

viii. the reason for correcting the directive, where applicable;

(f) the name and number, on the institution's permit, of the first facility where the user was received.”

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

103357

Draft Regulation

Sustainable Forest Development Act
(chapter A-18.1)

Forestry permits —Making

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the draft Regulation respecting forestry permits, appearing below, may be made by the Minister of Forests, Wildlife and Parks on the expiry of 45 days following this publication.

The draft Regulation governs the issuance of the forestry permits necessary for carrying out the forest management activities referred to in section 73 of the Sustainable Forest Development Act. It determines the conditions for the issue of the permits, their content, the dues payable and their conditions of payment and, in certain cases, the conditions for modifying or renewing a permit. In the case of the sugar bush forestry permit, it provides conditions for transferring the permit, establishes new conditions for tapping maple trees, applicable as of 1 January 2023, and provides standards applicable to the other required work. Lastly, it replaces the Regulation respecting sugar bush management in forests in the domain of the State (chapter A-18.1, r. 2) and the parts still applicable in the Regulation respecting forest royalties (chapter A-18.1, r. 11).

Study of the matter shows that the draft Regulation will have an impact on the sugar bush sector, mainly by reason of the updating of the maple tree tapping standards. The draft makes amendments to the maximum number of tapholes per maple tree, the minimum diameter of a tapped tree and the size of the cut in the trees. A lower maximum number of tapholes depending on the diameter will have little impact on the productivity of the sugar bush since a maple tree properly tapped will retain its yield. The increased minimum diameter for a tapped tree could entail short-term losses for certain sugar bush

operators. However, it will reduce losses in the long term. Otherwise the draft Regulation will have a limited impact, since a number of the provisions are already common practices, in keeping with the regulations it replaces.

Further information on the draft Regulation may be obtained by contacting Maxime Auger, Direction de la coordination opérationnelle, Ministère des Forêts, de la Faune et des Parcs, 1300, rue du Blizzard, 3^e étage, local 300-A, Québec (Québec) G2K 0G9; telephone: 418 627-8656, extension 4573; email: maxime.auger@mffp.gouv.qc.ca

Any person wishing to comment on the matter is requested to submit written comments within the 45-day period to Daniel Richard, Associate Deputy Minister for regional operations, Ministère des Forêts, de la Faune et des Parcs, 1300, rue du Blizzard, 2^e étage, Québec (Québec) G2K 0G9.

LUC BLANCHETTE,
*Minister of Forests,
Wildlife and Parks*

Regulation respecting forestry permits

Sustainable Forest Development Act
(chapter A-18.1, s. 87)

CHAPTER I PROVISIONS RESPECTING THE FORESTRY PERMIT FOR THE HARVEST OF FIREWOOD FOR DOMESTIC OR COMMERCIAL PURPOSES

DIVISION I CONDITIONS FOR THE ISSUE OF THE PERMIT

1. The following persons are eligible for the issue of a forestry permit for the harvest of firewood for domestic purposes:

(1) a natural person who is not, during the term of the permit applied for, the holder of another permit for the harvest of firewood for domestic purposes;

(2) a person, a body, an association or an enterprise in charge of the management of an outfitter's operation, a controlled zone or a wildlife reserve within the meaning of Division V.1 of Chapter III and Divisions III and IV of the Sustainable Forest Development Act (chapter C-61.1).

2. An enterprise whose economic activities include the transformation of timber into firewood and its sale is eligible for the issue of a forestry permit for the harvest of firewood for commercial purposes.

3. A person or body applying for a permit provides the following information and documents, as applicable:

(1) in respect of the applicant, in the case of a natural person, the person's name and contact information and, in the other cases, its name, the address of its seat and, if applicable, of its establishment in Québec as well as the name and contact information of the representative holding a mandate to make the application;

(2) in respect of the description of the forest management activity to be carried out, its nature, location, the period planned to carry it out and the volume of timber applied for.

The volume of timber applied for, in the case of an application for a forestry permit for the harvest of firewood for domestic purposes, may not be greater than 22.5 apparent cubic metres for a natural person.

In the case of an application for a forestry permit for the harvest of firewood for commercial purposes, the volume of timber applied for must be assessed by a forest engineer; if the applicant does not provide such an assessment, the volume of timber harvested will have to be officially scaled in accordance with section 70 of the Sustainable Forest Development Act (chapter A-18.1)

4. The Minister may refuse to issue the permit if the applicant has already held a forestry permit issued to carry out a forest management activity listed in section 73 of the Act that was suspended, cancelled, refused at renewal except, in the latter case, for public utility purposes.

