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Part

2

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Laws and Regulations

Volume 149

Summary

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Contents

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- (1) Acts assented to;
- (2) proclamations and Orders in Council for the coming into force of Acts;
- (3) regulations and other statutory instruments whose publication in the *Gazette officielle du Québec* is required by law or by the Government;
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Coming into force of Acts

Gouvernement du Québec

O.C. 541-2017, 7 June 2017

**An Act respecting mainly the implementation
of certain provisions of the Budget Speech of
26 March 2015 (2016, chapter 7)**

— Coming into force of certain provisions of the Act

COMING INTO FORCE of certain provisions of the Act respecting mainly the implementation of certain provisions of the Budget Speech of 26 March 2015

WHEREAS the Act respecting mainly the implementation of certain provisions of the Budget Speech of 26 March 2015 (2016, chapter 7) was assented to on 18 May 2016;

WHEREAS subsection 5 of section 225 of the Act states that this Act comes into force on 18 May 2016, except provisions of sections 13 to 82, 85 to 154 and 167 come into force on the date or dates to be set by the Government;

WHEREAS under Order in council 563-2016 of 22 June 2016, the provisions of sections 85 to 93 of the Act came into force on 1 September 2016;

WHEREAS under Order in council 1063-2016 of 14 December 2016, the provisions of sections 94 to 153 of the Act came into force on 1 April 2017;

WHEREAS under Order in council 1112-2016 of 21 December 2016, the provisions of sections 154 and 167 of the Act came into force on 11 January 2017;

WHEREAS it is expedient to set 1 October 2017 as the date of coming into force of the provisions of sections 21 to 56 and 58 to 82 of the Act;

IT IS ORDERED, therefore, on the recommendation of the Minister of Finance:

THAT 1 October 2017 be set as the date of coming into force of the provisions of sections 21 to 56 and 58 to 82 of the Act respecting mainly the implementation of certain provisions of the Budget Speech of 26 March 2015 (2016, chapter 7).

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif

102996

Regulations and other Acts

Gouvernement du Québec

O.C. 555-2017, 7 June 2017

An Act respecting roads
(chapter V-9)

Management and ownership of parts of Autoroute 20, also designated as Autoroute Jean-Lesage, located in the territory of the city of Sainte-Julie

CONCERNING the management and ownership of parts of Autoroute 20, also designated as Autoroute Jean-Lesage, located in the territory of the city of Sainte-Julie

WHEREAS Autoroute 20, also designated as Autoroute Jean-Lesage and located in part in the territory of the city of Sainte-Julie, was constructed under the Trans-Canada Highway Act (14 George VI, 1950, c. 44, amended by 9-10 Elizabeth II, 1960-61, c. 8), which is State property under section 7 of the Act respecting roads (chapter V-9);

WHEREAS the Government, under the first paragraph of section 2 of the Act respecting roads, determined by Order in Council 292-93 of March 3, 1993 that Autoroute 20, located in the territory of the city of Sainte-Julie, is under the management of the Minister of Transport, Sustainable Mobility and Transport Electrification;

WHEREAS a new entrance and exit ramp of Autoroute 20 has been constructed in the territory of the city of Sainte-Julie and is composed of lots 6 024 000 and 6 023 998 of the Québec cadastre, registration division of Verchères;

WHEREAS it is appropriate to amend the schedule to Order in Council 292-93 of March 3, 1993, in order to recognize this geometric redevelopment;

WHEREAS lot 6 015 317 of the Québec cadastre and a part of lot 5 782 604 of the Québec cadastre, with an area of 523.1 square metres, in the registration division of Verchères, located in the territory of the city of Sainte-Julie in the right of way of Autoroute 20, are no longer required for this autoroute and it is appropriate to abandon their management;

WHEREAS it is also appropriate to remove the character of autoroute from lot 6 015 317 and the part of lot 5 782 604 with an area of 523.1 square metres, so that the Minister of Transport, Sustainable Mobility and Transport Electrification can dispose of it in accordance with the Act;

IT IS ORDERED accordingly, on the recommendation of the Minister of Transport, Sustainable Mobility and Transport Electrification:

THAT the new entrance and exit ramp of Autoroute 20, also designated as Autoroute Jean-Lesage, located in the territory of the city of Sainte-Julie and composed of lots 6 024 000 and 6 023 998 of the Québec cadastre, registration division of Verchères, as shown on the plans prepared by Mr. Philippe Amyot, land surveyor, on April 5, 2017, under number 339 of his minutes and retained in the archives of the Ministère des Transports, de la Mobilité durable et de l'Électrification des transports under number AA-8606-154-02-1262, sheets 5E/6 and 6A/6, be added to the management of the Minister of Transport, Sustainable Mobility and Transport Electrification;

THAT the management of two parts of Autoroute 20, located in the territory of the city of Sainte-Julie, designated as lot 6 015 317 of the Québec cadastre and a part of lot 5 782 604 with an area of 523.1 metres of the Québec cadastre, in the registration division of Verchères, shown as parcel 65 on the plans prepared by Mr. Philippe Amyot, land surveyor, on April 5, 2017, under number 339 of his minutes and retained in the archives of the Ministère des Transports, de la Mobilité durable et de l'Électrification des transports under number AA-8606-154-02-1262, sheet 3C/6, be abandoned;

THAT the character of autoroute be removed from lot 6 015 317 and the part of lot 5 782 604 of the Québec cadastre, with an area of 523.1 square metres, in the registration division of Verchères, so that the Minister of Transport, Sustainable Mobility and Transport Electrification can dispose of it in accordance with the Act;

THAT the schedule to Order in Council 292-93 of March 3, 1993 be amended accordingly, to recognize the geometric redevelopment and the abandonment of management;

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

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif

102997

Gouvernement du Québec

O.C. 556-2017, 7 June 2017

An Act respecting roads
(chapter V-9)

Roads under the management of the Minister of Transport, Sustainable Mobility and Transport Electrification

CONCERNING the roads under the management of the Minister of Transport, Sustainable Mobility and Transport Electrification

WHEREAS, under the first paragraph of section 2 of the Act respecting roads (chapter V-9), the Government shall determine, by an order published in the *Gazette officielle du Québec*, the roads which shall be under the management of the Minister of Transport, Sustainable Mobility and Transport Electrification;

WHEREAS, under the second paragraph of section 3 of this law, the Government shall determine, by an order published in the *Gazette officielle du Québec*, that a road which is under the management of a municipality shall, from the date indicated in the order, pass under the management of the Minister.

WHEREAS Order in Council number 292-93 of March 3, 1993 and its subsequent amendments have determined, by municipality, the roads under the management of the Minister of Transport, Sustainable Mobility and Transport Electrification;

WHEREAS it is appropriate to reamend the schedule to this Order in Council and its subsequent amendments, in order to determine that certain roads under the management of the municipalities shall pass under the management of the Minister;

IT IS ORDERED accordingly, on the recommendation of the Minister of Transport, Sustainable Mobility and Transport Electrification:

THAT the schedule to Order in Council number 292-93 of March 3, 1993 and its subsequent amendments concerning the roads under the management of the Minister of Transport, Sustainable Mobility and Transport Electrification be reamended, with regard to the municipalities indicated, by the addition of certain roads;

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

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif

SCHEDULE

ROADS UNDER THE MANAGEMENT OF THE MINISTER OF TRANSPORT, SUSTAINABLE MOBILITY AND TRANSPORT ELECTRIFICATION

PRESENTATION NOTE

The roads under the management of the Minister of Transport, Sustainable Mobility and Transport Electrification are described for each municipality where they are situated. The update of the schedule to Order in Council number 292-93 of March 3, 1993 and its subsequent amendments state the corrections to the description of a road, the addition or removal of roads, and the changes affecting the right-of-way width of a road or its geometric redevelopment.

A) CORRECTION TO THE DESCRIPTION, ADDITION OR REMOVAL

The roads covered by a “Correction to the description”, “Addition” or “Removal” were described by means of the following five elements:

1. ROAD CLASS

The nomenclature of the road classes comes from the functional classification established by the Ministère des Transports, de la Mobilité durable et de l'Électrification des transports (MTMDET).

2. SECTION IDENTIFICATION

The roads are identified according to the coding used by the MTMDET to subdivide its road network. The coding breaks down into Road / Segment / Section / Sub-road. The sequence within the sub-road has evolved over the years (the current coding appears in bold in the examples below). Here is how to interpret the information:

Primary road

Road	Segment	Section	Sub-road	Description
00138	- 01	- 110	- 000-C	Primary road (000) with Contiguous lanes
00020	- 02	- 090	- 000-S	Primary road (000) with Separated (divided) roadways
00020	- 02	- 090	- 0-00-1	Primary road (000) with number serving for computer validation "1" (from 0 to 9)

Ramp

Road	Segment	Section	Sub-road	Description
00020	- 02	- 090	- 32A	Ramp (3), intersection No. 2, named "A"
00020	- 02	- 090	- 3-02-0-A	Ramp (3), intersection No. 02, named "0-A"

3. ROAD NAME

For roads with a number lower than 1000, this number is recorded in this element, and not the odonym. The odonym is used for other routes.

When one or more ramps exist along a road section, the total number of ramps attached to this section is also recorded in this element. The cumulative length of all these ramps is then found under the heading "Length in km".

4. LOCATION OF BEGINNING

This element contains the description of a physical reference point to locate the beginning of a road section or identifies a municipal limit in the cases where a road section is found in more than one municipality.

5. LENGTH IN KM

The length in kilometres is recorded for each road or part of a road. This length, established by the Minister of Transport, Sustainable Mobility and Transport Electrification, corresponds to the distance travelled by a vehicle between two points, without considering the number of lanes or the layout in contiguous lanes or divided roadways. Thus, the length is the same, whether for an autoroute or a collector road.

B) CHANGE OF RIGHT-OF-WAY WIDTH OR GEOMETRIC REDEVELOPMENT

The routes that are the object of a "Change of right-of-way width" or "Geometric redevelopment" are described by means of the same elements of section A above, as well as the plan number, the land surveyor's name and the number of the land surveyor's minutes.

SAINT-ANTONIN, M (1201500)

• Addition

Road class	Section identification	Road name	Location of beginning	Length in km
Local	92690-05-020-000-C	3 ^e rang	600 m south of Route 185	0.60
Local	92690-06-000-000-C	3 ^e rang	Intersection of Route 185	0.58
Local	92694-01-030-000-C	Route de la Station	Intersection of Chemin de la rivière	0.50
Local	92760-01-040-000-C	Former Route 2	Limit of Saint-Hubert-de-Rivière-du-Loup	0.30

SAINT-HONORÉ-DE-TÉMISCOUATA, M (1309000)

• Addition

Road class	Section identification	Road name	Location of beginning	Length in km
Local	92760-01-010-000-C	Rue Principale	Intersection of Route 185 ramps	7.55
Local	92760-01-020-000-C	Rue Principale	Intersection of Route 185	6.43
Local	93761-01-020-000-C	10 ^e rang	1 km south of Route 185	1.00
Local	92770-01-010-000-C	Route Talbot	1 km south of Route 185	1.00
Local	93213-01-000-000-C	Chemin de Couturier	Intersection of 10 ^e rang	0.06
Local	93213-01-030-000-C	Chemin de Couturier	60 m intersection of 10 ^e rang	2.00

SAINT-HUBERT-DE-RIVIÈRE-DU-LOUP, M (1201000)

• Addition

Road class	Section identification	Road name	Location of beginning	Length in km
Local	92760-01-030-000-C	Former Route 2	Limit of Whitworth	1.90
Local	93670-01-015-000-C	Chemin Taché	Intersection of Route 185	0.13
Local	93670-01-030-000-C	Chemin Taché	Limit of Whitworth	2.00

SAINT-LOUIS-DU-HA! HA!, P (1308000)

• Addition

Road class	Section identification	Road name	Location of beginning	Length in km
Local	92201-02-010-000-C	Route Vauban	200 m. south of Rang Vauban	0.20
Local	92560-01-000-000-C	Rang Vauban	Intersection of Route 185	0.24
Local	92560-02-000-000-C	Rang Vauban	Intersection of Route 185	1.06
Local	92564-01-040-000-C	Chemin de la Savane	1133 m. west Exit 47 Autoroute 85	2.00
Local	92565-01-040-000-C	Rue Madgin	1,526 m. west Exit 47 Autoroute 85	0.14
Local	92566-01-010-000-C	Route Bossé	Intersection of Rang Vauban	0.26

M.O., 2017

**Order of the Minister of Sustainable Development,
Environment and the Fight Against Climate Change
dated 8 June 2017**

Natural Heritage Conservation Act
(chapter C-61.01)

Assignment of a temporary protection status as Réserve aquatique projetée de la Rivière-Croche, for a period of four years, and establishment of the plan and conservation plan of the area

THE MINISTER OF SUSTAINABLE DEVELOPMENT,
ENVIRONMENT AND THE FIGHT AGAINST CLIMATE
CHANGE,

CONSIDERING the first paragraph of section 27 of the Natural Heritage Conservation Act (R.S.Q., c. C-61.01), which provides that, for the purpose of protecting land to be established as a new protected area, the Minister of Sustainable Development, Environment and the Fight Against Climate Change, with the approval of the Government, prepares the plan of that area, establishes a conservation plan and assigns temporary protection status to the area as a proposed aquatic reserve, biodiversity reserve, ecological reserve or man-made landscape;

CONSIDERING the first paragraph of section 28 of the Act, which provides that, unless the Government authorizes a longer period, the setting aside of land under section 27 is valid for a period of not more than four years, which may be renewed or extended;

CONSIDERING Order in Council 475-2016 dated 8 June 2016 authorizing the Minister of Sustainable Development, Environment and the Fight Against Climate Change to assign to five territories, situated in the Mauricie region, a temporary protection status as proposed biodiversity reserve or proposed aquatic reserve, including the Réserve aquatique projetée de la Rivière-Croche, to prepare the plan of the area and to establish a conservation plan for the area;

CONSIDERING the publication in Part 2 of the *Gazette officielle du Québec* of 23 November 2016, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), of the draft conservation plan of the Réserve aquatique projetée de la Rivière-Croche with a notice of the Minister's intention to assign a temporary protection status to the territory appearing as a Schedule to the document on the expiry of 45 days following its publication;

CONSIDERING that it is expedient to assign a temporary protection status to the territory;

CONSIDERING that for the purpose of fostering the protection and maintenance of the biological diversity and associated natural and cultural resources, and of increasing the representativity of the network of protected areas, the territory requires temporary protection with a view of establishing a new protected area;

ORDERS AS FOLLOWS:

A temporary protection status as Réserve aquatique projetée de la Rivière-Croche is assigned for a period of four years;

The conservation plan of the Réserve aquatique projetée de la Rivière-Croche, attached to this Order, is established;

The plan of the Réserve aquatique projetée de la Rivière-Croche, attached to the conservation plan, is prepared.

Québec, 8 June 2017

DAVID HEURTEL,
*Minister of Sustainable Development,
Environment and the
Fight Against Climate Change*

**Temporary protection status assigned
as Réserve aquatique projetée
de la Rivière-Croche**

Natural Heritage Conservation Act
(chapter C-61.01, ss. 27 and 28)

1. The conservation plan of the Réserve aquatique projetée de la Rivière-Croche appears in Schedule A.
2. The territory in the Schedule to the conservation plan constitutes the Réserve aquatique projetée de la Rivière-Croche.
3. The temporary status as proposed aquatic reserve, for a period of 4 years, and the conservation plan of the Réserve aquatique projetée de la Rivière-Croche, applicable to the territory appearing as a schedule to the document, come into force on the fifteenth day following the date of their publication in the *Gazette officielle du Québec*.

