

rate is based on the result of the actuarial valuation of the plan and is adjusted from 1 January after receipt by the Minister of the report of the independent actuary;

WHEREAS the Minister received the report of the independent actuary on 8 November 2010;

WHEREAS, pursuant to the report, the rate of contribution should be increased;

WHEREAS, under the first paragraph of section 134 of the Act, the Regulation is made by the Government after the Commission administrative des régimes de retraite et d'assurances has consulted the pension committee referred to in section 163 of the Act;

WHEREAS the Government made the Regulation under the Act respecting the Government and Public Employees Retirement Plan by Order in Council 1845-88 dated 14 December 1988;

WHEREAS it is expedient to amend the Regulation;

WHEREAS the pension committee has been consulted;

IT IS ORDERED, therefore, on the recommendation of the Minister responsible for Government Administration and Chair of the Conseil du trésor:

THAT the Regulation to amend the Regulation under the Act respecting the Government and Public Employees Retirement Plan, attached hereto, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation to amend the Regulation under the Act respecting the Government and Public Employees Retirement Plan*

An Act respecting the Government and Public Employees Retirement Plan
(R.S.Q., c. R-10, s. 134, 1st par., subpar. 18, and s. 177)

1. The Regulation under the Act respecting the Government and Public Employees Retirement Plan is amended in section 39

* The Regulation under the Act respecting the Government and Public Employees Retirement Plan, made by Order in Council 1845-88 dated 14 December 1988 (1988, *G.O.* 2, 4154), was last amended by the regulation made by Conseil du trésor Decision 209326 dated 21 September 2010 (2010, *G.O.* 2, 2785). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2010, updated to 1 October 2010.

(1) by replacing “1 January 2008” by “1 January 2011”;

(2) by replacing “8.19%” by “8.69%”.

2. This Regulation comes into force on the day it is made.

1200

Gouvernement du Québec

O.C. 1081-2010, 8 December 2010

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

Amendment to the plan of the Réserve de biodiversité projetée Samuel-De-Champlain and approval of its conservation plan

WHEREAS, under the first paragraph of section 16 of the Act respecting the boundaries of the waters in the domain of the State and the protection of wetlands along part of the Richelieu River (2009, c. 31), the area in the zones marked “A” on the map reproduced in Schedule I to the Act is deemed to be a proposed biodiversity reserve on 19 June 2009, in accordance with Title III of the Natural Heritage Conservation Act (R.S.Q., c. C-61.01), for a period of four years beginning on that date and is provisionally called the “Réserve de biodiversité projetée Samuel-De-Champlain”;

WHEREAS, under section 31 of the Natural Heritage Conservation Act, the Minister may amend, replace or revoke the plan of land set aside under the first paragraph of section 27 or the conservation plan established for that land, and no amendment to or replacement of a plan may affect the period of time for which the land has been set aside;

WHEREAS, to regulate some existing practices in the proposed biodiversity reserve, it is expedient to change the boundaries of the reserve so that the lands necessary for that regularization may be alienated;

WHEREAS, for the purpose of introducing these amendments and complying with the additional time granted by Order in Council number 1267-2009 dated 2 December 2009 to publish the conservation plan for the protected area, the Minister of Sustainable Development, Environment and Parks prepared the revised plan of the proposed biodiversity reserve and established its conservation plan, the plans being attached to this Order in Council;

WHEREAS it is advisable that the amended plans come into force on the date of their publication in the *Gazette officielle du Québec*;

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

THAT the amended plan of the Réserve de biodiversité projetée Samuel-De-Champlain and its conservation plan, attached to this Order in Council, be approved;

THAT the plans take effect on the date of their publication with this Order in Council in the *Gazette officielle du Québec*.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

QUÉBEC STRATEGY FOR PROTECTED AREAS



**Réserve de
biodiversité
projetée
Samuel-De
Champlain**

Conservation plan

November 2010

1.1. Protection Status and Toponym

The protection status of the territory 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 planned is that of “biodiversity reserve” under the *Natural Heritage Conservation Act*.

The provisional toponym is “Réserve de biodiversité projetée Samuel-De Champlain”. The official toponym will be determined when the territory is given permanent protection status.

The status sought for the proposed reserve will advance the following conservation objectives:

- conservation of exceptional wetland environments in the St. Lawrence Lowlands province;
- maintenance of biodiversity in wetland environments;
- increased protection of wildlife and plant habitats;
- acquisition of additional knowledge about the natural heritage.

2.1. Plan and Description

2.1. Geographical location, boundaries and dimensions

The location and boundaries of the proposed reserve appear in the map attached as Annexe 1.

