

Gouvernement du Québec

O.C. 134-2007, 14 February 2007

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

Authorization to assign temporary protection status as a proposed biodiversity reserve to a portion of the territory of Municipalité régionale de comté de Témiscamingue, and approval of the plan and conservation plan of the proposed Opémican biodiversity reserve

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 may, 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, to facilitate maintaining the biodiversity, it is desirable to assign legal protection status to the area as the proposed Opémican biodiversity reserve, to prepare a plan of the area and to establish a conservation plan for the duration of the temporary protection, those 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 temporary protection status to the area as the proposed Opémican biodiversity reserve, and that the plan and the proposed conservation plan for the area be approved, those plans being attached to this Order in Council.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

QUÉBEC STRATEGY FOR PROTECTED AREAS



Proposed Opémican biodiversity reserve

Conservation plan



February 2007

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 permanent protection status sought is to be that of “national park” under the Parks Act (R.S.Q., c. P-9).

The provisional name is “Réserve de biodiversité projetée d’Opémican”. The official toponym will be determined at the time of 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 Opémican biodiversity reserve are shown on the map attached as a Schedule.

The proposed Opémican biodiversity reserve is located in the Abitibi-Témiscamingue administrative region, between 46°48’ and 47°07’ north latitude and 79°25’ and 78°50’ west longitude. It is located some 35 km to the south of Ville de Ville-Marie and 15 km to the north of Ville de Témiscaming.

The protected area is in Municipalité régionale de comté (MRC) de Témiscamingue, part within unorganized territory and part within Ville de Témiscaming.

The proposed Opémican biodiversity reserve covers a total area of 237.7 km² and is composed of five separate sectors. The reserve borders part of the shores of Témiscamingue and Kipawa lakes and contains a certain number of islands and one peninsula. Along the shores of Kipawa lake, the boundaries of the reserve are at an elevation of 270 m.

Within the proposed biodiversity reserve, the Kipawa river (at its natural high water mark), a portion of public road (40-metre right-of-way) and multi-purpose trail (20-metre right-of-way), a forest road having a 30-metre right-of-way (in the eastern portion of the Marsac lake sector), three surface material extraction sites (SMS 31M03-15, SMS 31L14-09 and SMS 31L14-26), one electric power transmission line (right-of-way of some 50 metres), power distribution lines and an area covered by a lease for sugar bush operations are excluded from the proposed biodiversity reserve.

2.2 Ecological overview

The proposed biodiversity reserve is in the Southern Laurentian natural province, in the Plateau de la Dumoine natural region.

The topography is that of a plateau, sloped from east to west, dissected by a network of valleys with a number of hills having an average elevation of some 360 m. The protected area rises gradually from Témiscamingue lake to Kipawa lake and beyond, from an elevation of 200 m to more than 300 m.

The proposed biodiversity reserve is almost entirely within the Grenville geologic province of the Canadian Shield. The northernmost portion of the protected area is marked by a major geologic boundary with the Superior geologic province called the “Grenville Front”, and shows age and rock type differences. The geological base is almost wholly composed of metamorphic rocks, mainly Proterozoic gneiss interspersed with a few strips of paragneiss, schist and remnants of granitic intrusive rocks formed in the Archean era. In terms of its structural geology, the reactivation of old faults some 180 million years ago caused rock to fall in tiers on either side of a deeper trench that became the bed of Témiscamingue lake and the Outaouais river. Cliffs nearly 90 m high bordering Témiscamingue lake form the boundary in the northwestern portion of the proposed biodiversity reserve. The bed of the Kipawa river also follows a fault system.

The protected area is generally covered by glacial deposits (till) that are thick in the valleys and thin on the hills. Some veneer of ice-contact and glacio-lacustrine deposits are present at low elevations. Part of the McConnell lake moraine adjoins the central part of the area. Some portions of the shores of Témiscamingue lake are marked by old terraces of the proglacial Barlow-Ojibway lake that reached an elevation of some 250 m in the region.

The area constituting the proposed Opémican biodiversity reserve is in the Outaouais river watershed. It drains partly into Kipawa lake which itself drains into Témiscamingue lake, and directly into that latter lake. The Marsac lake subbasin covering more than 50% of the protected area is entirely within the proposed biodiversity reserve. The reserve also includes 165 km of the Kipawa lake shores, including the insular portions, and 23 km of the Témiscamingue lake shores, or more than 13% of the Québec side of the shores of the lake which borders Ontario. The lattice hydrographic network is influenced by the geological structure that channels the watercourses according to the fractures in the NW-SE and NE-SW directions, forming right angles in a number of locations.