SCHEDULE A**CONSERVATION PLAN OF THE RÉSERVE AQUATIQUE PROJETÉE
DE LA RIVIÈRE-CROCHE**

(s. 1)

QUÉBEC STRATEGY FOR PROTECTED AREAS

**Réserve
aquatique
projetée de la
Rivière-
Croche****Conservation plan**

January 2017

1. Protection status and toponym

The legal protection status of the territory described below is that of proposed aquatic reserve, a status governed by the *Natural Heritage Conservation Act* (chapter C-61.01).

The permanent protection status proposed for the territory is that of “aquatic reserve”, this status also being governed by the *Natural Heritage Conservation Act*.

The provisional toponym is: Réserve aquatique projetée de la Rivière-Croche. The official toponym will be determined when the territory is given permanent protection status.

2. Conservation objectives

Réserve aquatique projetée de la Rivière-Croche was created primarily to protect and maintain biological diversity and the associated natural and cultural resources. Additionally, protection of this territory will augment the representativeness of the regional and national network of protected areas, since it has multiple components of ecological interest that are representative of characteristic ecosystems in the La Tuque depression natural region (see section 3.2). Protection of these ecosystems will allow the Aboriginal communities that frequent the territory to continue to pursue their traditional activities, while also allowing recreational and tourism activities.

Réserve aquatique projetée de la Rivière-Croche will protect the central section of the Rivière Croche watershed, where it enters the La Tuque depression natural region. The south and central parts of the proposed reserve will protect the valley and immediate watershed of the Rivière Croche, with its numerous meanders. The northern part is broader, and will protect a representative sample of the various types of vegetation and physical environments in ecological region 4c (Ministère des Forêts, de la Faune et des Parcs).

3. Plan and description

3.1. Geographical location, boundaries and dimensions

The boundaries and location of Réserve aquatique projetée de la Rivière-Croche are illustrated in Appendix 1.

Réserve aquatique projetée de la Rivière-Croche is located in the agglomeration of La Tuque, in the administrative region of Mauricie, between 47° 41' and 47° 59' north latitude and between 72° 31' and 72° 46' west longitude. It is about 30 km north of downtown La Tuque, some 80 km east of the Indian reserve of Wemotaci, and 75 km south of the Indian reserve of Mashteuiatsh.

Covering an area of 163.8 km², Réserve aquatique projetée de la Rivière-Croche straddles Rivière Croche up to the mouth of Petite rivière Croche, where the protected area expands to include the higher land between the valleys of the two rivers.

Two private properties are excluded from the territory of the proposed reserve: lease #407510 for forest/blueberry production on forest development land, and experimental forest #596 (Chasseur C).

A major road provides access to the proposed aquatic reserve, along with four passable roads, of which two enter from the northeast, one from the centre, and one from the south. An extensive network of forest roads (passable and not) may also provide access to resort sites in the proposed reserve.

3.2. Ecological portrait

Réserve aquatique projetée de la Rivière-Croche is in the southern Laurentian natural province. More precisely, nearly all the protected territory is in the La Tuque depression natural region, except for the small northeastern part around biological refuge #04251R198, which is in the Windigo massif natural region. Most of the proposed reserve is in the Lac Devenyns mounds physiographic complex, while the small northeastern part is in the Lac des Commissaires mounds physiographic complex.

The relief of the proposed reserve is one of low hills and mounds, the elevation ranging from 170 to 450 m, with an average elevation of about 350 m.

The geological foundation is mostly composed of a complex of granitic and tonalitic gneiss, with quartz-plagioclase grey gneiss, biotite and/or hornblende. At the northwest extremity one even finds marble and lime silicate rocks.

Till covers the slopes and hilltops to varying depths, while in valley bottoms there are numerous sandy deposits of fluvio-glacial origin, old and recent fluvial deposits, and organic deposits.

Most of the territory of the proposed reserve is subject to a mild continental subarctic climate, subhumid with a long growing season. The average annual temperature is 1.9°C to 4.5°C, total annual precipitation is 800 mm to 1359 mm, and the average growing season is 180 to 209 days.

Rivière Croche flows for about 150 km in a narrow valley oriented in a north-south direction, forming a string of lakes and meanders before spilling into Rivière Saint-Maurice, 4 km north of the city of La Tuque. The watershed of Rivière Croche consists of numerous streams and tributaries that feed into the river. There also numerous wetlands, with many shrub swamps, a few flooded swamps, bogs/fens, undifferentiated marshes, and rich to very poor coniferous swamps, primarily in the Petite Rivière Croche and Ruisseau Savane sections.

The proposed reserve is in the balsam fir-yellow birch bioclimatic domain, although stands of balsam fir-white birch-mountain maple are frequent on mesic sites. The woodlands present are primarily mixed forest, conifer stands being more abundant in the outer parts of the proposed reserve, while there are few hardwood stands.

The forest cover is relatively young, most stands being less than 80 years old, though there are also a few very rare forests of over 110 years.

The present woodlands of the proposed reserve are highly diverse. Balsam fir stands and black spruce stands dominate, along with yellow birch stands. There are also stands of white birch, jack pine, sugar maple, red maple, white spruce, white pine, and aspen, along with stands of mixed conifers and shade-intolerant hardwoods.

In terms of wildlife, there are northern pike (*Esox lucius*), walleye (*Sander vitreus*) brook trout (*Salvelinus fontinalis*), and in one lake, lake trout (*Salvelinus namaycush*). Brook trout is the main species in the lakes of the proposed reserve. Just outside the proposed aquatic reserve, in Lac au Pin Blanc, there is one occurrence of Arctic char *oquassa* (*Salvelinus alpinus oquassa*), a species likely to be designated threatened or vulnerable. Two occurrences of bald eagle (*Haliaeetus leucocephalus*) have been noted at the Tourouvre reservoir, ten kilometres from the proposed reserve. This vulnerable species requires a large home range, so it is highly probable that it frequents the proposed reserve to feed or reproduce.

The territory of the proposed reserve includes two wildlife refuges (#04251R198 and #04251R088), a proposed exceptional forest ecosystem (#1409, Lac Écureuil), a conservation zone (High Conservation Value Forest) proposed under the Mauricie TRIAD project, and several sites of wildlife interest (lakes Slide, Michaux, De la Courge, De la Guilloche). Additionally, 25 km north of the proposed aquatic reserve there is a proposed biodiversity reserve, Réserve de biodiversité projetée des Buttes-et-Buttons-du-Lac-Panache, which protects part of the upstream portion of Rivière Croche, in the Windigo massif natural region, at the head of the watershed.

3.3. Land occupation and uses

There are 23 resort leases, 2 leases for temporary forest shelters, and 5 trapping grounds in the proposed reserve. Also, in the excluded portion at the centre of the proposed reserve there is an active lease for forest/blueberry production on forest development land. Management of the protected territory should take into account the potential effects of this operation on nearby natural environments.

The southwest portion of the proposed reserve overlaps small sections of ZEC de la Croche (less than 3%) and ZEC Borgia (14%). The southeast portion overlaps part of the territory of an outfitter with exclusive rights, Domaine touristique La Tuque Inc. The proposed reserve touches on fur-bearing animal management units 33 and 34. Most of the territory of the proposed reserve is in hunting and fishing zone 26, while the strip of land west of Rivière Croche is in hunting and fishing zone 28. The Innu and Attikamek communities of the area are likely to frequent the proposed reserve for their traditional activities of hunting, fishing, trapping and gathering.

There is a marked canoe-kayak route on Rivière Croche, traversing the proposed aquatic reserve in a north-south direction.

In the northwest, northeast and south-central parts of the proposed reserve, there is significant fragmentation due to a major road and a network of passable and non-passable forest roads. However, use of these roads may continue subject to the Activities framework described in section 4.

4. Activities framework

§ Introduction

The purpose of the proposed aquatic reserve is to protect natural environments and their components. Activities that may have a significant impact on ecosystems and biodiversity, particularly industrial activities, are prohibited therein. This type of protected area allows the pursuit of less damaging activities and occupancies, namely recreational, wildlife, ecotourism and educational activities and occupancies.

The proposed aquatic reserve must be considered to be a territory dedicated to the protection of the natural environment, the discovery of nature and recreation.

Activities carried on within the reserve are governed mainly by the provisions of the Natural Heritage Conservation Act (chapter C-61.01).

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

- mining, and gas or petroleum development;
- forest development activities within the meaning of section 4 of the Sustainable Forest Development Act (chapter A-18.1);
- the development of hydraulic resources and any production of energy on a commercial or industrial basis.

Although fundamental for the protection of the territory and ecosystems therein, the prohibitions do not cover all the standards deemed to be desirable to ensure the good management of the proposed aquatic reserve and the conservation of the natural environment. The Natural Heritage Conservation Act makes it possible to specify in the conservation plan the legal framework applicable in the territory of the proposed aquatic reserve.

The provisions in this section provide for prohibitions in addition to those already prescribed by law and regulate certain activities allowed to better ensure the protection of the natural environment, in conformity with the principles of conservation and other objectives of management of the proposed aquatic reserve. Thus certain activities are subject to the prior authorization from the Minister.

The measures contained in this section concern in particular the new interventions in the territory and do not generally call into question existing facilities or certain activities already under way in the territory, thereby preserving a number of existing uses. Lastly, the measures also contain, for certain activities, exemptions from the requirement to obtain an authorization.

The measures do not distinguish, among all the activities subject to an authorization, those that are considered to be compatible from those that are considered to be incompatible with the vocation of the proposed aquatic reserve. This last status (temporary) is managed in a manner very similar to the permanent status and basic information concerning the compatibility or incompatibility of each type of activity may be found in the document *Activity Framework for Biodiversity Reserves and Aquatic Reserves*, available on the website of the MDDELCC at

http://www.mddelcc.gouv.qc.ca/biodiversite/aires_protegees/regime-activites/regime-activite-reserve-bio-aqua-en.pdf.

§ Prohibitions, prior authorizations and other conditions governing certain activities in the proposed aquatic reserve

§ Protection of resources and the natural environment

4.1. Subject to the prohibition in the second paragraph, no person may establish in the proposed reserve any specimens or individuals of a native or non-native species of fauna, including by stocking, unless the person has been authorized by the Minister.

No person may stock a watercourse or body of water for aquaculture, commercial fishing or any other commercial purpose.

No person may establish in the proposed reserve a non-native species of flora, unless the person has been authorized by the Minister.

4.2. No person may use fertilizer or fertilizing material in the proposed reserve. Compost for domestic purposes is permitted if used at least 20 metres from a watercourse or body of water measured from the high-water mark.

The high-water mark means the high-water mark defined in the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains (chapter Q-2, r. 35).

4.3. No person may remove species of flora, small fruits or any other non-timber product by mechanical means.

4.4. No person may, unless the person has been authorized by the Minister,

- (1) intervene in a wetland area, including a marsh, swamp or bog;
- (2) modify the proposed reserve's natural drainage or water regime, including by creating or developing watercourses or bodies of water;
- (3) dig, fill, obstruct or divert a watercourse or body of water;

- (4) install or erect any structure, infrastructure or new works in or on the bed, banks, shores or floodplain of a watercourse or body of water, although no authorization is required for minor works such as a wharf, platform or boathouse erected for private purposes and free of charge under section 2 of the Regulation respecting the water property in the domain of the State (chapter R-13, r. 1);
- (5) carry on any activity other than those referred to in the preceding paragraphs that is likely to degrade the bed, banks or shores of a body of water or watercourse or directly and substantially affect the quality or biochemical characteristics of aquatic or riparian environments or wetland areas in the proposed reserve, including by discharging or dumping waste or pollutants into those areas;
- (6) carry out soil development work or carry on an activity that is likely to degrade the soil or a geological formation or damage the vegetation cover, such as stripping, the digging of trenches or excavation work, including any burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose;
- (7) install or erect any structure, infrastructure or new works;
- (8) reconstruct or demolish a structure, infrastructure or works;
- (9) use a pesticide, although no authorization is required for the use of personal insect repellent;
- (10) carry on educational or research-related activities if the activities are likely to significantly damage or disturb the natural environment, in particular because of the nature or size of the samples taken or the invasive character of the method or process used; or
- (11) hold a sports event, tournament, rally or any other similar event where
 - (a) fauna or flora species are taken or are likely to be taken; or
 - (b) motor vehicles or craft are used.

4.5. Despite paragraphs 6, 7 and 8 of section 4.4, no authorization is required to carry out work referred to in subparagraph 1 of this section when the requirements of subparagraph 2 are met.

- (1) The work involves
 - (a) work to maintain, repair or upgrade a structure, infrastructure or works such as a camp, cottage, road or trail, including ancillary facilities such as lookouts or stairs;
 - (b) the construction or erection of
 - i. an appurtenance or ancillary facility of a trapping camp, rough shelter, shelter or cottage such as a shed, well, water intake or sanitary facilities; or
 - ii. a trapping camp, rough shelter, shelter or cottage if such a building was permitted under the right to use or occupy the land but had not been constructed or installed on the effective date of the status as a proposed aquatic reserve; or
 - (c) the demolition or reconstruction of a trapping camp, rough shelter, shelter or cottage, including an appurtenance or ancillary facility such as a shed, well, water intake or sanitary facilities.

- (2) The work is carried out in compliance with the following requirements:
- (a) the work involves a structure, infrastructure or works permitted within the proposed reserve;
 - (b) the work is carried out within the area of land or right of way subject to the right to use or occupy the land in the proposed reserve, whether the right results from a lease, servitude or other form of title, permit or authorization;
 - (c) the nature of the work or elements erected by the work will not operate to increase the area of land that may remain deforested beyond the limits permitted under the provisions applicable to the sale, lease and granting of immovable rights under the Act respecting the lands in the domain of the State (chapter T-8.1) and, if applicable, the limits allowed under an authorization for the structure, works or infrastructure;
 - (d) the work is carried out in compliance with the conditions of a permit or authorization issued for the work or in connection with the structure, infrastructure or works involved, and in accordance with the laws and regulations that apply; and
 - (e) for roads in the forest, the work must not operate to alter or exceed the existing right of way, widen the roadway or convert the road to a higher class.

For the purposes of this section, repair and upgrading work includes work to replace or erect works or facilities to comply with the requirements of an environmental regulation.

4.6. No person may bury, abandon or dispose of waste, snow or other residual materials elsewhere than in waste disposal containers, facilities or sites determined by the Minister or in another place with the authorization of the Minister.

Despite the first paragraph, an outfitting operation, an agency managing a controlled zone or an outfitter holding an operating lease does not require an authorization to use a disposal facility or site in compliance with the Environment Quality Act (chapter Q-2) and its regulations if the outfitting operation, agency or outfitter was already using the facility or site on the effective date of the protection status as a proposed aquatic reserve.

§ Rules of conduct for users

4.7. No person may enter, carry on an activity or operate a vehicle in a given sector of the proposed reserve if the signage erected by the Minister restricts access, traffic or certain activities in order to protect the public from a danger or to avoid placing the fauna, flora or other components of the natural environment at risk, unless the person has been authorized by the Minister.

4.8. No person may destroy, remove, move or damage any poster, sign, notice or other types of signage posted by the Minister within the proposed reserve.

§ **Activities requiring an authorization**

4.9. No person may occupy or use the same site in the proposed reserve for a period of more than 90 days in the same year, unless the person has been authorized by the Minister.