Located in the administrative region of Montérégie, Réserve de biodiversité projetée Samuel-De Champlain is comprised of 18 sectors scattered between 45°0'36'' and 45°12'12'' north latitude and 73°14'32'' and 73°21'38'' west longitude. It lies approximately 11 km south of Saint-Jean-sur-Richelieu and 11 km west of Napierville, with the southernmost sector abutting the American border. The proposed reserve covers an area of 4.87 km² (487 ha) here and there in the municipalities of Sainte-Anne-de-Sabrevois, Henryville, Saint-Paul-de-l'Île-aux-Noix and Lacolle. All of the municipalities belong to the regional municipality of Haut-Richelieu in Montérégie. Five landlocked parcels with a total area of 10 050 m² are excluded from the boundaries of the proposed biodiversity reserve.

2.2. Ecological portrait

The réserve de biodiversité projetée Samuel-De Champlain lies in the natural region of the Upper St. Lawrence Plain, in the heart of the St. Lawrence Lowlands natural province. More precisely, most of it is in the Champlain Valley physiographic complex, while a small portion of the northern section is in the Plaine de St-Jean-Beauharnois physiographic complex. The réserve de biodiversité projetée Samuel-De Champlain is intended to protect the wetland environments along parts of the Rivière Richelieu.

2.2.1. Representative elements

Climate: The territory is influenced by a continental climate of moderate average temperature (4.5°C to 6.6°C), sub-humid annual precipitation (800 to 1359 mm) and a long growing season (180 to 209 days).

Geology and geomorphology: The territory of the proposed reserve is in the St. Lawrence Platform geological province. The geologic foundation consists primarily of metamorphosed Ordovician sedimentary rocks in the Stony Point formation (shale, slate, dolomite, mudstone, dolomitic siltstone and calcareous mudstone). In terms of geomorphology, the dominant feature is the presence of organic deposits typical of wetland environments in the flood plain. Clayey marine deposits from the ancient Champlain Sea are also found in the proposed reserve, along with river deposits from ancient meanders near the present-day river. There is little topographic relief, the altitude varying from 28 to 33 m.

Hydrography: The proposed biodiversity reserve protects nearly 48 ha of shallow open water, 171 ha of marsh and 192 ha of swamp. The reserve will also protect 573 m of Ruisseau Paquette and more than 1.6 km of streams flowing into the major bed of the Rivière Richelieu. All of the protected area lies within the drainage basin of the Rivière Richelieu.

Flora: The bioclimatic domain of the area is that of maple-bitternut hickory stands in the deciduous forest subzone. On 29% (143 ha) of the proposed reserve the vegetation consists of deciduous wetland forest. These treed swamps are primarily composed of stands of silver maple (*Acer saccharinum*), together with black ash (*Fraxinus nigra*), bitternut hickory (*Carya cordiformis*),

American elm (*Ulmus americana*) and swamp white oak (*Quercus bicolor*). As for age, 39% (55 ha) of the forest environment consists of old uneven-aged stands.

Fauna: The wetland environments found in the proposed biodiversity reserve are an important habitat for a wide variety of species of amphibians, birds and mammals. The protected areas contain designated wildlife habitats such as muskrat habitats, a heronry and wildfowl gathering areas. Several areas in the region are particularly exceptional in terms of wildlife, and are partially included in the proposed biodiversity reserve. Examples include Baie des Anglais, the marsh adjacent to the mouth of Rivière du Sud and the Ruisseau Bleury sector. The latter has been identified as a reproductive area for slow-water species and is a spawning ground for northern pike. A wildfowl gathering area and a muskrat habitat are also found here. The Ruisseau Bleury wildlife site presents a mosaic of wetland environments including aquatic plant communities, marshes, swamps, wet meadows and farmland. Also of interest for its reptiles and amphibians, the area is recognized as having a high potential to contain spiny softshell turtle. As well, the local flood plains and the aquatic plant communities in the major bed of the Richelieu are important spawning areas for warm-water fish. The mouth of Ruisseau Faddentown and the flood plain south of Pointe du Gouvernement are other sectors identified as fish reproduction areas. Fifty-six species of fish have been identified in the Rivière Richelieu.

2.2.2. Outstanding elements

Flora: A number of rare or protected species of plants are found within the boundaries of the proposed biodiversity reserve. Some are considered likely to be designated as threatened or vulnerable in Québec, including yellow-fruited sedge (*Carex annectens*), swamp white oak (*Quercus bicolor*), lowland yellow loosestrife (*Lysimachia hybrida*), Virginia water-horehound (*Lycopus virginicus*), slender bulrush (*Scirpus heterochaetus*) and southern wild rice (*Zizania aquatica* var. *aquatica*). One plant designated as threatened in Québec, false hop sedge (*Carex lupuliformis*), is also found there.

