the powers and responsibilities delegated under this Program are to be exercised are all the lots, parts of lots and any other part of the domain of the State within the parceling line indicated on the map entitled "Territoire public intramunicipal de la région 02 – territoire d'application, 1^{er} avril 2005", including the buildings, improvements and movable property and forest resources therein, situated in the administrative region of Saguenay–Lac-Saint-Jean and under the authority of the Minister.

For the regional county municipalities involved, other public lands with the same characteristics in the unorganized territories of Chute-des-Passes in Sainte-Élizabeth-de-Proulx, Rivière-Mistassini, Lac-Ministuk and Belle-Rivière are added to the intramunicipal public lands concerned.

4.2. The following are expressly excluded from the territorial jurisdiction:

(1) the water domain corresponding to the beds of lakes and watercourses up to the natural high water mark;

(2) lands in the domain of the State flooded following the construction and maintenance of a dam or any work related to the dam;

(3) the site of the Normandin tree nursery, including the buildings, improvements and movable property therein and any other site the Minister considers necessary for the activities of the Ministère des Ressources naturelles et de la Faune;

(4) any right-of-way of a highway or autoroute under the management of the Minister of Transport, including its infrastructure and all works relevant to siting or management; and

(5) lands within common areas covered by a timber supply and forest management agreement at the time this Program is adopted.

4.3. If land under the responsibility of a regional county municipality or Ville de Saguenay is required for public utility or public interest purposes or for any other purpose declared by Order in Council, or if land has been erroneously identified as forming part of intramunicipal public lands, the Minister may, after sending a notice, exclude the land from the application of the Program.

In certain circumstances, an exclusion by the Minister could lead to payment of fair compensation for any improvement made on that land by the regional county municipality or Ville de Saguenay since the signing of the territorial management agreement, as well as for any damage actually suffered, without further compensation or indemnity for the loss of any profit or anticipated revenue.

5. DELEGATED POWERS AND RESPONSIBILITIES

For the purposes of the Program, the Minister may delegate to the regional county municipalities and Ville de Saguenay the powers and responsibilities in land planning and management and forest management referred to in clauses 5.1, 5.2 and 5.3. The delegation is subject to the terms and conditions in clauses 6.1 and 7.

The delegated powers and responsibilities must be exercised on all the lands to be identified by the Minister in the list of delegated lots in Schedule I to the territorial management agreements.

5.1. Planning

In respect of planning, the Minister delegates to the regional county municipalities and Ville de Saguenay the responsibility of preparing, on a concerted basis and for a 5-year period, an integrated management plan for the territory covered by each territorial management agreement signed by the regional county municipality or Ville de Saguenay. The planning already carried out must as needed be revised or modified. The regional county municipalities and Ville de Saguenay must see to follow-up of the planning and ensure it is consistent with their land use planning and development plans.

5.1.1. The planning must

(1) identify the uses of the territory, without altering the territorial units and sites identified by the Government in the public lands use plan;

(2) define the harmonization procedures and general rules for integrating land uses;

(3) take into account the Government's orientations regarding territorial development and the specific concerns of the Government communicated during the preparation of the planning; and

(4) take into account the regional strategic plan of the Conférence régionale des élus du Saguenay–Lac-Saint-Jean.

5.2. Land management

For the purposes of this Program, the Minister entrusts the management of intramunicipal public lands to the regional county municipalities and Ville de Saguenay that exercise the following powers and responsibilities under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and the regulations thereunder:

(1) manage the land rights already granted other than leases for the use of water powers. To that end, the regional county municipalities and Ville de Saguenay must manage and respect the rights granted until they expire, renew them, and cancel them if the beneficiary fails to meet obligations;

(2) grant and manage new land rights other than leases for the use of water powers, renew them, ensure follow-up, modify them with the consent of the parties involved, and cancel them if the beneficiary fails to meet obligations;

(3) manage the buildings, improvements and movable property situated on the lands covered by the delegation and, if need be, dispose of them according to the regulatory provisions;