(1) For the purposes of the first paragraph,

(a) the occupation or use of a site includes

i. staying or settling in the proposed reserve, including for vacation purposes;

ii. installing a camp or shelter in the proposed reserve; and

iii. installing, burying or leaving property in the proposed reserve, including equipment, any device or a vehicle;

(b) "same site" means any other site within a radius of 1 kilometre from the site;

(2) Despite the first paragraph, no authorization is required if a person,

(a) on the effective date of the protection status as a proposed aquatic reserve, was a party to a lease or had already obtained another form of right or authorization allowing the person to legally occupy the land under the Act respecting the lands in the domain of the State or, if applicable, the Act respecting the conservation and development of wildlife (chapter C-61.1), and whose right to occupy the land is renewed or extended on the same conditions, subject to possible changes in fees;

(b) in accordance with the law, has entitlement under a sublease, an assignment of a lease or a transfer of a right or authorization referred to in subparagraph a, and whose right to occupy the land is renewed or extended on the same conditions, subject to possible changes in fees; or

(c) elects to acquire land the person legally occupies on the effective date of the protection status as a proposed aquatic reserve, pursuant to the Act respecting the lands in the domain of the State.

4.10. (1) No person may carry on forest management activities to meet domestic needs or for the purpose of maintaining biodiversity, unless the person has been authorized by the Minister.

(2) Despite subsection 1, the authorization of the Minister is not required if a person staying or residing in the proposed reserve collects wood to make a campfire.

An authorization is also not required if a person collects firewood to meet domestic needs in the following cases and on the following conditions:

(a) the wood is collected to supply a trapping camp or a rough shelter permitted within the proposed reserve if

i. the wood is collected by a person in compliance with the conditions set out in the permit for the harvest of firewood for domestic purposes issued by the Minister of Forests, Wildlife and Parks under the Sustainable Forest Development Act (chapter A-18.1);

ii. the quantity of wood collected does not exceed 7 apparent cubic metres per year;

(b) in all other cases if

i. the wood is collected within a sector designated by the Minister of Forests, Wildlife and Parks as a sector for which a permit for the harvest of firewood for domestic purposes under the Sustainable Forest Development Act may be issued, and for which, on the effective date of the protection status as a proposed aquatic reserve, a designation as such had already been made by the Minister;

ii. the wood is collected by a person who, on the effective date of the protection status as a proposed aquatic reserve or in any of the 3 preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the proposed reserve;

iii. the wood is collected by a person in compliance with the conditions set out in the permit for the harvest of firewood for domestic purposes issued by the Minister of Forests, Wildlife and Parks under the Sustainable Forest Development Act.

(3) Despite subsection 1, an authorization to carry on a forest management activity is not required if a person authorized by lease to occupy land within the proposed reserve in accordance with this conservation plan carries on the forest management activity for the purpose of

(a) clearing, maintaining or creating visual openings, or any other similar removal work permitted under the provisions governing the sale, lease and granting of immovable rights under the Act respecting the lands in the domain of the State, including work for access roads, stairs and other trails permitted under those provisions; or

(b) clearing the necessary area for the installation, connection, maintenance, repair, reconstruction or upgrading of facilities, lines or mains for water, sewer, electric power or telecommunications services.

If the work referred to in paragraph *b* of subsection 3 is carried on for or under the responsibility of an enterprise providing any of those services, the work requires the prior authorization of the Minister, other than in the case of the exemptions in sections 4.12 and 4.14.

(4) Despite subsection 1, an authorization to carry on a forest management activity is not required to maintain a sugar bush operation and collect maple products to meet domestic needs if the activity is

(a) carried on by a person who, on the effective date of the protection status as a proposed aquatic reserve or in any of the 3 preceding years, held a permit for the operation of a sugar bush issued by the Minister of Forests, Wildlife and Parks under the Sustainable Forest Development Act allowing the person to carry on sugar bush activities in the territory of the proposed reserve;

(b) carried on within an area that, under the permit received, was already the subject of sugar bush activities on the effective date of the protection status as a proposed aquatic reserve or in any of the 3 preceding years;

(c) carried on by a person in conformity with the conditions of the permit for a sugar bush operation issued by the Minister of Forests, Wildlife and Parks under the Sustainable Forest Development Act.

4.11. No person may carry on commercial activities in the proposed aquatic reserve, unless the person has been authorized by the Minister.

Despite the first paragraph, no authorization is required

(a) if the activity does not imply sampling for fauna or flora resources or the use of a motor vehicle;

(b) to carry on commercial activities which, on the effective date of the protection status as a proposed aquatic reserve, was the subject of a right to use the land for such a purpose, whether the right results from a lease or other form of title, permit or authorization, within the limits of the right.

§ Authorization exemptions

4.12. Despite the preceding provisions, an authorization is not required for an activity or other form of intervention within the proposed reserve if urgent action is necessary to prevent harm to the health or safety of persons, or to repair or prevent damage caused by a real or apprehended disaster. The person concerned must, however, immediately inform the Minister of the activity or intervention that has taken place.

4.13 The members of a Native community who, for food, ritual or social purposes, carry on an intervention or an activity within the proposed reserve are exempted from obtaining an authorization.

4.14 Despite the preceding provisions, the following activities and interventions carried out by Hydro-Québec (Société) or by any other person for Hydro-Québec do not require the prior authorization of the Minister under this conservation plan:

(1) any activity or intervention required within the proposed reserve to complete a project for which express authorization had previously been given by the Government and the Minister, or only by the Minister, in accordance with the Environment Quality Act, if the activity or intervention is carried out in compliance with the authorizations issued;

(2) any activity or intervention necessary for the preparation and presentation of a pre-project report for a project requiring an authorization under the Environment Quality Act; and

(3) any activity or intervention relating to a project requiring the prior authorization of the Minister under the Environment Quality Act if the activity or intervention is in response to a request for a clarification or for additional information made by the Minister to the Société, and the activity or intervention is carried out in conformity with the request.

The Société is to keep the Minister informed of the various activities or interventions referred to in this section it proposes to carry out before the work is begun in the proposed reserve.

For the purposes of this section, the activities and interventions of the Société include but are not restricted to pre-project studies, analysis work or field research, work required to study and ascertain the impact of electric power transmission and distribution line corridors and rights of way, geological or geophysical surveys and survey lines, and the opening and maintenance of roads required for the purposes of access, construction or traffic incidental to the work.

5. Activities governed by other laws

Certain activities that could potentially be practised in the proposed aquatic reserve are also governed by other applicable legislative and regulatory provisions, and some require a permit or authorization or the payment of certain fees. Certain activities could be prohibited or limited under other laws or regulations applicable on the territory of the proposed reserve.

In the proposed aquatic reserve, a particular legal framework may govern permitted activities under the following categories:

- **Protection of the environment:** measures stipulated by the *Environment Quality Act* (chapter Q-2) and its regulations;
- **Protection of exceptional forest ecosystems and biological refuges:** measures stipulated by the *Sustainable Forest Development Act* (chapter A-18.1);
- **Plant species designated as threatened or vulnerable:** measures prohibiting the harvesting of such species under the *Act respecting threatened or vulnerable species* (chapter E-12.01);
- **Exploitation and conservation of wildlife resources:** measures stipulated by the *Act respecting the Conservation and Development of Wildlife* (chapter C-61.1) and its regulations, including provisions related to threatened or vulnerable wildlife species, outfitters and beaver reserves, and measures in the applicable federal laws and regulations, including the legislation and regulations on fisheries;
- **Archeological research and discoveries:** measures stipulated by the *Cultural Heritage Act* (chapter P-9.002);
- **Access and property rights related to the domain of the State:** measures stipulated by the *Act Respecting the Lands in the Domain of the State* (chapter T-8.1) and by the *Watercourses Act* (chapter R-13);
- **Issuance and oversight of forest development permits** (harvesting of firewood for domestic purposes, wildlife development, recreational development); and **delivery of authorizations** (forest roads): measures stipulated by the *Sustainable Forest Development Act* (chapter A-18.1);

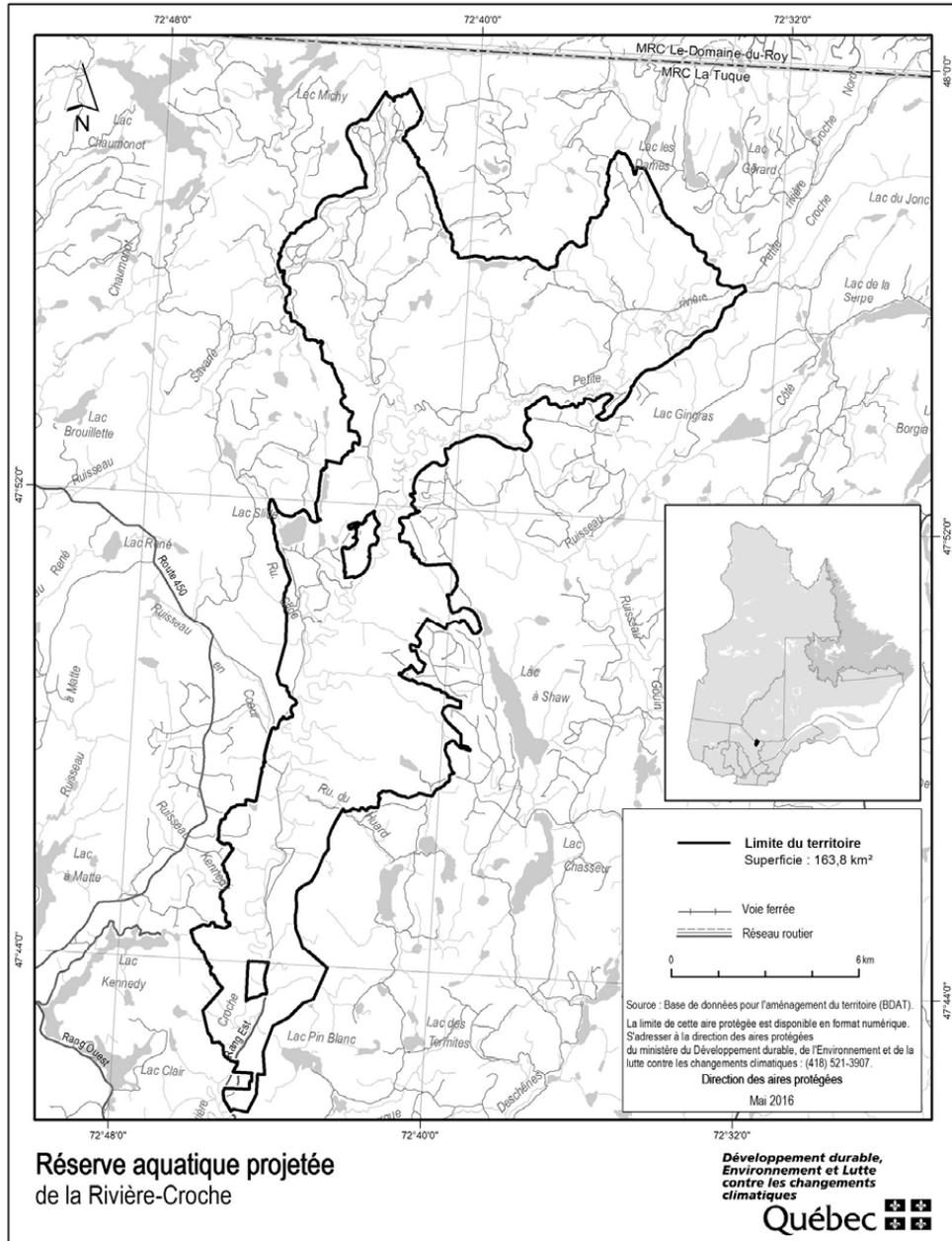
- **Travel:** measures stipulated by the *Act Respecting the Lands in the Domain of the State* and by the regulations on motor vehicle travel in fragile environments, under the *Environment Quality Act*;
- **Construction and development standards:** regulatory measures adopted by local and regional municipal authorities in accordance with the applicable laws.

6. Responsibilities of the Minister of Sustainable Development, Environment and the Fight against Climate Change

The Minister of Sustainable Development, Environment and the Fight against Climate Change is responsible for the management of Réserve aquatique projetée de la Rivière-Croche. Among other things, the Minister sees to the control and supervision of activities that may be practised there. In his management, the Minister enjoys the collaboration and participation of other government representatives that have specific responsibilities in or adjacent to the territory, including the Minister of Energy and Natural Resources and the Minister of Forests, Wildlife and Parks, and their delegates. In performing their functions they will take into account the protection desired for these natural environments and the protection status they are now granted.

Appendix 1

Map of Réserve aquatique projetée de la Rivière-Croche



M.O., 2017

**Order of the Minister of Sustainable Development,
Environment and the Fight Against Climate Change
dated 8 June 2017**

Natural Heritage Conservation Act
(chapter C-61.01)

Assignment of a temporary protection status as Réserve de biodiversité projetée des Buttes-et-Basses-Collines-du-Lac-Najoua, for a period of four years, and establishment of the plan and conservation plan of the area

THE MINISTER OF SUSTAINABLE DEVELOPMENT,
ENVIRONMENT AND THE FIGHT AGAINST CLIMATE
CHANGE,

CONSIDERING the first paragraph of section 27 of the Natural Heritage Conservation Act (chapter C-61.01), which provides that, for the purpose of protecting land to be established as a new protected area, the Minister of Sustainable Development, Environment and the Fight Against Climate Change, with the approval of the Government, prepares the plan of that area, establishes a conservation plan and assigns temporary protection status to the area as a proposed aquatic reserve, biodiversity reserve, ecological reserve or man-made landscape;

CONSIDERING the first paragraph of section 28 of the Act, which provides that, unless the Government authorizes a longer period, the setting aside of land under section 27 is valid for a period of not more than four years, which may be renewed or extended;

CONSIDERING Order in Council 475-2016 dated 8 June 2016 authorizing the Minister of Sustainable Development, Environment and the Fight Against Climate Change to assign to five territories, situated in the Mauricie region, a temporary protection status as proposed biodiversity reserve or proposed aquatic reserve, including the Réserve de biodiversité projetée des Buttes-et-Basses-Collines-du-Lac-Najoua, to prepare the plan of the area and to establish a conservation plan for the area;

CONSIDERING the publication in Part 2 of the *Gazette officielle du Québec* of 23 November 2016, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), of the draft conservation plan of the Réserve de biodiversité projetée des Buttes-et-Basses-Collines-du-Lac-Najoua with a notice of the Minister's intention to assign a temporary protection status to the territory appearing as a Schedule to the document on the expiry of 45 days following its publication;

CONSIDERING that it is expedient to assign a temporary protection status to the territory;

CONSIDERING that for the purpose of fostering the protection and maintenance of the biological diversity and associated natural and cultural resources, and of increasing the representativity of the network of protected areas, the territory requires temporary protection with a view of establishing a new protected area;

ORDERS AS FOLLOWS:

A temporary protection status as Réserve de biodiversité projetée des Buttes-et-Basses-Collines-du-Lac-Najoua is assigned for a period of four years;

The conservation plan of the Réserve de biodiversité projetée des Buttes-et-Basses-Collines-du-Lac-Najoua, attached to this Order, is established;

The plan of the Réserve de biodiversité projetée des Buttes-et-Basses-Collines-du-Lac-Najoua, attached to the conservation plan, is prepared.

Québec, 8 June 2017

DAVID HEURTEL,
*Minister of Sustainable Development,
Environment and the
Fight Against Climate Change*

**Temporary protection status assigned
as Réserve de biodiversité projetée des
Buttes-et-Basses-Collines-du-Lac-Najoua**

Natural Heritage Conservation Act
(chapter C-61.01, ss. 27 and 28)

1. The conservation plan of the Réserve de biodiversité projetée des Buttes-et-Basses-Collines-du-Lac-Najoua appears in Schedule A.

2. The territory in the Schedule to the conservation plan constitutes the Réserve de biodiversité projetée des Buttes-et-Basses-Collines-du-Lac-Najoua.

3. The temporary status as proposed biodiversity reserve, for a period of 4 years, and the conservation plan of the Réserve de biodiversité projetée des Buttes-et-Basses-Collines-du-Lac-Najoua, applicable to the territory appearing as a schedule to the document, come into force on the fifteenth day following the date of their publication in the *Gazette officielle du Québec*.