Fauna: Turning to wildlife in the proposed reserve, there is one species of fish considered likely to be designated as threatened or vulnerable, the river redhorse (*Moxostoma carinatum*). Two species designated as vulnerable are also found, the northern map turtle (*Graptemys geographica*) and the least bittern (*Ixobrychus exilis*), while there is one species designated as threatened, the spiny softshell turtle (*Apalone spinifera*).

2.3. Land occupation and uses

Five parcels of land were excluded from the proposed reserve so as to regularize the situation of certain occupants pursuant to the *Loi concernant la délimitation du domaine hydrique de l'État et la protection de milieux humides le long d'une partie de la rivière Richelieu* (2009, c. 31).

Several communication routes permit access and circulation within and around the proposed reserve. Route 223 and connecting roads provide access to the western parts of the proposed reserve, while Chemin du Bord-de-l'eau and connecting roads provide access to the eastern parts. Though excluded from the proposed reserve, Route 202 crosses Île Ash and links the western and eastern sectors. Easements of passage and maintenance will be granted to allow ground access to a permanent residence and three cottages. The permanent residence and four cottages are served by Hydro-Québec electrical lines in the proposed reserve. If necessary, easements could also be granted to allow the passage and maintenance of private electrical lines connecting buildings to the Hydro-Québec network.

Since the Richelieu is a navigable waterway, numerous motor boats ply its waters, causing erosion and considerable disturbance to the plants and wildlife along its banks.

The wetland environments in the proposed reserve are used by many hunters, trappers and fishers. The swamps, marshes and aquatic plant communities lend themselves particularly well to the hunting of waterfowl and the trapping of fur-bearing animals such as common muskrat (*Ondatra zibethicus*) and American mink (*Mustela vison*). The territory lies in fur-bearing animal management unit 16 and hunting zone 8 west.

3. Activities framework

3.1. Activities governed by the Natural Heritage Conservation Act

Activities carried on within the proposed reserve are governed mainly by the provisions of the Natural Heritage Conservation Act.

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

This conservation plan provides that the following activities are also prohibited in the proposed biodiversity reserve under the Minister's authorization and in compliance with the conditions the Minister determines:

- mining, gas and petroleum exploration, brine and underground reservoir exploration, prospecting, and digging or boring, if those activities are not already authorized by the Minister of Natural Resources and Wildlife on 19 June 2009, where those activities necessitate stripping, the digging of trenches, excavation or deforestation;
- any new allocation of a right to occupy land for vacation resort purposes; and
- earthwork or construction work.

All other activities are permitted.

The permitted and prohibited activities considered for the period that follows the assignment of a permanent status by the Government will be based, in general, on the provisions approved by the Government when Order in Council 136-2008 was made on 20 February 2008 regarding the Amendments to the conservation plans for the proposed biodiversity and aquatic reserves by making the necessary adjustments to take into account the special characteristics of that proposed biodiversity reserve entirely situated within the waters in the domain of the State and the application of section 46 of the Act.

3.2. Activities governed by other statutes

Certain activities likely to be carried on within the proposed 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 reserve.

A special legal framework may govern permitted 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) and its regulations;
- Species of flora designated as threatened or vulnerable: measures prohibiting the removal of such species under the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01);
- Development and conservation of wildlife resources: measures set out 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, in particular the fishery regulations;
- Archaeological research: measures set out in particular in the Cultural Property Act (R.S.Q., c. B-4);
- Access and land rights related to the waters in the domain of the State: measures set out in the Watercourses Act (R.S.Q., c. R-13) and in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1);
- Construction and development standards: regulatory measures adopted by regional and local municipal authorities under the Acts applicable to them.

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

The Minister of Sustainable Development, Environment and Parks is responsible for the conservation and management of Réserve de biodiversité projetée Samuel-De Champlain. The Minister supervises and monitors the activities that may take place there. In managing the reserve the Minister enjoys the collaboration and participation of other government partners, such as the Minister of Natural Resources and Wildlife, who have specific responsibilities regarding this land or lands adjoining it. In the exercise of their powers the Ministers will take into consideration the protection sought for this natural environment and the protection status it has been granted. No additional conservation measure is envisaged at this stage.

SCHEDULE 1
MAP OF THE RÉSERVE DE BIODIVERSITÉ PROJETÉE
SAMUEL-DE CHAMPLAIN