DIVISION II CONTENT OF PERMIT

5. The permit contains at least the following information, as applicable:

(1) in respect of the permit, its number and term;

(2) in respect of the holder, in the case of a natural person, the person's name and contact information and, in the other cases, its name, the address of its seat and, if applicable, of its establishment in Québec as well as the name and contact information of its representative;

(3) in respect of the description of the authorized forest management activity, its nature, location, the area concerned, in hectares, and the volume of timber that the holder is authorized to harvest, for each species or group of species and based on quality;

(4) the conditions for the authorized forest management activity;

(5) the amount of dues payable when no scaling is required in accordance with section 70 of the Act.

DIVISION III DUES PAYABLE

6. The dues payable by the holder of a forestry permit for the harvest of firewood for domestic purposes are \$1.50 per apparent cubic metre for any species or group of species.

7. The dues are adjusted on 1 April of each year based on the percentage change, in relation to the preceding year, in the Consumer Price Index for Québec, as published by Statistics Canada. For that purpose, the Consumer Price Index for a year is the annual average calculated from the monthly indexes for the 12-month period ending on 31 December of the preceding year.

The results of the adjustment are rounded off to the nearest multiple of \$0.05. The adjustment of a fee is postponed to the year in which the total of the adjustment rates applicable to each of the years for which the adjustment is postponed will increase the fee by \$0.05.

The Minister is to publish the results of the adjustment in Part 1 of the *Gazette officielle du Québec*, on the website of the timber marketing board or by any other appropriate means.

8. Where no official scaling is required under section 70 of the Act, payment of the dues payable is made on the basis of the assessment of volumes submitted by the applicant. The dues are payable upon issuance of the permit and may not be reimbursed.

Where official scaling is required, the dues are payable as of the date they are billed or according to the directions appearing on the permit.

DIVISION IV CONDITIONS FOR THE MODIFICATION OF THE PERMIT

9. A forestry permit for the harvest of firewood for domestic purposes may not be the subject of an application for modification.

10. A forestry permit for the harvest of firewood for commercial purposes may be the subject of an application for modification.

The following conditions may be modified:

(1) the volume of timber that the holder is authorized to harvest, insofar as the application is to increase the volume initially authorized;

(2) the location of the activity, insofar as the volume of timber that the holder is authorized to harvest may not be entirely harvested at the location initially authorized by reason of the depletion of the resource.

11. An application for a permit modification must be made in writing to the Minister.

The application contains the following information and documents, as applicable:

- (1) the permit number and the nature of the activity;
- (2) in respect of the applicant, in the case of a natural person, the person's name and contact information and, in the other cases, its name, the address of its seat and, if applicable, of its establishment in Québec as well as the name and contact information of the representative holding a mandate to make the application;
- (3) a description of the modifications applied for.

If an additional volume of timber to be harvested is applied for, the holder must comply with the third paragraph of section 3.

12. No modification may be authorized if the dues payable at the time of the application have not been paid by the permit holder.

CHAPTER II PROVISIONS RESPECTING THE SUGAR BUSH FORESTRY PERMIT

DIVISION I CONDITIONS FOR THE ISSUE OF THE PERMIT

13. A person or body that has not, in the 5 years preceding the application, held a sugar bush forestry permit that was suspended, cancelled or refused at renewal except, in the latter case, for public utility purposes is eligible for the issue of a sugar bush forestry permit.

14. An application for a permit must be made to the Minister in writing.

The application contains the following information and documents, as applicable:

- (1) in respect of the applicant, in the case of a natural person, the person's name and contact information and, in the other cases, its name, the address of its seat and, if applicable, of its establishment in Québec as well as the name and contact information of the representative holding a mandate to make the application;

(2) a description of the sugar bush that is the subject of the application, its contour line, shown on a document containing GPS coordinates, its area in hectares and its tapping capacity determined on the basis of a forest inventory approved by a forest engineer and complying with the tapping standards provided for in Division IV of this Chapter;

(3) a description of the existing or future infrastructures related to the operation of the sugar bush and their actual or proposed geographic location, shown on a document containing GPS coordinates;

(4) in the case of an application related to a quota allocated by the Fédération des producteurs acéricoles du Québec, proof that the quota was offered and the quantity of tapholes corresponding to the quota;

(5) in respect of the description of each of the forest management activities to be carried out, its nature, location, the area concerned, in hectares, the period planned to carry it out, the proposed destination of the timber harvested and an assessment of the volume of timber to be harvested;

(6) in respect of the person carrying out the work, if not carried out by the applicant, the information listed in subparagraph 1, as applicable, if it is known at the time of the application.