SCHEDULE A**CONSERVATION PLAN OF THE RÉSERVE DE BIODIVERSITÉ
PROJETÉE DES BUTTES-ET-BASSES-COLLINES-DU-LAC-NAJOUA
(s. 1)**

QUÉBEC STRATEGY FOR PROTECTED AREAS

**Réserve de
biodiversité
projetée des
Buttes-et-
Basses-
Collines-du-
Lac-Najoua****Conservation plan**

January 2017

1. Protection status and toponym

The legal protection status of the territory described below is that of proposed biodiversity reserve, a status governed by the *Natural Heritage Conservation Act* (chapter C-61.01).

The permanent protection status proposed for the territory is that of “biodiversity reserve”, this status also being governed by the *Natural Heritage Conservation Act*.

The provisional toponym is: Réserve de biodiversité projetée des Buttes-et-Basses-Collines-du-Lac-Najoua. The official toponym will be determined when the territory is given permanent protection status.

2. Conservation objectives

Réserve de biodiversité projetée des Buttes-et-Basses-Collines-du-Lac-Najoua was created primarily to protect and maintain biological diversity and the associated natural and cultural resources. Additionally, protection of this territory will augment the representativeness of the regional and national network of protected areas, since it has multiple components of ecological interest that are representative of characteristic ecosystems in the northern part of the Parent plateau natural region (see section 3.2). Protection of these ecosystems will allow the Attikamek community of Wemotaci to continue to pursue their traditional activities within the territory, while also allowing recreational and tourism activities.

3. Plan and description

3.1. Geographical location, boundaries and dimensions

The boundaries and location of Réserve de biodiversité projetée des Buttes-et-Basses-Collines-du-Lac-Najoua are illustrated in Appendix 1.

Réserve de biodiversité projetée des Buttes-et-Basses-Collines-du-Lac-Najoua is located in the agglomeration of La Tuque, in the administrative region of Mauricie. More precisely, it is 120 km northwest of downtown La Tuque, and about 25 km northwest of the community of Wemotaci.

The proposed reserve covers an area of 223.1 km², between 48° 03' and 48° 12' north latitude and between 73° 54' and 74° 10' west longitude.

There is little or no access to most of the territory. There are however two passable roads, one crossing the southern part in an east-west direction, the other skirting the south and west boundaries of the proposed reserve. Based on the available data, there are also some fifteen forest roads.

3.2. Ecological portrait

Réserve de biodiversité projetée des Buttes-et-Basses-Collines-du-Lac-Najoua is in the southern Laurentian natural province, more precisely the Parent plateau natural region, in the Lac Dandurand low hills physiographic complex.

The relief of the proposed reserve is essentially low hills, the elevation ranging from 440 to 640 m, with an average elevation of about 540 m.

The geological foundation (Grenville geological province) is mostly composed of charnockitic, granitic and tonalitic gneiss, along with deformed intrusive rocks (granulite), while in the northern part there is paragneiss.

The surface deposits of the proposed reserve are varied and include the following: glacial deposits with no particular morphology, undifferentiated tills of medium thickness (50 cm to 1 m) with rare to very rare rocky outcrops, bottom moraine sediments, fluvio-glacial, proglacial and outwash deposits, and old organic, fluvial and alluvial deposits.

The territory is subject to a continental subarctic climate, subhumid with a medium growing season. The average annual temperature is -1.5°C to -1.9°C , total annual precipitation is 800 to 1359 mm, and the average growing season is 150 to 179 days.

The proposed reserve is in the Rivière Saint-Maurice watershed, within which its waters belong to the sub-watersheds of four rivers: Najoua (the largest), Manouane, Des Cyprès and Jean-Pierre. There are few wetlands, mostly undifferentiated bogs/fens/swamps as well as shrub swamps. There are also coniferous swamps, from very poor to very rich, some of them flooded.

The proposed reserve is in the continuous boreal forest and belongs to the balsam fir-white birch bioclimatic domain. Its forest stands are coniferous or mixed, with very few deciduous stands. All age classes are represented, but most stands are less than 80 years old. Old-growth forests are relatively well represented however.

Stands of balsam fir-white birch-mountain maple comprise the potential vegetation on mesic sites, while other habitats would favour stands of black spruce-mosses and balsam fir-black spruce.

The woodlands now found are primarily stands of black spruce and of fir-white spruce-paper birch. Stands of trembling aspen, paper birch-balsam fir, mixed conifers, white spruce-fir-paper birch, jack pine-black spruce and shade-intolerant hardwoods complete the forest cover of the proposed reserve.

In terms of wildlife, there are brook trout, northern pike, walleye, and a wildlife site of interest (Lac Mountain) where there are lake trout. Other fish reported include white sucker, longnose sucker, lake whitefish and minnows.

The proposed reserve also includes three biological refuges: #04351R037, #04351R042 and #04351R045. Three more such refuges are just outside the southeast and southwest boundaries of the proposed reserve. No threatened or vulnerable species of plants or wildlife have been recorded in the area.

3.3. Land occupation and uses

There are 23 resort leases in the proposed reserve, with a few more just outside to the northwest and southeast, mostly around bodies of water.

A small section in the southwest (lakes Spafford and Collins) overlaps the territory of an outfitter with exclusive rights, Club Haltaparche Inc. The proposed reserve is in fur-bearing animal management unit 32, in hunting zone 14, and in the Abitibi beaver reserve (Weymontachingue division).

Provincial snowmobile trail TQ83 crosses the southwest tip of the proposed reserve, where in summer it becomes provincial quad trail TQ70. A local snowmobile trail crosses the northwest extremity of the proposed reserve, serving the outfitter Barrage Gouin & Magnan. Five dams are also present within the boundaries of the proposed reserve.

The territory of the proposed reserve is somewhat fragmented by a small network of passable roads and forest roads. The use and maintenance of these roads, and of the trails mentioned above, may continue subject to the Activities framework described in section 4.

4. Activities framework

§ Introduction

The purpose of the proposed biodiversity reserve is to protect natural environments and their components. Activities that may have a significant impact on ecosystems and biodiversity, particularly industrial activities, are prohibited therein. This type of protected area allows the pursuit of less damaging activities and occupancies, namely recreational, wildlife, ecotourism and educational activities and occupancies.

The proposed biodiversity reserve must be considered to be a territory dedicated to the protection of the natural environment, nature discovery and recreation.

Activities carried on within the proposed biodiversity reserve are governed mainly by the provisions of the Natural Heritage Conservation Act (chapter C-61.01).

As provided in the 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 development activities within the meaning of section 4 of the Sustainable Forest Development Act (chapter A-18.1);
- the development of hydraulic resources and any production of energy on a commercial or industrial basis.

Although fundamental for the protection of the territory and ecosystems therein, the prohibitions do not cover all the standards deemed to be desirable to ensure the good management of the proposed biodiversity reserve and the conservation of the natural environment. The Natural Heritage Conservation Act makes it possible to specify in the conservation plan the legal framework applicable in the territory of the proposed biodiversity reserve.

The provisions in this section provide for prohibitions in addition to those already prescribed by law and regulate certain activities allowed to better ensure the protection of the natural environment, in conformity with the principles of conservation and other objectives of management of the proposed biodiversity reserve. Thus certain activities are subject to the prior authorization from the Minister.

The measures contained in this section concern in particular the new interventions in the territory and do not generally call into question existing facilities or certain activities already under way in the territory, thereby preserving a number of existing uses. Lastly, the measures also contain, for certain activities, exemptions from the requirement to obtain an authorization.

The measures do not distinguish, among all the activities subject to an authorization, those that are considered to be compatible from those that are considered to be incompatible with the vocation of the proposed biodiversity reserve. This last status (temporary) is managed in a manner very similar to the permanent status and basic information concerning the compatibility or incompatibility of each type of activity may be found in the document *Activity Framework for Biodiversity Reserves and Aquatic Reserves*, available on the website of the MDDELCC at

http://www.mddelcc.gouv.qc.ca/biodiversite/aires_protegees/regime-activites/regime-activite-reserve-bio-aqua-en.pdf.

§ Prohibitions, prior authorizations and other conditions governing certain activities in the proposed biodiversity reserve

§ Protection of resources and the natural environment

4.1. Subject to the prohibition in the second paragraph, no person may establish in the proposed reserve any specimens or individuals of a native or non-native species of fauna, including by stocking, unless the person has been authorized by the Minister.

No person may stock a watercourse or body of water for aquaculture, commercial fishing or any other commercial purpose.

No person may establish in the proposed reserve a non-native species of flora, unless the person has been authorized by the Minister.

4.2. No person may use fertilizer or fertilizing material in the proposed reserve. Compost for domestic purposes is permitted if used at least 20 metres from a watercourse or body of water measured from the high-water mark.

The high-water mark means the high-water mark defined in the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains (chapter Q-2, r. 35).

4.3. No person may remove species of flora, small fruits or any other non-timber forest product by mechanical means.

4.4. No person may, unless the person has been authorized by the Minister,

- (1) intervene in a wetland area, including a marsh, swamp or bog;
- (2) modify the proposed reserve's natural drainage or water regime, including by creating or developing watercourses or bodies of water;
- (3) dig, fill, obstruct or divert a watercourse or body of water;
- (4) install or erect any structure, infrastructure or new works in or on the bed, banks, shores or floodplain of a watercourse or body of water, although no authorization is required for minor works such as a wharf, platform or boathouse erected for private purposes and free of charge under section 2 of the Regulation respecting the water property in the domain of the State (chapter R-13, r. 1);
- (5) carry on any activity other than those referred to in the preceding paragraphs that is likely to degrade the bed, banks or shores of a body of water or watercourse or directly and substantially affect the quality or biochemical characteristics of aquatic or riparian environments or wetland areas in the proposed reserve, including by discharging or dumping waste or pollutants into those areas;

- (6) carry out soil development work or carry on an activity that is likely to degrade the soil or a geological formation or damage the vegetation cover, such as stripping, the digging of trenches or excavation work, including any burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose;
- (7) install or erect any structure, infrastructure or new works;
- (8) reconstruct or demolish a structure, infrastructure or works;
- (9) use a pesticide, although no authorization is required for the use of personal insect repellent;
- (10) carry on educational or research-related activities if the activities are likely to significantly damage or disturb the natural environment, in particular because of the nature or size of the samples taken or the invasive character of the method or process used; or
- (11) hold a sports event, tournament, rally or any other similar event where
 - (a) fauna or flora species are taken or are likely to be taken; or
 - (b) motor vehicles or craft are used.

4.5. Despite paragraphs 6, 7 and 8 of section 4.4, no authorization is required to carry out work referred to in subparagraph 1 of this section when the requirements of subparagraph 2 are met.

- (1) The work involves
 - (a) work to maintain, repair or upgrade a structure, infrastructure or works such as a camp, cottage, road or trail, including ancillary facilities such as lookouts or stairs;
 - (b) the construction or erection of
 - i. an appurtenance or ancillary facility of a trapping camp, rough shelter, shelter or cottage such as a shed, well, water intake or sanitary facilities; or
 - ii. a trapping camp, rough shelter, shelter or cottage if such a building was permitted under the right to use or occupy the land but had not been constructed or installed on the effective date of the status as a proposed biodiversity reserve; or
 - (c) the demolition or reconstruction of a trapping camp, rough shelter, shelter or cottage, including an appurtenance or ancillary facility such as a shed, well, water intake or sanitary facilities.
- (2) The work is carried out in compliance with the following requirements:
 - (a) the work involves a structure, infrastructure or works permitted within the proposed reserve;
 - (b) the work is carried out within the area of land or right-of-way subject to the right to use or occupy the land in the proposed reserve, whether the right results from a lease, servitude or other form of title, permit or authorization;

(c) the nature of the work or elements erected by the work will not operate to increase the area of land that may remain deforested beyond the limits permitted under the provisions applicable to the sale, lease and granting of immovable rights under the Act respecting the lands in the domain of the State (chapter T-8.1) and, if applicable, the limits allowed under an authorization for the structure, works or infrastructure;

(d) the work is carried out in compliance with the conditions of a permit or authorization issued for the work or in connection with the structure, infrastructure or works involved, and in accordance with the laws and regulations that apply; and

(e) for roads in the forest, the work must not operate to alter or exceed the existing right of way, widen the roadway or convert the road to a higher class.

For the purposes of this section, repair and upgrading work includes work to replace or erect works or facilities to comply with the requirements of an environmental regulation.

4.6. No person may bury, abandon or dispose of waste, snow or other residual materials elsewhere than in waste disposal containers, facilities or sites determined by the Minister or in another place with the authorization of the Minister.

Despite the first paragraph, an outfitting operation or an outfitter holding a lease does not require an authorization to use a disposal facility or site in compliance with the Environment Quality Act (chapter Q-2) and its regulations if the outfitting operation or the outfitter was already using the facility or site on the effective date of the protection status as a proposed biodiversity reserve.

§ Rules of conduct for users

4.7. No person may enter, carry on an activity or operate a vehicle in a given sector of the proposed reserve if the signage erected by the Minister restricts access, traffic or certain activities in order to protect the public from a danger or to avoid placing the fauna, flora or other components of the natural environment at risk, unless the person has been authorized by the Minister.

4.8. No person may destroy, remove, move or damage any poster, sign, notice or other types of signage posted by the Minister within the proposed reserve.

§ Activities requiring an authorization

4.9. No person may occupy or use the same site in the proposed reserve for a period of more than 90 days in the same year, unless the person has been authorized by the Minister.

(1) For the purposes of the first paragraph,

(a) the occupation or use of a site includes

i. staying or settling in the proposed reserve, including for vacation purposes;

- ii. installing a camp or shelter in the proposed reserve; and
- iii. installing, burying or leaving property in the proposed reserve, including equipment, any device or a vehicle;

(b) "same site" means any other site within a radius of 1 kilometre from the site;

- (2) Despite the first paragraph, no authorization is required if a person,

(a) on the effective date of the protection status as a proposed biodiversity reserve, was a party to a lease or had already obtained another form of right or authorization allowing the person to legally occupy the land under the Act respecting the lands in the domain of the State or, if applicable, the Act respecting the conservation and development of wildlife (chapter C-61.1), and whose right to occupy the land is renewed or extended on the same conditions, subject to possible changes in fees;

(b) in accordance with the law, has entitlement under a sublease, an assignment of a lease or a transfer of a right or authorization referred to in subparagraph *a*, and whose right to occupy the land is renewed or extended on the same conditions, subject to possible changes in fees; or

(c) elects to acquire land the person legally occupies on the effective date of the protection status as a proposed biodiversity reserve, pursuant to the Act respecting the lands in the domain of the State.

4.10. (1) No person may carry on forest management activities to meet domestic needs or for the purpose of maintaining biodiversity, unless the person has been authorized by the Minister.

(2) Despite subsection 1, the authorization of the Minister is not required if a person staying or residing in the proposed reserve collects wood to make a campfire.

An authorization is also not required if a person collects firewood to meet domestic needs in the following cases and on the following conditions:

(a) the wood is collected to supply a trapping camp or a rough shelter permitted within the proposed reserve if

i. the wood is collected by a person in compliance with the conditions set out in the permit for the harvest of firewood for domestic purposes issued by the Minister of Forests, Wildlife and Parks under the Sustainable Forest Development Act (chapter A-18.1);

ii. the quantity of wood collected does not exceed 7 apparent cubic metres per year;

(b) in all other cases if

i. the wood is collected within a sector designated by the Minister of Forests, Wildlife and Parks as a sector for which a permit for the harvest of firewood for domestic purposes under the Sustainable Forest Development Act may be issued, and for which, on the effective date of the protection status as a proposed biodiversity reserve, a designation as such had already been made by the Minister;

ii. the wood is collected by a person who, on the effective date of the protection status as a proposed biodiversity reserve or in any of the 3 preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the proposed reserve;

iii. the wood is collected by a person in compliance with the conditions set out in the permit for the harvest of firewood for domestic purposes issued by the Minister of Forests, Wildlife and Parks under the Sustainable Forest Development Act.