Over 50 lakes and watercourses of all sizes are scattered throughout the protected area, the largest being Marsac lake with an area of 4.4 km². The major part of the Kipawa river is also included in the proposed biodiversity reserve.

The protected area is characterized by a subpolar and subhumid continental climate where the average annual daily temperature is 2.8°C. Rainfall is moderate with an annual average of 820 mm. The average annual insolation is 1,853 hours and the frost-free season is approximately 120 days.

The proposed Opémican biodiversity reserve is at the junction of the balsam fir-yellow birch and sugar maple-yellow birch bioclimatic domains. It has been partially or completely logged at numerous times so that a number of stands are varying stages of regeneration.

A preliminary analysis reveals the following features of interest:

— An excellent representation of white and red pine forests prevalent between Pointe Opémican and Kipawa lake in relation to a rocky ridge having a SW-NE orientation. The stands are of various ages and the regeneration being vigorous, the quality of the forest cover will be well re-established within a few years. Pine is also present along the shores of Témiscamingue lake where it dominates the cliffs;

— A concentration of stands associated with the sugar maple-yellow birch domain in the SE sector of Marsac lake. A complex mosaic of various stands composed of yellow birch or sugar maple on occasion associated with softwood is present. Eastern hemlock is widespread in the sector and its density is sufficient to form a small stand near Goguet bay;

— Marshes and swamps are well developed. The plant communities are particularly interesting because of their prevalence along the Marsac stream and at the head of the numerous deep bays that characterize the shores of Kipawa lake and its islands. The head of Deschênes bay and the entire depressed sector linking it to Des Aigles and Croche lakes is covered by a coniferous cedar forest. It is the only large area covered by this type of stand within the protected area;

— There is a strong likelihood that rare plants associated with the presence of remnants of sedimentary rock on the shores of Témiscamingue lake may be discovered.

The proposed Opémican biodiversity reserve includes a heronry on an island in Kipawa lake. The last inventory in 2002 showed nineteen active nest sites. A peregrine falcon active nest site is also located on the cliffs of Témiscamingue lake.

There are four recognized archaeological sites in the protected area. In 1983, the Pointe Opémican site received historic site classification as a shipyard active in the 19th and 20th centuries under the official name "Poste de relais pour le flottage du bois d'Opémican". The hub of wood transportation on Témiscamingue lake, Pointe Opémican was used early by the many travelers and settlers to the region as a place to stay, replenish supplies or stop over. The oldest of the site's existing buildings was used as an inn as early as 1883.

2.3 Occupation and land uses

Thirteen rights for vacation resort purposes and 39 rough shelter leases have been granted within the proposed biodiversity reserve. One lease for commercial accommodation units has been granted for an outfitting operation without exclusive rights, as has a lease for view-point purposes. A right of way for a hiking trail and two rights of way for Hydro-Québec's KPW224 and LRV238 power distribution lines are present in the territory.

The proposed biodiversity reserve also includes a private island in Marsac lake, part (10.8 ha) of a private lot and Opémican regional park with a private portion belonging to Corporation Opémican.

The proposed biodiversity reserve has two trapping and three Native camps. It partially straddles twelve registered traplines, four of which are vacant.

Some 160 km of unpaved forest roads of all categories are present in the proposed biodiversity reserve. Hunters and fishers have access to the area.

3. Activities framework

Activities carried on within the proposed Opémican biodiversity reserve are governed by the provisions of the Natural Heritage Conservation Act (R.S.Q., c. C-61.01).

This conservation plan does not prohibit activities in addition to the activities already prohibited in proposed biodiversity reserves under the Act. It also does not authorize activities or add restrictions to activities permitted under the Act.

3.1 Prohibited activities

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

- mining, and gas or petroleum development;
- mining, gas and petroleum exploration, brine and underground reservoir exploration, prospecting, and digging or boring where the activities necessitate stripping, the digging of trenches, excavation or deforestation;
- 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;
- any new allocation of a right to occupy land for vacation resort purposes; and
- earthwork or construction work.

3.2 Activities governed by other statutes

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

A special legal framework may govern permitted and prohibited activities within the proposed biodiversity 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 conservation and management of the proposed Opémican biodiversity reserve and is therefore responsible for supervising and monitoring the activities allowed in the reserve. The Minister in the management of the reserve works collaboratively with other government representatives having specific responsibilities in or adjacent to the reserve, 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 OPÉMICAN BIODIVERSITY RESERVE