For the purposes of subparagraph 5 of the second paragraph, the assessment for each species or group of species and based on quality must be approved by a forest engineer. If the applicant does not submit such an assessment, the volume of timber harvested will have to be officially scaled in accordance with section 70 of the Act. In addition, for the nature, location and area concerned by a forest management activity, the Minister may require from the applicant a silvicultural prescription approved by a forest engineer.

At the request of the Minister, the applicant must send any other document or information concerning the infrastructures that the applicant intends to build or install, as well as a business plan that includes a description of the project and any other document showing that the applicant is able to operate the sugar bush and has the financial resources or the financing necessary for carrying out the business plan.

15. The Minister may refuse to issue the permit if the applicant has already held a forestry permit issued to carry out a forest management activity listed in section 73 of the Act that was suspended, cancelled or refused at renewal except, in the latter case, for public utility purposes.

DIVISION II CONTENT OF PERMIT

16. The permit contains at least the following information, as applicable:

- (1) in respect of the permit, its number and term;
- (2) in respect of the holder, in the case of a natural person, the person's name and contact information and, in the other cases, its name, the address of its seat and, if applicable, of its establishment in Québec as well as the name and contact information of the representative holding a mandate to make the application;
- (3) in respect of the description of the sugar bush, its identification number, its area in hectares, its location and the number of tapholes;
- (4) in respect of the description of each of the forest management activities authorized, its nature, location, the area concerned, in hectares, a description of the work authorized and the volume of timber the applicant is authorized to harvest, for each species or group of species and based on quality;
- (5) the conditions for the authorized forest management activity;
- (6) the amount of dues payable for the volume of timber the applicant is authorized to harvest when no scaling is required in accordance with section 70 of the Act.

DIVISION III DUES PAYABLE

17. The dues payable by the permit holder are established annually by multiplying the number of hectares in the sugar bush by the unit rate set in Schedule 1 in relation to the corresponding zone.

The rates set in Schedule 1 are adjusted on 1 January of each year according to the equation in Schedule 2.

The Minister is to publish the results of the adjustment in Part 1 of the *Gazette officielle du Québec*, on the website of the timber marketing board or by any other appropriate means.

18. The dues payable by a permit holder are payable in 2 equal instalments not later than 31 January and 31 July following receipt of the invoice.

19. The permit holder must also pay the other dues payable for the quantities of timber harvested where they are not used for the purposes of the acericultural activities.

Where no official scaling is required in accordance with section 70 of the Act, payment of the dues payable is made on the basis of the assessment of the volumes submitted by the applicant. The dues are payable upon issuance of the permit and may not be refunded.

Where official scaling is required, the dues are payable as of the billing date or according to the directions appearing on the permit.

DIVISION IV TAPPING STANDARDS AND OTHER WORK REQUIRED

20. Not later than 3 months following the issue of the permit, the outline of the sugar bush determined by the Minister must be delimited by the holder in a visible manner and without damaging the trees. The delimitation must be maintained and remain visible until the permit expires.

21. Only the buildings and equipment used exclusively to harvest or process sap may be constructed or installed.

In addition, the buildings and equipment must not go beyond what is necessary for the harvest or transformation of sap.

When the permit expires, or if it is cancelled, the buildings and equipment must be removed from the sugar bush.

22. The activities to harvest and process must be carried out so as to avoid that any sap is wasted.

23. All worn or unused material must be recovered and disposed of in such a manner as to ensure the sugar bush is kept clean.