(3) Despite subsection 1, an authorization to carry on a forest management activity is not required if a person authorized by lease to occupy land within the proposed reserve in accordance with this conservation plan carries on the forest management activity for the purpose of

(a) clearing, maintaining or creating visual openings, or any other similar removal work permitted under the provisions governing the sale, lease and granting of immovable rights under the Act respecting the lands in the domain of the State, including work for access roads, stairs and other trails permitted under those provisions; or

(b) clearing the necessary area for the installation, connection, maintenance, repair, reconstruction or upgrading of facilities, lines or mains for water, sewer, electric power or telecommunications services.

If the work referred to in paragraph *b* of subsection 3 is carried on for or under the responsibility of an enterprise providing any of those services, the work requires the prior authorization of the Minister, other than in the case of the exemptions in sections 4.12 and 4.14.

(4) Despite subsection 1, an authorization to carry on a forest management activity is not required to maintain a sugar bush operation and collect maple products to meet domestic needs if the activity is

(a) carried on by a person who, on the effective date of the protection status as a proposed biodiversity reserve or in any of the 3 preceding years, held a permit for the operation of a sugar bush issued by the Minister of Forests, Wildlife and Parks under the Sustainable Forest Development Act allowing the person to carry on sugar bush activities in the territory of the proposed reserve;

(b) carried on within an area that, under the permit received, was already the subject of sugar bush activities on the effective date of the protection status as a proposed biodiversity reserve or in any of the 3 preceding years;

(c) carried on by a person in conformity with the conditions of the permit for a sugar bush operation issued by the Minister of Forests, Wildlife and Parks under the Sustainable Forest Development Act.

4.11. No person may carry on commercial activities in the proposed biodiversity reserve, unless the person has been authorized by the Minister.

Despite the first paragraph, no authorization is required

(a) if the activity does not imply sampling for fauna or flora resources or the use of a motor vehicle;

(b) to carry on commercial activities which, on the effective date of the protection status as a proposed biodiversity reserve, was the subject of a right to use the land for such a purpose, whether the right results from a lease or other form of title, permit or authorization, within the limits of the right.

§ Authorization exemptions

4.12. Despite the preceding provisions, an authorization is not required for an activity or other form of intervention within the proposed reserve if urgent action is necessary to prevent harm to the health or safety of persons, or to repair or prevent damage caused by a real or apprehended disaster. The person concerned must, however, immediately inform the Minister of the activity or intervention that has taken place.

4.13 The members of a Native community who, for food, ritual or social purposes, carry on an intervention or an activity within the proposed reserve are exempted from obtaining an authorization.

4.14 Despite the preceding provisions, the following activities and interventions carried out by Hydro-Québec (Société) or by any other person for Hydro-Québec do not require the prior authorization of the Minister under this conservation plan:

- (1) any activity or intervention required within the proposed reserve to complete a project for which express authorization had previously been given by the Government and the Minister, or only by the Minister, in accordance with the Environment Quality Act, if the activity or intervention is carried out in compliance with the authorizations issued;
- (2) any activity or intervention necessary for the preparation and presentation of a pre-project report for a project requiring an authorization under the Environment Quality Act; and
- (3) any activity or intervention relating to a project requiring the prior authorization of the Minister under the Environment Quality Act if the activity or intervention is in response to a request for a clarification or for additional information made by the Minister to the Société, and the activity or intervention is carried out in conformity with the request.

The Société is to keep the Minister informed of the various activities or interventions referred to in this section it proposes to carry out before the work is begun in the proposed reserve.

For the purposes of this section, the activities and interventions of the Société include but are not restricted to pre-project studies, analysis work or field research, work required to study and ascertain the impact of electric power transmission and distribution line corridors and rights of way, geological or geophysical surveys and survey lines, and the opening and maintenance of roads required for the purposes of access, construction or traffic incidental to the work.

5. Activities governed by other laws

Certain activities that could potentially be practised in the proposed biodiversity reserve are also governed by other applicable legislative and regulatory provisions, and some require a permit or authorization or the payment of certain fees. Certain activities could be prohibited or limited under other laws or regulations applicable on the territory of the proposed reserve.

Within the proposed biodiversity reserve, a particular legal framework may govern permitted activities under the following categories:

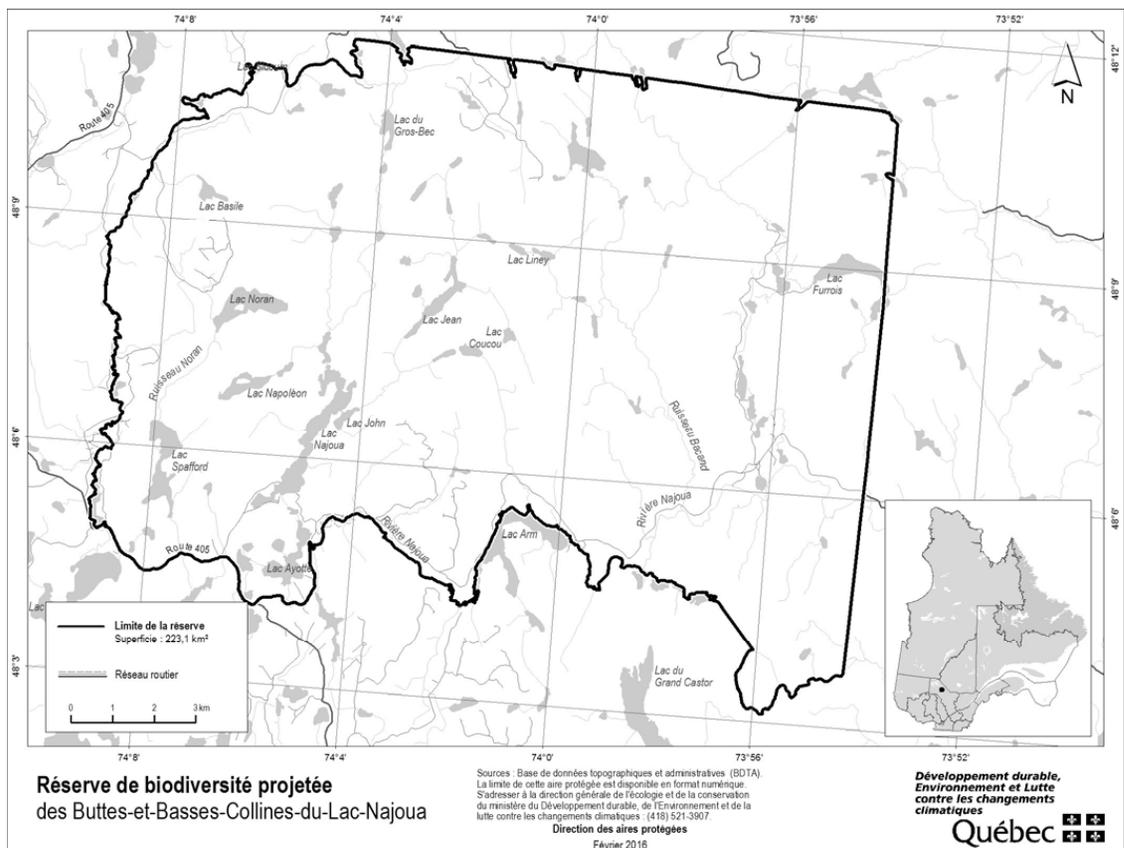
- **Protection of the environment:** measures stipulated by the *Environment Quality Act* (chapter Q-2) and its regulations;
- **Biological refuges:** protection measures stipulated by the *Sustainable Forest Development Act* (chapter A-18.1, sections 27 to 30);
- **Plant species designated as threatened or vulnerable:** measures prohibiting the harvesting of such species under the *Act respecting threatened or vulnerable species* (chapter E-12.01);
- **Exploitation and conservation of wildlife resources:** measures stipulated by the *Act respecting the Conservation and Development of Wildlife* (chapter C-61.1) and its regulations, including provisions related to threatened or vulnerable wildlife species, outfitters and beaver reserves, and measures in the applicable federal laws and regulations, including the legislation and regulations on fisheries;
- **Archeological research and discoveries:** measures stipulated by the *Cultural Heritage Act* (chapter P-9.002);
- **Access and property rights related to the domain of the State:** measures stipulated by the *Act Respecting the Lands in the Domain of the State* (chapter T-8.1) and by the *Watercourses Act* (chapter R-13);
- **Issuance and oversight of forest development permits** (harvesting of firewood for domestic purposes, wildlife development, recreational development); and **delivery of authorizations** (forest roads): measures stipulated by the *Sustainable Forest Development Act* (chapter A-18.1);
- **Travel:** measures stipulated by the *Act Respecting the Lands in the Domain of the State* and by the regulations on motor vehicle travel in fragile environments, under the *Environment Quality Act*;
- **Construction and development standards:** regulatory measures adopted by local and regional municipal authorities in accordance with the applicable laws.

6. Responsibilities of the Minister of Sustainable Development, Environment and the Fight against Climate Change

The Minister of Sustainable Development, Environment and the Fight against Climate Change is responsible for the management of Réserve de biodiversité projetée des Buttes-et-Basses-Collines-du-Lac-Najoua. Among other things, the Minister sees to the control and supervision of activities that may be practised there. In his management, the Minister enjoys the collaboration and participation of other government representatives that have specific responsibilities in or adjacent to the territory, including the Minister of Energy and Natural Resources and the Minister of Forests, Wildlife and Parks, and their delegates. In performing their functions they will take into account the protection desired for these natural environments and the protection status they are now granted.

Appendix 1

Map of Réserve de biodiversité projetée des Buttes-et-Basses-Collines-du-Lac-Najoua



M.O., 2017

**Order of the Minister of Sustainable Development,
Environment and the Fight Against Climate Change
dated 8 June 2017**

Natural Heritage Conservation Act
(chapter C-61.01)

Assignment of a temporary protection status as Réserve de biodiversité projetée des Îles-du-Réservoir-Gouin, for a period of four years, and establishment of the plan and conservation plan of the area

THE MINISTER OF SUSTAINABLE DEVELOPMENT,
ENVIRONMENT AND THE FIGHT AGAINST CLIMATE
CHANGE,

CONSIDERING the first paragraph of section 27 of the Natural Heritage Conservation Act (chapter C-61.01), which provides that, for the purpose of protecting land to be established as a new protected area, the Minister of Sustainable Development, Environment and the Fight Against Climate Change, with the approval of the Government, prepares the plan of that area, establishes a conservation plan and assigns temporary protection status to the area as a proposed aquatic reserve, biodiversity reserve, ecological reserve or man-made landscape;

CONSIDERING the first paragraph of section 28 of the Act, which provides that, unless the Government authorizes a longer period, the setting aside of land under section 27 is valid for a period of not more than four years, which may be renewed or extended;

CONSIDERING Order in Council 475-2016 dated 8 June 2016 authorizing the Minister of Sustainable Development, Environment and the Fight Against Climate Change to assign to five territories, situated in the Mauricie region, a temporary protection status as proposed biodiversity reserve or proposed aquatic reserve, including the Réserve de biodiversité projetée des Îles-du-Réservoir-Gouin, to prepare the plan of the area and to establish a conservation plan for the area;

CONSIDERING the publication in Part 2 of the *Gazette officielle du Québec* of 23 November 2016, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), of the draft conservation plan of the Réserve de biodiversité projetée des Îles-du-Réservoir-Gouin with a notice of the Minister's intention to assign a temporary protection status to the territory appearing as a Schedule to the document on the expiry of 45 days following its publication;

CONSIDERING that it is expedient to assign a temporary protection status to the territory;

CONSIDERING that for the purpose of fostering the protection and maintenance of the biological diversity and associated natural and cultural resources, and of increasing the representativity of the network of protected areas, the territory requires temporary protection with a view of establishing a new protected area;

ORDERS AS FOLLOWS:

A temporary protection status as Réserve de biodiversité projetée des Îles-du-Réservoir-Gouin is assigned for a period of four years;

The conservation plan of the Réserve de biodiversité projetée des Îles-du-Réservoir-Gouin, attached to this Order, is established;

The plan of the Réserve de biodiversité projetée des Îles-du-Réservoir-Gouin, attached to the conservation plan, is prepared.

Québec, 8 June 2017

DAVID HEURTEL,
*Minister of Sustainable Development,
Environment and the
Fight Against Climate Change*

**Temporary protection status assigned
as Réserve de biodiversité projetée des
Îles-du-Réservoir-Gouin**

Natural Heritage Conservation Act
(chapter C-61.01, ss. 27 and 28)

1. The conservation plan of the Réserve de biodiversité projetée des Îles-du-Réservoir-Gouin appears in Schedule A.

2. The territory in the Schedule to the conservation plan constitutes the Réserve de biodiversité projetée des Îles-du-Réservoir-Gouin.

3. The temporary status as proposed biodiversity reserve, for a period of 4 years, and the conservation plan of the Réserve de biodiversité projetée des Îles-du-Réservoir-Gouin, applicable to the territory appearing as a schedule to the document, come into force on the fifteenth day following the date of their publication in the *Gazette officielle du Québec*.

SCHEDULE A**CONSERVATION PLAN OF THE RÉSERVE DE BIODIVERSITÉ
PROJETÉE DES ÎLES-DU-RÉSERVOIR-GOUIN**

(s. 1)

QUÉBEC STRATEGY FOR PROTECTED AREAS

**Réserve de
biodiversité
projetée des
Îles-du-
Réservoir-
Gouin****Conservation plan**

January 2017

1. Protection status and toponym

The legal protection status of the territory described below is that of proposed biodiversity reserve, a status governed by the *Natural Heritage Conservation Act* (chapter C-61.01).

The permanent protection status proposed for the territory is that of “biodiversity reserve”, this status also being governed by the *Natural Heritage Conservation Act*.

The provisional toponym is: Réserve de biodiversité projetée des Îles-du-Réservoir-Gouin. The official toponym will be determined when the territory is given permanent protection status.

2. Conservation objectives

Réserve de biodiversité projetée des Îles-du-Réservoir-Gouin was created primarily to protect and maintain biological diversity and the associated natural and cultural resources. Additionally, protection of this territory will augment the representativeness of the regional and national network of protected areas, since it has multiple components of ecological interest that are representative of characteristic ecosystems in the Réservoir Gouin depression natural region (see section 3.2). Protection of these ecosystems will allow the Attikamek community of Opitciwan to continue to pursue their traditional activities within the territory, while also allowing recreational and tourism activities.

3. Plan and description

3.1. Geographical location, boundaries and dimensions

The boundaries and location of Réserve de biodiversité projetée des Îles-du-Réservoir-Gouin are illustrated in Appendix 1.

Réserve de biodiversité projetée des Îles-du-Réservoir-Gouin is located in the administrative region of Mauricie, between 48° 23' and 48° 39' north latitude and between 74° 35' and 75° 16' west longitude. More precisely, it is a little over 200 km north of downtown La Tuque, and just south of Opitciwan.

The proposed reserve consists of over fifteen islands, with a total area of 79.03 km². Scattered around the immense Gouin hydroelectric reservoir (1862 km²), some of the islands are tens of kilometres apart.

Since Réservoir Gouin is managed and maintain by Hydro-Québec for the purpose of hydroelectric generation, land below the maximum operating level is excluded from the proposed biodiversity reserve. During floods, Hydro-Québec retains the right to flood the territory of the proposed biodiversity reserve to the maximum critical level of 405.38 meters.