(4) sell land, grant rights under emphyteutic contracts, transfer land gratuitously for public utility in accordance with the regulations. However, the regional county municipalities and Ville de Saguenay must obtain the Minister's consent prior to granting such rights;

(5) rectify the alienations made by each regional county municipality;

(6) grant servitudes and any other right;

(7) grant temporary occupation and visitor's licences;

(8) collect and keep all revenue, including fees arising from the management of lands covered by the delegation;

(9) renounce, in connection with a cadastral renovation, the Minister's right of ownership in favour of the occupant of the land in accordance with section 40.1 of the Act respecting the lands in the domain of the State and according to the criteria established by the Minister for such matters;

(10) rectify any deed of alienation granted by the regional county municipalities or Ville de Saguenay and waive the restrictive clauses in a deed of alienation granted by them, in accordance with sections 35.1 and 40 of the Act respecting the lands in the domain of the State, or change the purposes therein;

(11) acquire by mutual agreement (gift, purchase, trade), for the benefit of the domain of the State, private lands, buildings, improvements and movable property. However, the regional county municipalities and Ville de Saguenay must obtain the Minister's consent prior to such a transaction;

(12) publish a declaration stating that the land forms part of the domain of the State in accordance with section 19 of the Act respecting the lands in the domain of the State;

(13) authorize the construction of roads other than forest and mining roads in accordance with section 55 of the Act respecting the lands in the domain of the State;

(14) control the use and occupation of the territory

— by dealing with situations of illegal occupation and use, including in particular illegal dumping sites and gates within the meaning of the Act respecting the lands in the domain of the State, according to strict rules and methods in keeping with the Government's position that no privilege may be granted to anyone who illegally occupies or uses land in the domain of the State;

— by dealing with situations of precarious occupation according to the Regulation respecting the regularization of certain kinds of occupation of lands in the domain of the State, made under the Act respecting the lands in the domain of the State by Order in Council 233-89 dated 22 February 1989, amended by Order in Council 90-2003 dated 29 January 2003;

(15) institute offence proceedings in its own name for any offence under the Act respecting the lands in the domain of the State, its regulations or the by-laws adopted by the regional county municipalities and Ville de Saguenay pursuant to clause 6 if the offence is committed in the territory covered by the management delegation;

(16) exercise all the recourses and powers conferred upon the Minister under sections 60 to 66 of the Act respecting the lands in the domain of the State; and

(17) cause the boundary between the domain of the State and the private domain to be determined and the signature of the owner to be affixed to the documents pertaining to cadastral operations, boundary marking or any motion for judicial recognition of property ownership concerning the lands in the domain of the State covered by the management delegation. The regional county municipalities and Ville de Saguenay must follow the land survey instructions issued by the Minister pursuant to section 17 of the Act respecting the lands in the domain of the State for land surveys.

The Minister continues to exercise the management powers and responsibilities concerning mining rights and water powers.

5.3 Forest management

For the purposes of this Program, the Minister entrusts forest management on intramunicipal public lands to the regional county municipalities and Ville de Saguenay which must exercise the forest management powers and responsibilities described below and defined in Divisions I, II, III and IV of Chapter II and in Division II of Chapter IV of Title I and in Title VI of the Forest Act (R.S.Q., c. F-4.1), amended by chapters 3 and 44 of the Statutes of 2005, that relate to the forests in the domain of the State and that apply to forest reserves, to the extent provided by law :

(1) the granting of forest management permits in the following classes :

— for the harvest of firewood for domestic or commercial purposes ;

— for the harvest of a specified volume of shrubs or half-shrubs, or of branches from shrubs or half-shrubs, to supply a wood processing plant ;

— for sugar bush management for acericultural purposes ;

— for a wildlife, recreational or agricultural development project ; and

— for the supply of a wood processing plant to the holder of a forest management contract entitled thereto under Division II of Chapter IV of Title I of the Forest Act ;