24. Maple trees must be tapped in accordance with the following standards:

- (1) trees may be tapped once a year only, between 1 January and 30 April;
- (2) only maple trees at least 23.1 cm in diameter at 1.30 m above the highest ground level may be tapped;
- (3) the maximum number of tapholes in the same maple tree is determined according to the diameter of the tree, in accordance with the following table:

Diameter of maple tree at 1.30 m above the highest ground level	Maximum number of tapholes
Between 23.1 cm and 39 cm	1
39.1 cm and more	2

(4) where 2 or more tapholes are drilled in a maple tree, they must be positioned evenly around the trunk;

(5) the taphole must be drilled using a bit not more than 8 mm in diameter so that the tree is not damaged;

(6) the taphole must not be more than 5 cm deep, including bark thickness;

(7) the tree bark must not be removed or damaged;

(8) only a product registered under the Pest Control Products Act (S.C. 2002, c. 28) may be inserted into a taphole;

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

(10) tubing and spouts must be installed, replaced and maintained without damaging the trees.

DIVISION V ANNUAL REPORT

25. The permit holder must prepare and submit to the Minister an annual report on the activities carried out.

The first part of the report must be submitted not later than 1 June and contain

(1) the number of tapholes drilled during the period determined in paragraph 1 of section 24; and

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

The second part of the report must be submitted not later than 31 December and contain

(1) a statement of the forest management activities carried out during the year, since the date of issue of the permit or the date of the last annual report, as the case may be, and the geographic location of the place of the activities; and

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

DIVISION VI CONDITIONS FOR A TRANSFER

26. An application for a permit transfer must be made in writing to the Minister by the person wishing to obtain the permit.

The application contains the following information and documents, as applicable:

(1) in respect of the applicant, in the case of a natural person, the person's name and contact information and, in the other cases, its name, the address of its seat and, if applicable, of its establishment in Québec as well as the name and contact information of the representative holding a mandate to make the application;

(2) in respect of the permit to be transferred, its number, the name and contact information of the holder and a description of the sugar bush concerned, including its tapping capacity and its area in hectares;

(3) a sworn statement by the permit holder, whereby he or she renounces all the rights resulting from the permit with a view to its transfer, must be attached to the application; and

(4) where work must be carried out in connection with a transfer, a description of the work, in accordance with subparagraph 5 of the second paragraph of section 14, and the information referred to in subparagraph 6 of that paragraph, as applicable.

Where the permit is linked to a quota allocated by the Fédération des producteurs acéricoles du Québec, the applicant must make sure that the quota is transferred to him or her or must hold another quota at least equal to the quota attached to the permit.

27. A permit may be transferred if the following conditions are met:

(1) the permit holder has complied with the conditions attached to the permit and with the Act and its regulations;

(2) the forest management activities and the construction or installation of the infrastructures authorized under the permit are carried out completely;

(3) all infrastructures and buildings intended for acericultural purposes or located in the territory of the sugar bush under permit are removed or transferred;

(4) the applicant has not, in the 5 years preceding the application for transfer, held a permit for the operation of a sugar bush that was cancelled or refused at renewal except, in the latter case, for public utility purposes.

28. The Minister may refuse to transfer the permit if the applicant has already held a forestry permit issued to carry out a forest management activity listed in section 73 of the Act that was suspended, cancelled or refused at renewal except, in the latter case, for public utility purposes.

CHAPTER III

PROVISIONS RESPECTING THE FORESTRY PERMIT TO HARVEST TIMBER TO SUPPLY A WOOD PROCESSING PLANT AND THE PERMIT TO HARVEST SHRUBS TO SUPPLY A WOOD PROCESSING PLANT

DIVISION I

CONDITIONS FOR THE ISSUE

29. Holders of a permit to operate a wood processing plant in the class “industries processing shrubs or half-shrubs or branches from shrubs or half-shrubs for the production of substances intended for pharmaceutical use”, issued under the Regulation respecting operating permits for wood processing plants (chapter A-18.1, r. 8), are eligible for the issue of a forestry permit to harvest shrubs to supply a wood processing plant, for Canadian yew.

30. To harvest forest biomass, any person or body applying for a forestry permit to harvest timber to supply a wood processing plant is eligible for the issue of the permit.

31. An application for the permit must be submitted in writing to the Minister.

The application contains the following information and documents, as applicable:

(1) in respect of the applicant, in the case of a natural person, the person’s name and contact information and, in the other cases, its name, the address of its seat and, if applicable, of its establishment in Québec as well as the name and contact information of the representative holding a mandate to make the application;

(2) in respect of the description of each of the forest management activities to be carried out, its nature, location, the volume or quantity of ligneous matter applied for

to supply a wood processing plant, by species or group of species, and the proposed destination of the ligneous matter, if it is known at the time of the application; and

(3) in respect of the person carrying out the work, if not carried out by the applicant, the information listed in subparagraph 1, as applicable, if it is known at the time of the application.