Located quite far from La Tuque and Saint-Félicien (over 200 km of unpaved road), the proposed reserve can only be reached by boat or seaplane. By boat, one must first get to Réservoir Gouin, which can be reached by 146 km of gravel road (Chemin d'Opitciwan, road R0212), via the indian reserve of Opitciwan; the road joins highway 167 between Saint-Félicien and Chibougamau. Réservoir Gouin can also be reached by forest roads R1045 and R1046, also through the Opitciwan indian reserve, via forest road R1009 from Chapais. Another route is from the south, starting from La Tuque (R0461) and passing through Wemotaci. A passable road into Réserve de biodiversité projetée Sikitakan Sipi, on the southeast shore of Réservoir Gouin, could also be used to reach the proposed reserve.

3.2. Ecological portrait

Réserve de biodiversité projetée des Îles-du-Réservoir-Gouin is in the southern Laurentian natural province, more precisely in the western part of the Réservoir Gouin depression natural region, and at the centre of the Lac Brochu mounds physiographic complex.

The relief on the islands of the proposed reserve is essentially hillocks, the elevation ranging from 410 to 490 m, with an average elevation of about 435 m.

While some of the islands are on a base of gabbro, metagabbro, amphibolite or granite with pegmatite and felsic volcanics, the geological foundation (Grenville geological province) mostly consists of a gneissic complex of quartz-plagioclase, biotite and/or hornblende, diorite and conglomerate.

The surface deposits of the proposed reserve include the following: glacial deposits with no particular morphology, undifferentiated tills of medium thickness (less than 1 m) with rare to frequent rocky outcrops, and thin to thick fluvioglacial, proglacial, juxtaglacial and organic deposits. There are also a few glacial deposits of drumlin or drumlinoid morphology, two small eskers, two small aeolian deposits, and stabilized dunes.

The proposed reserve is subject to a continental subarctic climate, subhumid with a medium growing season. The average annual temperature is -1.5°C to -1.9°C, total annual precipitation is 800 to 1359 mm, and the average growing season is 150 to 179 days.

Réserve de biodiversité projetée des Îles-du-Réservoir-Gouin is part of the Rivière Saint-Maurice watershed. There are numerous wetlands in the protected territory, including large bogs/fens, undifferentiated marshes, poor to rich coniferous swamps, flooded swamps, non-forested wetlands and a few ponds/pools.

The woodlands present in most of the area are coniferous or mixed, with very few deciduous stands. All age classes are represented. However, virtually all the forests on the largest islands in the proposed reserve are under 40 years old. Nonetheless, the parts that do not seem to have been logged are over 110 years old, in fact are old-growth forests. The other islands of the proposed reserve have forest stands in all age categories. Some of the islands are almost totally covered with forests over 110 years old.

The territory of the proposed reserve is at the northern periphery of the balsam fir-white birch bioclimatic domain, in the continuous boreal forest. Stands of balsam fir-white birch comprise the potential vegetation on mesic sites. Black spruce-moss stands, spruce-cladonia-green alder stands, black spruce-speckled alder stands, and black spruce-peat moss stands occupy other parts of the islands.

According to the literature, black bear and moose are the principal large mammals in the southern Laurentian natural province. Beaver, raccoon and fisher are also abundant. Walleye, northern pike, lake whitefish, yellow perch and white sucker are the dominant species of fish in Réservoir Gouin, but there are also lake cisco, monkfish, longnose sucker, fallfish, round whitefish, golden shiner, spottail shiner, slimy sculpin, trout-perch and logperch. Lake trout and brook trout, though abundant in the southern Laurentian natural province, have not been caught in the reservoir.

There are numerous biological refuges just outside the proposed reserve, and three other protected areas nearby: Réserve de biodiversité projetée Sikitakan Sipi, on the southeast shore of the reservoir; the heronry at Lac du Déserteur, which protects a nesting area for great blue heron; and a shoreline protection strip of 0-200 metres just east of the proposed reserve.

There are 10 occurrences of bald eagle (*Haliaeetus leucocephalus*) on islands not included in the proposed reserve and on the shores of Réservoir Gouin. This large-range vulnerable species uses the territory of the proposed reserve for nesting and feeding. Two occurrences of Barrow's Goldeneye, population 1 (*Bucephala islandica*, pop 1) have been observed some twenty kilometres from the east and west shores of Réservoir Gouin. This vulnerable species could frequent the proposed reserve to feed and to raise its young.

3.3. Land occupation and uses

There are 12 resort leases on the islands of the proposed reserve, along with 3 accommodation leases held by an outfitter with non-exclusive rights, and 1 lease for other commercial purposes. Based on the available data, there are also a number of land rights (resort, outfitter with non-exclusive rights, and 3 leases for other commercial purposes) around the shores of Réservoir Gouin.

The proposed reserve is located entirely in the Abitibi beaver reserve. People from the community of Opitciwan may continue to use the islands of the proposed reserve for their traditional activities of hunting, fishing, trapping and gathering.

The territory of the proposed reserve is in fur-bearing animal management unit 31, and in hunting and fishing zone 14. Also, Réservoir Gouin is under lease for exclusive sport fishing rights other than outfitting activities (community wildlife area), granted to the Corporation de gestion du Réservoir Gouin, an organization that the MDDELCC wishes to include in the management of the proposed reserve.

A canoe-kayak route crosses Réservoir Gouin, passing some of the islands in the proposed reserve.

In the southeast arm of the reservoir, much of the largest island in the proposed reserve was recently logged. With time, the ecosystems there will recover from this disturbance, and a natural cover of old forest will be re-established. Ecosystems on the other islands in the proposed reserve are remarkably intact, with no roads at all to fragment them.

4. Activities framework

§ Introduction

The purpose of the proposed biodiversity reserve is to protect natural environments and their components. Activities that may have a significant impact on ecosystems and biodiversity, particularly industrial activities, are prohibited therein. This type of protected area allows the pursuit of less damaging activities and occupancies, namely recreational, wildlife, ecotourism and educational activities and occupancies.

The proposed biodiversity reserve must be considered to be a territory dedicated to the protection of the natural environment, nature discovery and recreation.

Activities carried on within the proposed biodiversity reserve are governed mainly by the provisions of the Natural Heritage Conservation Act (chapter C-61.01).

As provided in the 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 development activities within the meaning of section 4 of the Sustainable Forest Development Act (chapter A-18.1);
- the development of hydraulic resources and any production of energy on a commercial or industrial basis.

Although fundamental for the protection of the territory and ecosystems therein, the prohibitions do not cover all the standards deemed to be desirable to ensure the good management of the proposed biodiversity reserve and the conservation of the natural environment. The Natural Heritage Conservation Act makes it possible to specify in the conservation plan the legal framework applicable in the territory of the proposed biodiversity reserve.

The provisions in this section provide for prohibitions in addition to those already prescribed by law and regulate certain activities allowed to better ensure the protection of the natural environment, in conformity with the principles of conservation and other objectives of management of the proposed biodiversity reserve. Thus certain activities are subject to the prior authorization from the Minister.

The measures contained in this section concern in particular the new interventions in the territory and do not generally call into question existing facilities or certain activities already under way in the territory, thereby preserving a number of existing uses. Lastly, the measures also contain, for certain activities, exemptions from the requirement to obtain an authorization.

The measures do not distinguish, among all the activities subject to an authorization, those that are considered to be compatible from those that are considered to be incompatible with the vocation of the proposed biodiversity reserve. This last status (temporary) is managed in a manner very similar to the permanent status and basic information concerning the compatibility or incompatibility of each type of activity may be found in the document *Activity Framework for Biodiversity Reserves and Aquatic Reserves*, available on the website of the MDDELCC at

http://www.mddelcc.gouv.qc.ca/biodiversite/aires_protegees/regime-activites/regime-activite-reserve-bio-aqua-en.pdf.

§ Prohibitions, prior authorizations and other conditions governing certain activities in the proposed biodiversity reserve

§ Protection of resources and the natural environment

4.1. Subject to the prohibition in the second paragraph, no person may establish in the proposed reserve any specimens or individuals of a native or non-native species of fauna, including by stocking, unless the person has been authorized by the Minister.

No person may stock a watercourse or body of water for aquaculture, commercial fishing or any other commercial purpose.

No person may establish in the proposed reserve a non-native species of flora, unless the person has been authorized by the Minister.

4.2. No person may use fertilizer or fertilizing material in the proposed reserve. Compost for domestic purposes is permitted if used at least 20 metres from a watercourse or body of water measured from the high-water mark.

The high-water mark means the high-water mark defined in the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains (chapter Q-2, r. 35).

4.3. No person may remove species of flora, small fruits or any other non-timber forest product by mechanical means.

4.4. No person may, unless the person has been authorized by the Minister,

- (1) intervene in a wetland area, including a marsh, swamp or bog;
- (2) modify the proposed reserve's natural drainage or water regime, including by creating or developing watercourses or bodies of water;
- (3) dig, fill, obstruct or divert a watercourse or body of water;
- (4) install or erect any structure, infrastructure or new works in or on the bed, banks, shores or floodplain of a watercourse or body of water, although no authorization is required for minor works such as a wharf, platform or boathouse erected for private purposes and free of charge under section 2 of the Regulation respecting the water property in the domain of the State (chapter R-13, r. 1);
- (5) carry on any activity other than those referred to in the preceding paragraphs that is likely to degrade the bed, banks or shores of a body of water or watercourse or directly and substantially affect the quality or biochemical characteristics of aquatic or riparian environments or wetland areas in the proposed reserve, including by discharging or dumping waste or pollutants into those areas;
- (6) carry out soil development work or carry on an activity that is likely to degrade the soil or a geological formation or damage the vegetation cover, such as stripping, the digging of trenches or excavation work, including any burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose;
- (7) install or erect any structure, infrastructure or new works;
- (8) reconstruct or demolish a structure, infrastructure or works;
- (9) use a pesticide, although no authorization is required for the use of personal insect repellent;
- (10) carry on educational or research-related activities if the activities are likely to significantly damage or disturb the natural environment, in particular because of the nature or size of the samples taken or the invasive character of the method or process used; or
- (11) hold a sports event, tournament, rally or any other similar event where
 - (a) fauna or flora species are taken or are likely to be taken; or
 - (b) motor vehicles or craft are used.

4.5. Despite paragraphs 6, 7 and 8 of section 4.4, no authorization is required to carry out work referred to in subparagraph 1 of this section when the requirements of subparagraph 2 are met.

- (1) The work involves
 - (a) work to maintain, repair or upgrade a structure, infrastructure or works such as a camp, cottage, road or trail, including ancillary facilities such as lookouts or stairs;

(b) the construction or erection of

i. an appurtenance or ancillary facility of a trapping camp, rough shelter, shelter or cottage such as a shed, well, water intake or sanitary facilities; or

ii. a trapping camp, rough shelter, shelter or cottage if such a building was permitted under the right to use or occupy the land but had not been constructed or installed on the effective date of the status as a proposed biodiversity reserve; or

(c) the demolition or reconstruction of a trapping camp, rough shelter, shelter or cottage, including an appurtenance or ancillary facility such as a shed, well, water intake or sanitary facilities.

(2) The work is carried out in compliance with the following requirements:

(a) the work involves a structure, infrastructure or works permitted within the proposed reserve;

(b) the work is carried out within the area of land or right of way subject to the right to use or occupy the land in the proposed reserve, whether the right results from a lease, servitude or other form of title, permit or authorization;

(c) the nature of the work or elements erected by the work will not operate to increase the area of land that may remain deforested beyond the limits permitted under the provisions applicable to the sale, lease and granting of immovable rights under the Act respecting the lands in the domain of the State (chapter T-8.1) and, if applicable, the limits allowed under an authorization for the structure, works or infrastructure;

(d) the work is carried out in compliance with the conditions of a permit or authorization issued for the work or in connection with the structure, infrastructure or works involved, and in accordance with the laws and regulations that apply; and

(e) for roads in the forest, the work must not operate to alter or exceed the existing right of way, widen the roadway or convert the road to a higher class.

For the purposes of this section, repair and upgrading work includes work to replace or erect works or facilities to comply with the requirements of an environmental regulation.

4.6. No person may bury, abandon or dispose of waste, snow or other residual materials elsewhere than in waste disposal containers, facilities or sites determined by the Minister or in another place with the authorization of the Minister.

Despite the first paragraph, an outfitting operation or an outfitter holding a lease does not require an authorization to use a disposal facility or site in compliance with the Environment Quality Act (chapter Q-2) and its regulations if the outfitting operation or the outfitter was already using the facility or site on the effective date of the protection status as a proposed biodiversity reserve.

§ Rules of conduct for users

4.7. No person may enter, carry on an activity or operate a vehicle in a given sector of the reserve if the signage erected by the Minister restricts access, traffic or certain activities in order to protect the public from a danger or to avoid placing the fauna, flora or other components of the natural environment at risk, unless the person has been authorized by the Minister.

4.8. No person may destroy, remove, move or damage any poster, sign, notice or other types of signage posted by the Minister within the proposed reserve.

§ Activities requiring an authorization

4.9. No person may occupy or use the same site in the proposed reserve for a period of more than 90 days in the same year, unless the person has been authorized by the Minister.

(1) For the purposes of the first paragraph,

(a) the occupation or use of a site includes

i. staying or settling in the proposed reserve, including for vacation purposes;

ii. installing a camp or shelter in the proposed reserve; and

iii. installing, burying or leaving property in the proposed reserve, including equipment, any device or a vehicle;

(b) "same site" means any other site within a radius of 1 kilometre from the site;

(2) Despite the first paragraph, no authorization is required if a person,

(a) on the effective date of the protection status as a proposed biodiversity reserve, was a party to a lease or had already obtained another form of right or authorization allowing the person to legally occupy the land under the Act respecting the lands in the domain of the State or, if applicable, the Act respecting the conservation and development of wildlife (chapter C-61.1), and whose right to occupy the land is renewed or extended on the same conditions, subject to possible changes in fees;

(b) in accordance with the law, has entitlement under a sublease, an assignment of a lease or a transfer of a right or authorization referred to in subparagraph a, and whose right to occupy the land is renewed or extended on the same conditions, subject to possible changes in fees; or

(c) elects to acquire land the person legally occupies on the effective date of the protection status as a proposed biodiversity reserve, pursuant to the Act respecting the lands in the domain of the State.

4.10. (1) No person may carry on forest management activities to meet domestic needs or for the purpose of maintaining biodiversity, unless the person has been authorized by the Minister.

(2) Despite subsection 1, the authorization of the Minister is not required if a person staying or residing in the proposed reserve collects wood to make a campfire.

An authorization is also not required if a person collects firewood to meet domestic needs in the following cases and on the following conditions:

(a) the wood is collected to supply a trapping camp or a rough shelter permitted within the proposed reserve if

i. the wood is collected by a person in compliance with the conditions set out in the permit for the harvest of firewood for domestic purposes issued by the Minister of Forests, Wildlife and Parks under the Sustainable Forest Development Act (chapter A-18.1);

ii. the quantity of wood collected does not exceed 7 apparent cubic metres per year;

(b) in all other cases if

i. the wood is collected within a sector designated by the Minister of Forests, Wildlife and Parks as a sector for which a permit for the harvest of firewood for domestic purposes under the Sustainable Forest Development Act may be issued, and for which, on the effective date of the protection status as a proposed biodiversity reserve, a designation as such had already been made by the Minister;

ii. the wood is collected by a person who, on the effective date of the protection status as a proposed biodiversity reserve or in any of the 3 preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the proposed reserve;

iii. the wood is collected by a person in compliance with the conditions set out in the permit for the harvest of firewood for domestic purposes issued by the Minister of Forests, Wildlife and Parks under the Sustainable Forest Development Act.