(2) the development of forest reserves, respecting the annual allowable cut, and the sale of timber. Despite the provisions of the Forest Act, the Syndicat des producteurs de bois may market the timber on agreement between the regional county municipalities or Ville de Saguenay, the regional conference of elected officers and the syndicate ;

(3) the signing of forest management contracts. As long as the related sections in the Forest Act are not in force, the regional county municipalities and Ville de Saguenay must require holders of forest management contracts to prepare forest management plans that conform, with the necessary modifications, to the form and content prescribed in section 42 of chapter 6 of the Statutes of 2001, to the extent that that section replaces

sections 52 and 53 of the Forest Act, and section 46 of that chapter to the extent that that section introduces section 59.1 of the Forest Act ;

(4) the granting of forest management permits for the construction or improvement of forest roads and the issue of authorizations regarding the width of the right-of-way and the destination of the timber harvested in connection with construction or improvement work on roads other than forest roads ;

(5) the possibility of restricting or prohibiting access to forest roads for public interest purposes, particularly in cases of fire, during the thaw period or for safety reasons ;

(6) the application of standards of forest management, in accordance with the Regulation respecting standards of forest management for forests in the domain of the State, made by Order in Council 498-96 dated 24 April 1996, as amended, or the imposition of standards differing from those prescribed by regulation, or departing from those standards, in accordance with the provisions of sections 25.2 to 25.3.1 of the Forest Act ;

(7) the collection of fees payable by holders of authorizations, licences or rights issued by the regional county municipalities or Ville de Saguenay ;

(8) the supervision and control of forest management activities, in accordance with the Forest Act and the regulations thereunder. The regional county municipalities and Ville de Saguenay must inform the Minister of any offence observed against the Act or the regulations thereunder and send the Minister a detailed file including the technical data used to describe the offence observed (maps, measurements of areas and number of trees) ;

(9) the supervision of the scaling of timber harvested in accordance with the standards determined by regulation. The regional county municipalities and Ville de Saguenay must also use the computerized scaling process to send the data to the Ministère des Ressources naturelles et de la Faune ;

(10) the verification, pursuant to sections 70.1 to 70.4 of the Forest Act, of the data and information appearing in the annual reports filed by the holders of forest management contracts ;

(11) the supervision of the preparation of the general forest management plans required from holders of forest management contracts and, in particular,

— the setting, for the territory covered by any forest management contract, of forest protection and development objectives, after consultation with the departments concerned and the regional stakeholders ;

— the annual allowable cut, yields and forest protection and development objectives are set for the territory covered by a forest management contract to be included in the related general plan taken into consideration in the preparation of forest management strategies ;

(12) the approval of the general forest management plans and annual management plans prepared by the holders of forest management contracts ; and

(13) the holding of public consultations pursuant to the consultation policy provided for in section 211 of the Forest Act to be held in the territory of the territorial management agreement or the territory of any forest management contract on matters within the scope of the delegated responsibilities.

The Minister continues to assume the powers and responsibilities that are not delegated by the agreement.

In the exercise of the powers and responsibilities, the regional county municipalities and Ville de Saguenay must

(1) not adopt any provision adding restrictions that favour the use of forest resources at the local level to the detriment of projects having greater potential in terms of employment and future development ;

(2) join the forest protection organizations recognized by the Minister and assume their share of the protection costs. Assessments paid by the regional county municipalities and Ville de Saguenay to those organizations are applicable to the territory in which they have not entered into a forest management contract. When they enter into such a contract, they must require the contract holder to join those organizations and to pay the share of the protection costs ;

(3) send for recording the forest management contracts, as soon as they are signed and upon any later amendment, to the Ministère des Ressources naturelles et de la Faune. When the regional county municipalities and Ville de Saguenay enter into a forest management contract with a holder other than a municipality or a Native band council, the holder must pay the contribution directly to the forestry fund on the basis of the volume authorized by the annual management permit. The regional county municipalities and Ville de Saguenay also undertake to inform the Minister of the volume

authorized by the management permit of each holder of a forest management contract on 1 April, 1 July, 1 October and 1 January ;