32. The Minister may refuse to issue the permit if the applicant has already held a forestry permit issued to carry out a forest management activity listed in section 73 of the Act that was suspended, cancelled, refused at renewal except, in the latter case, for public utility purposes.

DIVISION II

CONTENT OF PERMIT

33. The permit contains at least the following information, as applicable:

(1) in respect of the permit, its number and term;

(2) in respect of the holder, in the case of a natural person, the person’s name and contact information and, in the other cases, its name, the address of its seat and, if applicable, of its establishment in Québec as well as the name and contact information of its representative;

(3) in respect of the description of the authorized forest management activity, its nature, location and the volume or quantity of ligneous matter that the permit holder is authorized to harvest, for each species or group of species;

(4) the conditions for the authorized forest management activity;

(5) in the case of the permit to harvest timber to supply a wood processing plant, the harvesting terms and conditions, specified on a yearly basis, including operational and planning requirements and the requirements provided for by the environmental management system.

DIVISION III

DUES PAYABLE

34. The dues payable by the holder of a permit to harvest shrubs to supply a wood processing plant, for Canadian yew, are \$100.95 per green metric ton harvested.

35. The dues payable by the holder of a permit to harvest timber to supply a wood processing plant, to harvest forest biomass within the meaning of the third paragraph of section 86.2 of the Act, are \$0.10 per green metric ton harvested.

36. The dues referred to in sections 34 and 35 are adjusted and published in accordance with section 7 of this Regulation.

37. The dues are payable as of the billing date or according to the directions appearing on the permit.

DIVISION IV CONDITIONS FOR THE MODIFICATION OF THE PERMIT

38. A forestry permit issued under this Chapter may be the subject of an application for modification.

The following conditions may be modified:

- (1) the location of the forest management activity;
- (2) the volume or quantities of ligneous matter that the holder is authorized to harvest;
- (3) the species or groups of species that the holder is authorized to harvest; and
- (4) the conditions for carrying on the authorized forest management activity.

39. An application for a permit modification must be made in writing to the Minister.

The application contains the following information and documents, as applicable:

- (1) the permit number and the nature of the activity;
- (2) in respect of the applicant, in the case of a natural person, the person's name and contact information and, in the other cases, its name, the address of its seat and, if applicable, of its establishment in Québec as well as the name and contact information of the representative holding a mandate to make the application;
- (3) a description of the modifications applied for.

40. No modification may be authorized if the dues payable at the time of the application have not been paid by the permit holder.

41. Following the 5-year review or a change in allowable cuts by the chief forester in accordance with subparagraphs 6 and 7 of the first paragraph of section 46 of the Act, the Minister may, having given the permit holder the opportunity to make observations, revise the conditions attached to a forestry permit to harvest timber to supply a wood processing plant or a forestry permit to harvest shrubs to supply a wood processing plant, during the permit's term or at the time of renewal.

The conditions attached to a permit that may be revised by the Minister are those regarding the location of the activity, the volume or quantity of ligneous matter that the holder is authorized to harvest, the species or groups of species that the holder is authorized to harvest and the destination of the timber.

DIVISION V CONDITIONS FOR RENEWAL

42. A permit holder is entitled to the renewal of the permit if the following conditions are met:

- (1) the permit holder has paid the dues payable for the permit;
- (2) the permit holder has complied with the conditions indicated on the permit, the standards applicable to the forest management activities and the provisions of the Act and its regulations;
- (3) the allowable cut is sufficient;
- (4) in the case of the forestry permit to harvest timber to supply a wood processing plant, the permit holder has harvested at least 50% of the total quantities or volumes indicated in the permit for all its term.

43. The Minister may refuse to renew a permit if the plant or permit holder has ceased activities for at least 6 months.

44. The Minister may add new conditions upon renewal of the permit if the public interest so warrants.

CHAPTER IV PROVISIONS RESPECTING CERTAIN FORESTRY PERMITS

DIVISION I SCOPE

45. This Chapter applies to the permits required to carry out the following forest management activities:

- (1) activities required for public utility works;
- (2) activities carried out by a holder of mining rights in exercising those rights;
- (3) activities carried out by the holder of a right referred to in section 15 of the Petroleum Resources Act (chapter H-4.2) in exercising that right;
- (4) activities required to create wildlife, recreational or agricultural development projects;

(5) activities carried out as part of an experimental or research project.