(3) Despite subsection 1, an authorization to carry on a forest management activity is not required if a person authorized by lease to occupy land within the proposed reserve in accordance with this conservation plan carries on the forest management activity for the purpose of

(a) clearing, maintaining or creating visual openings, or any other similar removal work permitted under the provisions governing the sale, lease and granting of immovable rights under the Act respecting the lands in the domain of the State, including work for access roads, stairs and other trails permitted under those provisions; or

(b) clearing the necessary area for the installation, connection, maintenance, repair, reconstruction or upgrading of facilities, lines or mains for water, sewer, electric power or telecommunications services.

If the work referred to in paragraph *b* of subsection 3 is carried on for or under the responsibility of an enterprise providing any of those services, the work requires the prior authorization of the Minister, other than in the case of the exemptions in sections 4.12 and 4.14.

(4) Despite subsection 1, an authorization to carry on a forest management activity is not required to maintain a sugar bush operation and collect maple products to meet domestic needs if the activity is

(a) carried on by a person who, on the effective date of the protection status as a proposed biodiversity reserve or in any of the 3 preceding years, held a permit for the operation of a sugar bush issued by the Minister of Forests, Wildlife and Parks under the Sustainable Forest Development Act allowing the person to carry on sugar bush activities in the territory of the proposed reserve;

(b) carried on within an area that, under the permit received, was already the subject of sugar bush activities on the effective date of the protection status as a proposed biodiversity reserve or in any of the 3 preceding years;

(c) carried on by a person in conformity with the conditions of the permit for a sugar bush operation issued by the Minister of Forests, Wildlife and Parks under the Sustainable Forest Development Act.

4.11. No person may carry on commercial activities in the proposed biodiversity reserve, unless the person has been authorized by the Minister.

Despite the first paragraph, no authorization is required

(a) if the activity does not imply sampling for fauna or flora resources or the use of a motor vehicle;

(b) to carry on commercial activities which, on the effective date of the protection status as a proposed biodiversity reserve, was the subject of a right to use the land for such a purpose, whether the right results from a lease or other form of title, permit or authorization, within the limits of the right.

§ Authorization exemptions

4.12. Despite the preceding provisions, an authorization is not required for an activity or other form of intervention within the proposed reserve if urgent action is necessary to prevent harm to the health or safety of persons, or to repair or prevent damage caused by a real or apprehended disaster. The person concerned must, however, immediately inform the Minister of the activity or intervention that has taken place.

4.13 The members of a Native community who, for food, ritual or social purposes, carry on an intervention or an activity within the proposed reserve are exempted from obtaining an authorization.

4.14 Despite the preceding provisions, the following activities and interventions carried out by Hydro-Québec (Société) or by any other person for Hydro-Québec do not require the prior authorization of the Minister under this conservation plan:

(1) any activity or intervention required within the proposed reserve to complete a project for which express authorization had previously been given by the Government and the Minister, or only by the Minister, in accordance with the Environment Quality Act, if the activity or intervention is carried out in compliance with the authorizations issued;

(2) any activity or intervention necessary for the preparation and presentation of a pre-project report for a project requiring an authorization under the Environment Quality Act; and

(3) any activity or intervention relating to a project requiring the prior authorization of the Minister under the Environment Quality Act if the activity or intervention is in response to a request for a clarification or for additional information made by the Minister to the Société, and the activity or intervention is carried out in conformity with the request.

The Société is to keep the Minister informed of the various activities or interventions referred to in this section it proposes to carry out before the work is begun in the proposed reserve.

For the purposes of this section, the activities and interventions of the Société include but are not restricted to pre-project studies, analysis work or field research, work required to study and ascertain the impact of electric power transmission and distribution line corridors and rights of way, geological or geophysical surveys and survey lines, and the opening and maintenance of roads required for the purposes of access, construction or traffic incidental to the work.

5. Activities governed by other laws

Certain activities that could potentially be practised in the proposed biodiversity reserve are also governed by other applicable legislative and regulatory provisions, and some require a permit or authorization or the payment of certain fees. Certain activities could be prohibited or limited under other laws or regulations applicable on the territory of the proposed reserve.

Within the proposed biodiversity reserve, a particular legal framework may govern permitted activities under the following categories:

- **Protection of the environment:** measures stipulated by the *Environment Quality Act* (chapter Q-2) and its regulations;
- **Plant species designated as threatened or vulnerable:** measures prohibiting the harvesting of such species under the *Act respecting threatened or vulnerable species* (chapter E-12.01);
- **Exploitation and conservation of wildlife resources:** measures stipulated by the *Act respecting the Conservation and Development of Wildlife* (chapter C-61.1) and its regulations, including provisions related to threatened or vulnerable wildlife species, outfitters and beaver reserves, and measures in the applicable federal laws and regulations, including the legislation and regulations on fisheries;
- **Archeological research and discoveries:** measures stipulated by the *Cultural Heritage Act* (chapter P-9.002);
- **Access and property rights related to the domain of the State:** measures stipulated by the *Act Respecting the Lands in the Domain of the State* (chapter T-8.1) and by the *Watercourses Act* (chapter R-13);

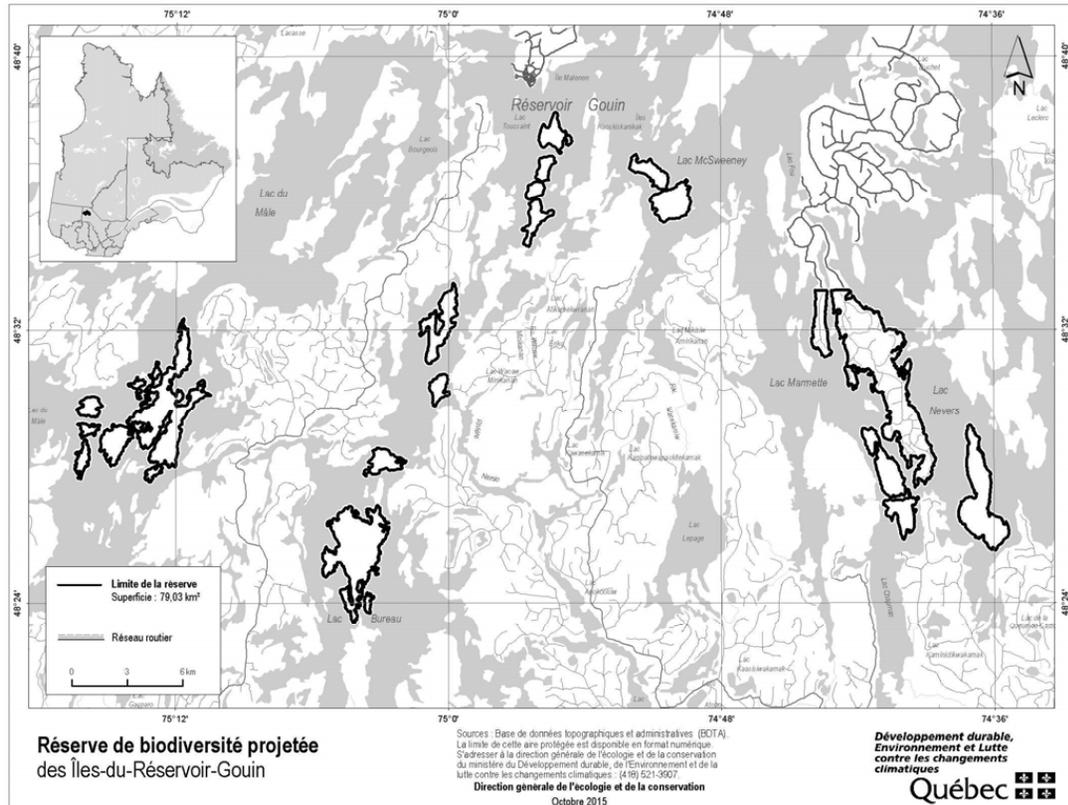
- **Issuance and oversight of forest development permits** (harvesting of firewood for domestic purposes, wildlife development, recreational development); and **delivery of authorizations** (forest roads): measures stipulated by the *Sustainable Forest Development Act* (chapter A-18.1);
- **Travel**: measures stipulated by the *Act Respecting the Lands in the Domain of the State* and by the regulations on motor vehicle travel in fragile environments, under the *Environment Quality Act*;
- **Construction and development standards**: regulatory measures adopted by local and regional municipal authorities in accordance with the applicable laws.

6. Responsibilities of the Minister of Sustainable Development, Environment and the Fight against Climate Change

The Minister of Sustainable Development, Environment and the Fight against Climate Change is responsible for the management of Réserve de biodiversité projetée des Îles-du-Réservoir-Gouin. Among other things, the Minister sees to the control and supervision of activities that may be practised there. In his management, the Minister enjoys the collaboration and participation of other government representatives that have specific responsibilities in or adjacent to the territory, including the Minister of Energy and Natural Resources and the Minister of Forests, Wildlife and Parks, and their delegates. In performing their functions they will take into account the protection desired for these natural environments and the protection status they are now granted.

Appendix 1

Map of Réserve de biodiversité projetée des Îles-du-Réservoir-Gouin



103002

M.O., 2017**Order of the Minister of Sustainable Development,
Environment and the Fight Against Climate Change
dated 8 June 2017**

Natural Heritage Conservation Act
(chapter C-61.01)

Assignment of a temporary protection status as Réserve de biodiversité projetée du Lac-Wayagamac, for a period of four years, and establishment of the plan and conservation plan of the area

THE MINISTER OF SUSTAINABLE DEVELOPMENT,
ENVIRONMENT AND THE FIGHT AGAINST CLIMATE
CHANGE,

CONSIDERING the first paragraph of section 27 of the Natural Heritage Conservation Act (chapter C-61.01), which provides that, for the purpose of protecting land to be established as a new protected area, the Minister of Sustainable Development, Environment and the Fight Against Climate Change, with the approval of the Government, prepares the plan of that area, establishes a conservation plan and assigns temporary protection status to the area as a proposed aquatic reserve, biodiversity reserve, ecological reserve or man-made landscape;

CONSIDERING the first paragraph of section 28 of the Act, which provides that, unless the Government authorizes a longer period, the setting aside of land under section 27 is valid for a period of not more than four years, which may be renewed or extended;

CONSIDERING Order in Council 475-2016 dated 8 June 2016 authorizing the Minister of Sustainable Development, Environment and the Fight Against Climate Change to assign to five territories, situated in the Mauricie region, a temporary protection status as proposed biodiversity reserve or proposed aquatic reserve, including the Réserve de biodiversité projetée du Lac-Wayagamac, to prepare the plan of the area and to establish a conservation plan for the area;

CONSIDERING the publication in Part 2 of the *Gazette officielle du Québec* of 23 November 2016, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), of the draft conservation plan of the Réserve de biodiversité projetée du Lac-Wayagamac with a notice of the Minister's intention to assign a temporary protection status to the territory appearing as a Schedule to the document on the expiry of 45 days following its publication;

CONSIDERING that it is expedient to assign a temporary protection status to the territory;

CONSIDERING that for the purpose of fostering the protection and maintenance of the biological diversity and associated natural and cultural resources, and of increasing the representativity of the network of protected areas, the territory requires temporary protection with a view of establishing a new protected area;

ORDERS AS FOLLOWS:

A temporary protection status as Réserve de biodiversité projetée du Lac-Wayagamac is assigned for a period of four years;

The conservation plan of the Réserve de biodiversité projetée du Lac-Wayagamac, attached to this Order, is established;

The plan of the Réserve de biodiversité projetée du Lac-Wayagamac, attached to the conservation plan, is prepared.

Québec, 8 June 2017

DAVID HEURTEL,
*Minister of Sustainable Development,
Environment and the
Fight Against Climate Change*

**Temporary protection status assigned as
Réserve de biodiversité projetée
du Lac-Wayagamac**

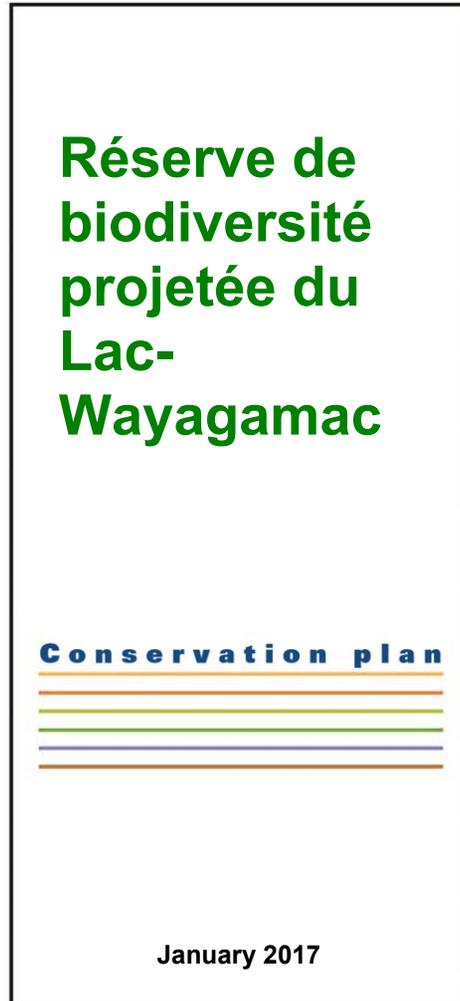
Natural Heritage Conservation Act
(chapter C-61.01, ss. 27 and 28)

1. The conservation plan of the Réserve de biodiversité projetée du Lac-Wayagamac appears in Schedule A.
2. The territory in the Schedule to the conservation plan constitutes the Réserve de biodiversité projetée du Lac-Wayagamac.
3. The temporary status as proposed biodiversity reserve, for a period of 4 years, and the conservation plan of the Réserve de biodiversité projetée du Lac-Wayagamac, applicable to the territory appearing as a schedule to the document, come into force on the fifteenth day following the date of their publication in the *Gazette officielle du Québec*.

SCHEDULE A**CONSERVATION PLAN OF THE RÉSERVE DE BIODIVERSITÉ
PROJETÉE DU LAC-WAYAGAMAC**

(s. 1)

QUÉBEC STRATEGY FOR PROTECTED AREAS



1. Protection status and toponym

The legal protection status of the territory described below is that of proposed biodiversity reserve, a status governed by the *Natural Heritage Conservation Act* (chapter C-61.01).

The permanent protection status proposed for the territory is that of “biodiversity reserve”, this status also being governed by the *Natural Heritage Conservation Act*.

The provisional toponym is: Réserve de biodiversité projetée du Lac-Wayagamac. The official toponym will be determined when the territory is given permanent protection status.

2. Conservation objectives

Réserve de biodiversité projetée du Lac-Wayagamac was created primarily to protect and maintain biological diversity and the associated natural and cultural resources. Additionally, protection of this territory will augment the representativeness of the regional and national network of protected areas, since it has multiple components of ecological interest that are representative of characteristic ecosystems in the La Tuque depression natural region (see section 3.2). Protection of these ecosystems will allow the practice of recreational and tourism activities to continue on the territory.

3. Plan and description

3.1. Geographical location, boundaries and dimensions

The boundaries and location of Réserve de biodiversité projetée du Lac-Wayagamac are illustrated in Appendix 1.

Réserve de biodiversité projetée du Lac-Wayagamac is located in the agglomeration of La Tuque, in the administrative region of Mauricie. More precisely, it is 5 km east of downtown La Tuque, between 47° 18' and 47° 26' north latitude and between 72° 26' and 72° 43' west longitude.

The proposed reserve covers an area of 130.91 km² surrounding Lac Wayagamac and Petit Lac Wayagamac.

The private lands on the northern shores of these two lakes, and the right of way of the Chambord–Grand-Mère gas pipeline through the northwest portion, are excluded from the proposed reserve.