(4) accept that the Minister may, as needed, clarify the scope of the forest management powers and responsibilities ;

(5) prepare a forest management plan for any territory or part of a territory managed under the direct responsibility of the regional county municipality ;

(6) incorporate the forest protection and development objectives retained by the Minister for forest management units into the general plans. Those objectives may be varied according to the local conditions after agreement with the Minister. The regional county municipality may also define other forest protection and development objectives to be set for the territories covered by the territorial management agreement and the forest management plans prepared by holders of forest management contracts according to the terms and conditions agreed by the parties.

6. REGULATORY POWERS

For the purposes of this Program, the Minister determines that the regional county municipalities and Ville de Saguenay may exercise, by means of by-laws adopted under subparagraph 5 of the second paragraph of article 14.12 of the Municipal Code of Québec (R.S.Q., c. C-27.1), and in accordance with the conditions set out in clause 6.1 of this Program, the powers referred to in subparagraphs 3 and 7 to 11 of the first paragraph and the second paragraph of section 71 of the Act respecting the lands in the domain of the State.

6.1. Conditions applicable to regulatory powers respecting land management

The by-laws of the regional county municipalities and Ville de Saguenay, whose coming into force is governed by the Municipal Code of Québec, must first be submitted to the Minister for approval so that the Minister may ascertain whether they conform to the Government's principles and objectives and are regionally consistent. More specifically, the regional county municipalities and Ville de Saguenay must

(1) keep the intramunicipal public lands open to the public, in particular by allowing the free movement of persons ;

(2) preserve public access to the State water domain ;

(3) impose a tariff based on market value ; and

(4) grant no privilege to a person who illegally occupies or uses land in the domain of the State, except to regularize a precarious situation eligible for a title under the Regulation respecting the regularization of certain kinds of occupation of lands in the domain of the State.

By-laws respecting administration expenses are to pertain only to the cases already provided for in the regulations under the Act respecting the lands in the domain of the State.

7. GENERAL TERMS AND CONDITIONS

7.1. The regional county municipalities and Ville de Saguenay, to which the management of intramunicipal public lands is entrusted by the Minister under this Program, must comply with the following terms and conditions in respect of each of the items below :

Access to the domain of the State : the regional county municipalities and Ville de Saguenay must preserve public access to the domain of the State and the State water domain.

Alienation of land : the Minister's agreement for the alienation of land may be given as part of the integrated management planning for the territory mentioned in clause 5.1 or by a specific notice for proposals not covered by that planning.

Land surveying : every land survey on public lands or that affects the limits of land, including boundary marking, in particular the marking required for an alienation, must be carried out in accordance with section 17 of the Act respecting the lands in the domain of the State and with the Minister's instructions.

Natives : the Government's orientations and policies in Native affairs must be respected.

Respect the temporary rights that may be granted by the Minister to the Innu community of Mashteuiatsh for the cultural and hunting activities identified in the specific agreement and that concern some ten islands at the mouth of Rivière Mistassini. The regional county municipalities of Maria-Chapdelaine and Domaine-du-Roy may not impose any condition on the Minister with respect to the granting of those rights, institute any proceeding against the Minister, or apply to the Minister for compensation relating to any consequence arising from those rights.

Multi-resource committee : the regional county municipalities and Ville de Saguenay must preserve the representation of the committee. They must seek written

advice from the committee on the following subjects : the integration management planning they are required to prepare for the territory, the use of the development fund and, if needed, the consideration of that planning in any development plan, as specified in the specific agreement.

Costs and expenses of land management : all the costs and expenses relating to land management are borne, as the case may be, by each regional county municipality or Ville de Saguenay, the acquirer, applicant or beneficiary of the right. The following are included in those costs and expenses : the fees for land survey on lands in the domain of the State, cadastral registration and boundary marking and the fees to publish the rights resulting from any transaction by the regional county municipalities or Ville de Saguenay.