DIVISION II CONDITIONS FOR THE ISSUE

46. The following persons and bodies are eligible for the issue of a forestry permit:

(1) for activities required for public utility works, a person or body that carries out activities required for public utility works;

(2) for activities carried out by a holder of mining rights in exercising those rights, the holder of a mining right under the Mining Act (chapter M-13.1);

(3) for activities carried out by the holder of a right referred to in section 15 of the Petroleum Resources Act (chapter H-4.2) in exercising that right, the holder of such a right;

(4) for activities required to create wildlife, recreational or agricultural development projects:

(a) the holder of a lease for vacation resort purposes or for the construction of a rough shelter, issued under the Act respecting the lands in the domain of the State (chapter T-8.1), to complete the holder's installations;

(b) a person or body otherwise authorized by an Act to create a wildlife, recreational or agricultural development project;

(5) for activities carried out as part of an experimental or research project, a person or body associated with a teaching or research institution, with a public body or department whose main activity is research and development, which has developed such a project.

47. An application for a permit must be made in writing to the Minister.

The application contains the following information and documents, as applicable:

(1) in respect of the applicant, in the case of a natural person, the person's name and contact information and, in the other cases, its name, the address of its seat and, if applicable, of its establishment in Québec as well as the name and contact information of the representative holding a mandate to make the application;

(2) in respect of the description of each of the forest management activities to be carried out, its nature, location, the area concerned, in hectares, the period planned

to carry it out, the proposed destination of the ligneous matter, if known at the time of application, and an assessment of the volume or quantity of ligneous matter to be harvested;

(3) in the case of a forestry permit for activities carried out by a holder of mining rights to exercise those rights or a forestry permit for activities carried out by the holder of a right referred to in section 15 of the Petroleum Resources Act (chapter H-4.2) to exercise that right, a description of the mining activities within the meaning of the Mining Act or exploration, production or storage activities within the meaning of the Petroleum Resources Act, as well as proof of that right, if applicable;

(4) in the case of a forestry permit for activities required as part of an experimental or research project, a description of the project for which the activities are required;

(5) in respect of the identity of the person carrying out the work, if not carried out by the applicant, the information listed in subparagraph 1, as applicable, if it is known at the time of the application.

For the purposes of subparagraph 2 of the second paragraph, the assessment, for each species or group of species and based on quality, must be approved by a forest engineer. If the applicant does not submit such an assessment, the volume of timber harvested will have to be officially scaled in accordance with section 70 of the Act.

48. The Minister may refuse to issue the permit if the applicant has already held a forestry permit issued to carry out a forest management activity listed in section 73 of the Act that was suspended, cancelled, refused at renewal except, in the latter case, for public utility purposes.

DIVISION III CONTENT OF PERMIT

49. The permit contains at least the following information, as applicable:

(1) in respect of the permit, its number and term;

(2) in respect of the holder, in the case of a natural person, the person's name and contact information and, in the other cases, its name, the address of its seat and, if applicable, of its establishment in Québec as well as the name and contact information of its representative;

(3) in respect of the description of each of the authorized forest management activities, its nature, location, the area concerned, in hectares, and the volume or quantity of ligneous matter that the holder is authorized to harvest, for each species or group of species and based on quality;

(4) the conditions for the authorized forest management activity;

(5) the amount of dues payable when no scaling is required in accordance with section 70 of the Act.

DIVISION IV DUES PAYABLE

50. Where no official scaling is required in accordance with section 70 of the Act, payment of the dues payable is made on the basis of the assessment of the volumes submitted by the applicant. The dues are payable upon issuance of the permit and may not be refunded.

Where official scaling is required, the dues are payable as of the billing date or according to the directions appearing on the permit.

However, the Minister may, by reason of special circumstances, enter into an agreement on a payment method different from the method provided for in this section.

DIVISION V CONDITIONS FOR THE MODIFICATION OF THE PERMIT

51. A forestry permit issued under this Chapter may be the subject of an application for modification.

The following conditions may be modified:

(1) the location of the authorized forest management activity;

(2) the area concerned;

(3) the volume or quantity of ligneous matter and the species or groups of species that the holder is authorized to harvest, only insofar as the application is to increase the volume or quantity initially authorized;

(4) the planned period to carry out the activity; and

(5) the conditions for carrying on the authorized forest management activity.

