

an authorization under subparagraph 4 of the first paragraph of section 22 of that Act or make them eligible for a declaration of compliance under section 31.0.6 of that Act;

(7) not constitute, in whole or in part, the habitat of a wildlife species referred to in the Regulation respecting threatened or vulnerable wildlife species and their habitats (chapter E-12.01, r. 2) as demarcated on a chart provided for in section 11 of the Act respecting threatened or vulnerable species (chapter E-12.01) or the habitat of a plant species referred to in the Regulation respecting threatened or vulnerable plant species and their habitats (chapter E-12.01, r. 3);

(8) not be a territory appearing in a register provided for in sections 5, 6.1 and 24.1 of the Natural Heritage Conservation Act (chapter C-61.01);

(9) not have been the subject of a notice of contamination in the land register, unless a notice of decontamination attesting that the quantity or concentration of contaminants does not exceed the limit values prescribed by Schedule I to the Land Protection and Rehabilitation Regulation (chapter Q-2, r. 37) has been registered in the land register;

(10) not have been used in whole or in part as a residual materials elimination site, unless a residual materials removal notice has been registered in the land register under section 65.4 of the Environment Quality Act;

(11) not be a site where an industrial or commercial activity identified in Schedule III to the Land Protection and Rehabilitation Regulation (chapter Q-2, r. 37) has been carried on, unless a characterization study establishes that the quantity or concentration of contaminants found there does not exceed the limit values in Schedule I to the Regulation.

2. The characterization study referred to in paragraph 11 of section 1 is at the expense of the local municipality in whose territory the land is situated.

3. This Regulation comes into force on 25 August 2021.

105227

Gouvernement du Québec

O.C. 1101-2021, 11 August 2021

Setting aside of the Mashkiki land, situated in the Outaouais region

WHEREAS, under the first paragraph of section 12.3 of the Natural Heritage Conservation Act (chapter C-61.01), the Government may, by order, set aside any land that is part of the domain of the State in order to establish a new protected area;

WHEREAS, under the second paragraph of section 12.3 of the Act, while the land is set aside, no new right, lease, permit, licence or authorization may be granted or issued for the carrying on of any of the following activities:

- (1) commercial forest development activities;
- (2) exploration for and the mining and transportation of mineral substances;
- (3) petroleum, brine or underground reservoir exploration, production and storage;
- (4) oil or gas pipeline construction;
- (5) the commercial production, processing, distribution or transmission of electricity;
- (6) wildlife harvesting activities or agricultural activities;
- (7) the construction of any infrastructure subject to an authorization of the Minister responsible for the administration of the Act respecting the lands in the domain of the State (chapter T-8.1);

WHEREAS, under the first paragraph of section 12.4 of the Natural Heritage Conservation Act, the Government's decision must specify the reasons that justify setting aside the land concerned as well as the activities listed in the second paragraph of section 12.3 that are covered by the decision;

WHEREAS, under the second paragraph of section 12.4 of the Act, the Government's decision must be accompanied by a map of the land that has been set aside;

WHEREAS the Mashkiki land is part of the domain of the State;

WHEREAS, for the purpose of establishing a new protected area, it is expedient to set aside the Mashkiki land, mapped in the Schedule to this Order in Council and situated in the Outaouais region, to protect and maintain biodiversity, in particular species in a precarious situation and their known or potential habitats, which characterize the land, as well as natural and cultural resources;

WHEREAS, for the purpose of protecting the Mashkiki land from activities that may have an impact on biodiversity, it is expedient to provide that, for the activities listed in the second paragraph of section 12.3 of the Natural Heritage Conservation Act, no new right, lease, permit, licence or authorization may be granted or issued, while the land is set aside, for the carrying on of the following activities:

- (1) commercial forest development activities, except
 - (a) activities carried on to protect forests against fire, destructive insects and cryptogamic diseases;
 - (b) the improvement, repair, maintenance and decommissioning of multi-purpose roads within the meaning of the Sustainable Forest Development Act (chapter A-18.1) and the construction, improvement, repair, maintenance and decommissioning of trails not intended for motorized all-terrain vehicles, except the construction of trails in an environment that shelters a threatened or vulnerable plant or animal species or one likely to be designated as such within the meaning of the Act respecting threatened or vulnerable species (chapter E-12.01);
- (2) activities carried on for the purposes of exploration for or the mining of mineral substances and the construction of infrastructure to be used to transport such substances, except surface mineral substances;
- (3) petroleum, brine or underground reservoir exploration, production and storage;
- (4) oil or gas pipeline construction;
- (5) activities carried on for the purposes of the commercial production, processing, distribution or transmission of electricity, except for electric power transmission lines at voltages below 44 kV, which are not covered;
- (6) agricultural activities;
- (7) the construction of any infrastructure subject to an authorization of the Minister responsible for the administration of the Act respecting the lands in the domain of the State in an environment that shelters a threatened or

vulnerable plant or animal species or one likely to be designated as such within the meaning of the Act respecting threatened or vulnerable species;

WHEREAS other activities, in particular non-commercial forest development activities, remain authorized pursuant to the Natural Heritage Conservation Act subject to being carried on with the rights, leases, permits, licences or authorizations required under the other statutes and regulations;

WHEREAS, under section 12.5 of the Act, the Government's decision comes into force on the date of its publication in the *Gazette officielle du Québec*;

IT IS ORDERED, therefore, on the recommendation of the Minister of the Environment and the Fight Against Climate Change:

THAT the land mapped in the Schedule to this Order in Council and situated in the Outaouais region be set aside as Mashkiki reserved land;

THAT, for the activities listed in the second paragraph of section 12.3 of the Natural Heritage Conservation Act (chapter C-61.01), no new right, lease, permit, licence or authorization be granted or issued, while the land is set aside, for the carrying on of the following activities:

- (1) commercial forest development activities, except
 - (a) activities carried on to protect forests against fire, destructive insects and cryptogamic diseases;
 - (b) the improvement, repair, maintenance and decommissioning of multi-purpose roads within the meaning of the Sustainable Forest Development Act (chapter A-18.1) and the construction, improvement, repair, maintenance and decommissioning of a trail not intended for motorized all-terrain vehicles, except the construction of trails in an environment that shelters a threatened or vulnerable plant or animal species or one likely to be designated as such within the meaning of the Act respecting threatened or vulnerable species (chapter E-12.01);
- (2) activities carried on for the purposes of exploration for or the mining of mineral substances and the construction of infrastructure to be used to transport such substances, except surface mineral substances;
- (3) petroleum, brine or underground reservoir exploration, production and storage;
- (4) oil or gas pipeline construction;

(5) activities carried on for the purposes of the commercial production, processing, distribution or transmission of electricity, except for electric power transmission lines at voltages below 44 kV, which are not covered;

(6) agricultural activities;

(7) the construction of any infrastructure subject to an authorization of the Minister responsible for the administration of the Act respecting the lands in the domain of the State (chapter T-8.1) in an environment that shelters a threatened or vulnerable plant or animal species or one likely to be designated as such within the meaning of the Act respecting threatened or vulnerable species.

YVES OUELLET

Clerk of the Conseil exécutif

**SCHEDULE
MASHKIKI LAND SET ASIDE**