Land rights granted by the State : respect the rights granted by the State in accordance with the titles issued until they expire, renew the rights unless the beneficiary is in default and ensure, in the exercise of the powers and responsibilities delegated by the Program, the exercise of a right that was or will be granted by the State is not restricted in any manner.

Land rights relating to vacation areas : land rights relating to vacation areas must respect the vacation area development objectives defined in the Guide de développement de la villégiature sur les terres du domaine public, made in April 1994, or any other document replacing it.

State and extent of intramunicipal public lands : in the exercise of the delegated powers and responsibilities, the regional county municipalities and Ville de Saguenay accept the lands as they are limited, designated or surveyed at the time of the signing of the territorial management agreements ; no guarantee is provided by the Minister as to their state and extent.

Rules and procedures : the operating rules and administrative procedures adopted by the regional county municipalities or Ville de Saguenay must ensure that the rights to be granted and the lands to be alienated in the territory concerned will be granted and alienated with fairness for all the interested parties and in compliance with the principles and particular objectives defined in the territorial management agreement.

7.2. The intramunicipal public lands and the forest resources covered by the delegation must be administered and managed by the regional county municipalities and Ville de Saguenay without financial compensation from the Government.

7.3. The regional county municipalities and Ville de Saguenay collect and keep the revenue from the management of the intramunicipal public lands and forest resources covered by the delegation, including administration expenses, as of the date on which the territorial management agreements are signed. However, any amount collected by the Government or owed to it on the date of the signing of each territorial management agreement remains the property of the Government, without adjustment.

7.4. The Minister must register in the Terrier or in any other register the Minister designates all alienations and rights granted by the regional county municipalities and Ville de Saguenay on the lands involved and issue written attestations of the information entered therein. The regional county municipalities and Ville de Saguenay must collect all costs payable, including interest, and remit the amounts in full to the Minister, according to the terms and conditions defined in the territorial management agreements. Once a formal framework is implemented by the Minister to enable regional county municipalities and Ville de Saguenay to directly register the land rights in the official register, the Minister will contact them to adjust the terms and conditions prescribed for that purpose in the territorial management agreements.

7.5. The Minister must register the forest management contracts granted by the regional county municipalities and Ville de Saguenay in the forestry register.

7.6. The regional county municipalities and Ville de Saguenay that exercise the powers and responsibilities under this Program act in their own name.

Subject to the special provisions in clause 6, the regional county municipalities and Ville de Saguenay must abide by the Act respecting lands in the domain of the State and the Forest Act and their amendments and the regulations thereunder.

8. FINAL

8.1. This Program replaces the program approved by Order in Council 997-2000 dated 24 August 2000, which replaced the program approved by Order in Council 891-96 dated 10 July 1996. It also replaces the agreement respecting the transfer of responsibilities regarding management of the forests in the domain of the State and land regulations to the regional county municipalities in the administrative region of Saguenay-Lac-Saint-Jean and Ville de Saguenay provided for in Order in Council 504-2004 dated 26 May 2004. This Program has effect from 1 April 2005.

The territorial management agreements and their amendments also have effect from 1 April 2005 until 31 March 2010 and may be renewed for a 5-year term.

The Minister once again becomes fully responsible for the management of the delegated intramunicipal public lands and their forest resources once the delegation of land and forest management expires.

The Minister may also terminate the delegation if a regional county municipality or Ville de Saguenay does not comply with the conditions and provisions of the delegation.

8.2. Once the Minister again becomes responsible for the management of the delegated intramunicipal public lands and their forest resources, the regional county municipality or Ville de Saguenay must send the Minister all the information that may be required by the Minister, including the current books and records kept by the regional county municipality or Ville de Saguenay while managing the lands and forest resources. It must also give the Minister all the records that the Minister entrusted to it.

8.3 Any contestation by the holder of a right that was granted by a regional county municipality or Ville de Saguenay and that is attributable to differences in the management methods applied by the grantor and the Minister must be referred to the Minister.

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