52. An application for a permit modification must be made in writing to the Minister.

The application contains the following information and documents, as applicable:

(1) the permit number and the nature of the activity;

(2) in respect of the applicant, in the case of a natural person, the person's name and contact information and, in the other cases, its name, the address of its seat and, if applicable, of its establishment in Québec as well as the name and contact information of the representative holding a mandate to make the application;

(3) a description of the modifications applied for.

If the volume or quantity of ligneous matter or the species or groups of species that the holder is authorized to harvest are the subject of an application for modification, an assessment made in accordance with subparagraph 2 of the second paragraph of section 47 must be attached to the application.

53. No modification may be authorized if the dues payable at the time of the application have not been paid by the permit holder.

DIVISION VI CONDITIONS FOR RENEWAL

54. Only the forestry permit for activities carried out by a holder of mining rights to exercise those rights and the forestry permit for activities carried out by the holder of a right referred to in section 15 of the of the Petroleum Resources Act (chapter H-4.2) may be the subject of an application for renewal.

A permit holder applying for the renewal of the permit provides the following information, as applicable:

(1) the permit number and the nature of the activity;

(2) in respect of the applicant, in the case of a natural person, the person's name and contact information and, in the other cases, its name, the address of its seat and, if applicable, of its establishment in Québec as well as the name and contact information of the representative holding a mandate to make the application.

55. A permit holder is entitled to the renewal of the permit if the following conditions are met:

(1) the permit holder has paid the dues payable for the permit; and

(2) the permit holder has complied with the conditions indicated on the permit, the standards applicable to the forest management activities and the provisions of the Act and its regulations.

The permit may be renewed only to allow the holder to complete the carrying out of the activities authorized by the permit.

56. The Minister may add new conditions upon renewal of the permit if the public interest so warrants.

CHAPTER V PENAL

57. Any person who contravenes one of the provisions of sections 20 to 23 and paragraphs 1 to 3 and 5 to 10 of section 24 of this Regulation commits an offence and is liable to the fine provided for in paragraph 3 of section 244 of the Act.

CHAPTER VI TRANSITIONAL AND FINAL

58. Until 31 December 2022, section 24 must be read as follows:

“**24.** Maple trees must be tapped in accordance with the following standards:

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

(2) only maple trees at least 19.1 cm in diameter at 1.30 m above the highest ground level may be tapped;

(3) the maximum number of tapholes in the same maple tree is determined according to the diameter of the tree, in accordance with the following table:

Diameter of maple tree at 1.30 m above the highest ground level	Maximum number of tapholes
Between 19.1 cm and 39 cm	1
Between 39.1 cm and 59 cm	2
Between 59.1 cm and 79 cm	3
79.1 cm and more	4

(4) where 2 or more tapholes are drilled in a maple tree, they must be positioned evenly around the trunk;

(5) the taphole must be drilled using a bit not more than 11 mm in diameter so that the tree is not damaged;

(6) the taphole must not be more than 6 cm deep, including bark thickness;

(7) the tree bark must not be removed or damaged;

(8) only a product registered under the Pest Control Products Act (S.C. 2002, c. 28) may be inserted into a taphole;

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

(10) tubing and spouts must be installed, replaced and maintained without damaging the trees.”.

59. Until (insert the date of coming into force of section 211 of the Petroleum Products Act (chapter H-4.2)):

(1) section 45 must be read as follows:

“**45.** This Chapter applies to the permits required to carry out the following forest management activities:

(1) activities required for public utility works;

(2) activities carried out by a holder of mining rights in exercising those rights;

(3) activities required to create wildlife, recreational or agricultural development projects;

(4) activities carried out as part of an experimental or research project.”;

(2) section 46 must be read as follows:

“**46.** The following persons and bodies are eligible for the issue of a forestry permit:

(1) for activities required for public utility works, a person or body that carries out activities required for public utility works;

(2) for activities carried out by a holder of mining rights in exercising those rights, the holder of a mining right under the Mining Act (chapter M-13.1);

(3) for activities required to create wildlife, recreational or agricultural development projects:

(a) the holder of a lease for vacation resort purposes or for the construction of a rough shelter, issued under the Act respecting the lands in the domain of the State (chapter T-8.1), to complete the holder’s installations;

(b) a person or body otherwise authorized by an Act to create a wildlife, recreational or agricultural development project;

(4) for activities carried out as part of an experimental or research project, a person or body associated with a teaching or research institution, with a public body or department whose main activity is research and development, which has developed such a project.”;

(3) subparagraph 3 of the second paragraph of section 47 must be read as follows:

“(3) in the case of a permit for activities carried out by a holder of mining rights to exercise those rights, a description of the mining activities within the meaning of the Mining Act;”;

(4) section 54 must be read as follows:

“Only the forestry permit for activities carried out by a holder of mining rights to exercise those rights may be the subject of an application for renewal.”

60. This Regulation replaces the Regulation respecting sugar bush management in forests in the domain of the State (chapter A-18.1, r. 2) and the Regulation respecting forest royalties (chapter A-18.1, r. 11).

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

SCHEDULE 1

(s. 17)

APPLICABLE UNIT RATES ACCORDING TO ZONES

To establish the dues payable by the holder of a sugar bush management permit, the unit rates are set according to the zone in which the sugar bush is located:

ZONE 1 (\$121 per hectare)

1. Administrative region 05 Estrie
2. Administrative region 12 Chaudière-Appalaches, except for the regional county municipalities of Bellechasse, Les Etchemins, Montmagny and L'Islet
3. Administrative region 16 La Montérégie
4. Administrative region 17 Centre-du-Québec

ZONE 2 (\$93 per hectare)

1. The regional county municipalities of Bellechasse, Les Etchemins, Montmagny and L'Islet
2. Administrative region 03 La Capitale-Nationale, except for the regional county municipalities of Charlevoix and Charlevoix-Est

3. Administrative region 04 Mauricie, except for Municipalité régionale de comté Mékinac and Municipalité de La Tuque

4. Administrative region 14 Lanaudière, except for Municipalité régionale de comté Matawinie

5. Administrative region 15 Les Laurentides, except for Municipalité régionale de comté Antoine-Labelle

ZONE 3 (\$93 per hectare)

1. Administrative region 01 Bas-Saint-Laurent, except for the regional county municipalities of La Matanie, La Matapédia, La Mitis and Rimouski-Neigette

2. Municipalité régionale de comté Mékinac

3. Municipalité régionale de comté Matawinie

4. Municipalité régionale de comté Antoine-Labelle

ZONE 4 (\$84 per hectare)

1. The regional county municipalities of La Matanie, La Matapédia, La Mitis and Rimouski-Neigette

2. Administrative region 07 Outaouais, except for Municipalité régionale de comté Pontiac

ZONE 5 (\$65 per hectare)

1. The regional county municipalities of Charlevoix and Charlevoix-Est

2. Municipalité régionale de comté Pontiac

3. Municipalité régionale de comté Avignon

4. Municipalité de La Tuque

ZONE 6 (\$65 per hectare)

1. Municipalité régionale de comté Témiscamingue

2. The regional county municipalities of Bonaventure and La Haute-Gaspésie

ZONE 7 (\$56 per hectare)

1. Any other territory of Québec not comprised in zones 1 to 6.

The administrative regions are those established by the Government under the *Décret concernant la révision des limites administratives du Québec* (chapter D-11, r. 1).

SCHEDULE 2

(s. 17)

**EQUATION FOR THE ADJUSTMENT
OF UNIT RATES**

The rates set in Schedule 1 are adjusted using the following equation, based on the data contained in the economic record of the Fédération des producteurs acéricoles du Québec (FPAQ):

$$\text{Adjustment rate} = A / A_{t-1}$$

Where:

A = the average of the results of the 5 years before the year preceding the year of the adjustment, calculated according to the following formula:

$$RP_c \left(1 - \left(\frac{\text{Var}_{\text{inv}}}{\text{Vol}_a} \right) \right)$$

A_{t-1} = the result of A of the preceding year (net average income per taphole).

R = average yield (lbs of syrup / taphole) of the year concerned from the economic record of the FPAQ.

P_c = weighted average price (\$ / lb of syrup) of the year concerned and determined by the Maple Syrup Marketing Agreement entered into between the FPAQ and the buyers of a product covered by the Plan conjoint des producteurs acéricoles du Québec.

Var_{inv} = variation of the net inventory of the year concerned from the economic record of the FPAQ, in pounds of syrup.

Vol_a = harvest volume of the year concerned from the economic record of the FPAQ, in pounds of syrup.

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