A few passable roads provide access to the proposed reserve, including one, crossing in an east-west direction, that serves the private properties excluded from the boundaries of the proposed reserve. A major road skirts the western boundary.

3.2. Ecological portrait

Réserve de biodiversité projetée du Lac-Wayagamac is in the southern Laurentian natural province, more precisely in the La Tuque depression natural region, in the Lac Wayagamac low hills physiographic complex.

The relief of the proposed reserve is essentially low hills, the elevation ranging from 280 to 470 m, with an average elevation of about 350 m. Nearly a third of the area of the proposed reserve consists of bodies of water.

West of Lac Wayagamac, the geological foundation (Grenville geological province) is composed of a paragneiss-quartzite-amphibolite complex. In the central part the foundation consists of a grey gneiss, plagioclase, biotite and/or hornblende complex, mafic gneiss with hornblende and/or biotite, gneissic amphibolite and ultramafic rocks. As for the eastern part, there the bedrock is essentially a complex of syenite, monzonite, granodiorite and diorite.

The surface deposits of the proposed reserve are glacial in origin, with no particular morphology: primarily undifferentiated tills of medium thickness (50 cm to 1 m) with rare to frequent rocky outcrops. There are also thin to thick fluvio-glacial (juxtaglacial) and organic deposits.

The proposed biodiversity reserve is subject to a mild continental subarctic climate, subhumid with a long growing season. The average annual temperature is 1.9 to 4.5°C, total annual precipitation is 800 to 1359 mm, and the average growing season is 180 to 209 days.

Lac Wayagamac is the main source of drinking water for the city of La Tuque. Its water is therefore tested on a monthly basis (at three sampling stations) by partners of the MDDELCC. The data show that Lac Wayagamac is an ultra-oligotrophic lake, meaning one with little or no eutrophication. Based on its analyses, the MDDELCC considers that the lake and its water quality should be protected.

The waters of Lac Wayagamac and Petit Lac Wayagamac empty into Rivière Saint-Maurice via Petite rivière Bostonnais. Virtually all the territory of the proposed reserve is in the watershed of these rivers. However, a small northeastern portion of the territory drains into Rivière Jeannotte, which is part of the Rivière Batiscan basin. There are numerous bogs/fens in the protected territory, along with various shrub swamps and flooded swamps, and a few rich or very poor coniferous swamps. Wetlands are much more numerous in the area north of Lac Wayagamac and Petit Lac Wayagamac.

Most of the proposed reserve is at the northern limit of Québec's deciduous forest. A small portion is in the mixed forest, where there is a limited presence of conifer stands. This makes for an exceptional diversity of forest stands, lending particular value to the protected area for the future observation of climate change impacts. All age classes are represented, but based on the available data nearly half the stands are of medium age (40-80 years), with numerous old-growth forests.

By far the greater part of Réserve de biodiversité projetée du Lac-Wayagamac is in the maple-yellow birch bioclimatic domain, except for a small portion on the western side that is in the fir-yellow birch domain. The potential vegetation on mesic sites is as follows: maple-yellow birch stands in mid-slope areas, fir-yellow birch stands on the upper slopes, and maple-yellow birch-beech stands on well-drained hilltops.

At present, the dominant woodlands in the proposed reserve are stands of yellow birch and stands of sugar maple. Stands of white birch, balsam fir, red maple, and stands of black spruce, aspen, red or jack pine, mixed conifers, and tolerant hardwoods, complete the forest cover of Réserve de biodiversité projetée du Lac-Wayagamac.

In terms of wildlife, there are brook trout, Arctic char *oquassa*, white and longnose sucker, yellow perch, fallfish, bullhead, cyprinids, crayfish, great blue heron, double-crested cormorant, black-crowned night heron, and herring gull. Data on wildlife captures in ZEC de la Bessonne highlight the presence of moose, black bear, woodcock, hare, ruffed grouse and spruce grouse. White-tailed deer could also frequent the area.

The proposed reserve encompasses three biological refuges (#04251R174, #04251R196 and #04251R086), and two wildlife habitats, both on Île Steamboat in Lac Wayagamac: a heronry (#03-04-0011-2006) and a bird colony (#04-04-0001-1979). Another biological refuge is just northwest of the proposed reserve. A species likely to be designated threatened or vulnerable, Arctic char *oquassa* (*Salvelinus alpinus* *oquassa*) has been caught in lakes Wayagamac, Petit lac Wayagamac, Long and Todd/Bordeleau. All four lakes are considered sites of wildlife interest. The same species has also been caught not far from the proposed reserve, at Lac Tom and Lac du Chêne in ZEC de la Bessonne.

3.3. Land occupation and uses

There are 11 resort leases in the proposed reserve, 1 lease for the purpose of recreational, educational or sport activities for non-profit community use (an accommodation site operated by the Commission scolaire de L'Énergie), and a dam (Barrage Wayagamac) on Petite rivière Bostonnais. Based on data from the Ministère des Forêts, de la Faune et des Parcs, there are also 2 trapping camps and 7 trapping grounds.

More than 80% of the territory of Réserve de biodiversité projetée du Lac-Wayagamac is in ZEC de la Bessonne, covering about 20% of it. The proposed reserve overlaps two fur-bearing animal management units: unit 33 (northwest of Lac Wayagamac) and unit 34 (all the rest of the protected territory). It is also part of hunting and fishing zone 26.

Provincial snowmobile trail TQ73 and regional snowmobile trail TR355 cross the territory of the proposed reserve in an east-west direction, skirting the southern boundary. There are two backcountry campsites, a fish-cleaning site, and two dams operated by the city of La Tuque (Barrage Wayagamac and Barrage de la Pointe-Bostonnais). Additionally, electrical distribution line LAT 222 1Ph enters the proposed reserve to a distance of over 5 km.

Finally, the territory and its ecosystems are fragmented by a number of passable roads and forest roads, chiefly in the north and east. The use and maintenance of these roads, and of all the infrastructures mentioned above (dams, trails, campsites, distribution line, etc.), may continue subject to the Activities Framework described in section 4.

4. Activities framework

§ Introduction

The purpose of the proposed biodiversity reserve is to protect natural environments and their components. Activities that may have a significant impact on ecosystems and biodiversity, particularly industrial activities, are prohibited therein. This type of protected area allows the pursuit of less damaging activities and occupancies, namely recreational, wildlife, ecotourism and educational activities and occupancies. To preserve and protect the state and uses of lac Wayagamac and Petit lac Wayagamac, the management of the proposed biodiversity reserve will take into account particularly the need to limit the input of nutrients from human activities into the watershed.

The proposed biodiversity reserve must be considered to be a territory dedicated to the protection of the natural environment, nature discovery and recreation.

Activities carried on within the proposed biodiversity reserve are governed mainly by the provisions of the Natural Heritage Conservation Act (chapter C-61.01).

As provided in the 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 development activities within the meaning of section 4 of the Sustainable Forest Development Act (chapter A-18.1);
- the development of hydraulic resources and any production of energy on a commercial or industrial basis.

Although fundamental for the protection of the territory and ecosystems therein, the prohibitions do not cover all the standards deemed to be desirable to ensure the good management of the proposed biodiversity reserve and the conservation of the natural environment. The Natural Heritage Conservation Act makes it possible to specify in the conservation plan the legal framework applicable in the territory of the proposed biodiversity reserve.

The provisions in this section provide for prohibitions in addition to those already prescribed by law and regulate certain activities allowed to better ensure the protection of the natural environment, in conformity with the principles of conservation and other objectives of management of the proposed biodiversity reserve. Thus certain activities are subject to the prior authorization from the Minister.

The measures contained in this section concern in particular the new interventions in the territory and do not generally call into question existing facilities or certain activities already under way in the territory, thereby preserving a number of existing uses. Lastly, the measures also contain, for certain activities, exemptions from the requirement to obtain an authorization.

The measures do not distinguish, among all the activities subject to an authorization, those that are considered to be compatible from those that are considered to be incompatible with the vocation of the proposed biodiversity reserve. This last status (temporary) is managed in a manner very similar to the permanent status and basic information concerning the compatibility or incompatibility of each type of activity may be found in the document *Activity Framework for Biodiversity Reserves and Aquatic Reserves*, available on the website of the MDDELCC at

http://www.mddelcc.gouv.qc.ca/biodiversite/aires_protegees/regime-activites/regime-activite-reserve-bio-aqua-en.pdf.

§ Prohibitions, prior authorizations and other conditions governing certain activities in the proposed biodiversity reserve

§ Protection of resources and the natural environment

4.1. Subject to the prohibition in the second paragraph, no person may establish in the proposed reserve any specimens or individuals of a native or non-native species of fauna, including by stocking, unless the person has been authorized by the Minister.

No person may stock a watercourse or body of water for aquaculture, commercial fishing or any other commercial purpose.

No person may establish in the proposed reserve a non-native species of flora, unless the person has been authorized by the Minister.

4.2. No person may use fertilizer or fertilizing material in the proposed reserve. Compost for domestic purposes is permitted if used at least 20 metres from a watercourse or body of water measured from the high-water mark.

The high-water mark means the high-water mark defined in the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains (chapter Q-2, r. 35).

4.3. No person may remove species of flora, small fruits or any other non-timber forest product by mechanical means.

4.4. No person may, unless the person has been authorized by the Minister,

(1) intervene in a wetland area, including a marsh, swamp or bog;

- (2) modify the proposed reserve's natural drainage or water regime, including by creating or developing watercourses or bodies of water;
- (3) dig, fill, obstruct or divert a watercourse or body of water;
- (4) install or erect any structure, infrastructure or new works in or on the bed, banks, shores or floodplain of a watercourse or body of water, although no authorization is required for minor works such as a wharf, platform or boathouse erected for private purposes and free of charge under section 2 of the Regulation respecting the water property in the domain of the State (chapter R-13, r. 1);
- (5) carry on any activity other than those referred to in the preceding paragraphs that is likely to degrade the bed, banks or shores of a body of water or watercourse or directly and substantially affect the quality or biochemical characteristics of aquatic or riparian environments or wetland areas in the proposed reserve, including by discharging or dumping waste or pollutants into those areas;
- (6) carry out soil development work or carry on an activity that is likely to degrade the soil or a geological formation or damage the vegetation cover, such as stripping, the digging of trenches or excavation work, including any burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose;
- (7) install or erect any structure, infrastructure or new works;
- (8) reconstruct or demolish a structure, infrastructure or works;
- (9) use a pesticide, although no authorization is required for the use of personal insect repellent;
- (10) carry on educational or research-related activities if the activities are likely to significantly damage or disturb the natural environment, in particular because of the nature or size of the samples taken or the invasive character of the method or process used; or
- (11) hold a sports event, tournament, rally or any other similar event where
 - (a) fauna or flora species are taken or are likely to be taken; or
 - (b) motor vehicles or craft are used.

4.5. Despite paragraphs 6, 7 and 8 of section 4.4, no authorization is required to carry out work referred to in subparagraph 1 of this section when the requirements of subparagraph 2 are met.

- (1) The work involves
 - (a) work to maintain, repair or upgrade a structure, infrastructure or works such as a camp, cottage, road or trail, including ancillary facilities such as lookouts or stairs;
 - (b) the construction or erection of
 - i. an appurtenance or ancillary facility of a trapping camp, rough shelter, shelter or cottage such as a shed, well, water intake or sanitary facilities; or
 - ii. a trapping camp, rough shelter, shelter or cottage if such a building was permitted under the right to use or occupy the land but had not been constructed or installed on the effective date of the status as a proposed biodiversity reserve; or

(c) the demolition or reconstruction of a trapping camp, rough shelter, shelter or cottage, including an appurtenance or ancillary facility such as a shed, well, water intake or sanitary facilities.

(2) The work is carried out in compliance with the following requirements:

(a) the work involves a structure, infrastructure or works permitted within the proposed reserve;

(b) the work is carried out within the area of land or right of way subject to the right to use or occupy the land in the proposed reserve, whether the right results from a lease, servitude or other form of title, permit or authorization;

(c) the nature of the work or elements erected by the work will not operate to increase the area of land that may remain deforested beyond the limits permitted under the provisions applicable to the sale, lease and granting of immovable rights under the Act respecting the lands in the domain of the State (chapter T-8.1) and, if applicable, the limits allowed under an authorization for the structure, works or infrastructure;

(d) the work is carried out in compliance with the conditions of a permit or authorization issued for the work or in connection with the structure, infrastructure or works involved, and in accordance with the laws and regulations that apply; and

(e) for roads in the forest, the work must not operate to alter or exceed the existing right of way, widen the roadway or convert the road to a higher class.

For the purposes of this section, repair and upgrading work includes work to replace or erect works or facilities to comply with the requirements of an environmental regulation.

4.6. No person may bury, abandon or dispose of waste, snow or other residual materials elsewhere than in waste disposal containers, facilities or sites determined by the Minister or in another place with the authorization of the Minister.

Despite the first paragraph, an agency managing a controlled zone does not require an authorization to use a disposal facility or site in compliance with the Environment Quality Act (chapter Q-2) and its regulations if the agency was already using the facility or site on the effective date of the protection status as a proposed biodiversity reserve.

§ Rules of conduct for users

4.7. No person may enter, carry on an activity or operate a vehicle in a given sector of the proposed reserve if the signage erected by the Minister restricts access, traffic or certain activities in order to protect the public from a danger or to avoid placing the fauna, flora or other components of the natural environment at risk, unless the person has been authorized by the Minister.

4.8. No person may destroy, remove, move or damage any poster, sign, notice or other types of signage posted by the Minister within the proposed reserve.

§ **Activities requiring an authorization**

4.9. No person may occupy or use the same site in the proposed reserve for a period of more than 90 days in the same year, unless the person has been authorized by the Minister.

(1) For the purposes of the first paragraph,

(a) the occupation or use of a site includes

i. staying or settling in the proposed reserve, including for vacation purposes;

ii. installing a camp or shelter in the proposed reserve; and

iii. installing, burying or leaving property in the proposed reserve, including equipment, any device or a vehicle;

(b) "same site" means any other site within a radius of 1 kilometre from the site;

(2) Despite the first paragraph, no authorization is required if a person,

(a) on the effective date of the protection status as a proposed biodiversity reserve, was a party to a lease or had already obtained another form of right or authorization allowing the person to legally occupy the land under the Act respecting the lands in the domain of the State or, if applicable, the Act respecting the conservation and development of wildlife (chapter C-61.1), and whose right to occupy the land is renewed or extended on the same conditions, subject to possible changes in fees;

(b) in accordance with the law, has entitlement under a sublease, an assignment of a lease or a transfer of a right or authorization referred to in subparagraph a, and whose right to occupy the land is renewed or extended on the same conditions, subject to possible changes in fees; or

(c) elects to acquire land the person legally occupies on the effective date of the protection status as a proposed biodiversity reserve, pursuant to the Act respecting the lands in the domain of the State.

4.10. (1) No person may carry on forest management activities to meet domestic needs or for the purpose of maintaining biodiversity, unless the person has been authorized by the Minister.

(2) Despite subsection 1, the authorization of the Minister is not required if a person staying or residing in the proposed reserve collects wood to make a campfire.

An authorization is also not required if a person collects firewood to meet domestic needs in the following cases and on the following conditions:

(a) the wood is collected to supply a trapping camp or a rough shelter permitted within the proposed reserve if

i. the wood is collected by a person in compliance with the conditions set out in the permit for the harvest of firewood for domestic purposes issued by the Minister of Forests, Wildlife and Parks under the Sustainable Forest Development Act (chapter A-18.1);

ii. the quantity of wood collected does not exceed 7 apparent cubic metres per year;

(b) in all other cases if

i. the wood is collected within a sector designated by the Minister of Forests, Wildlife and Parks as a sector for which a permit for the harvest of firewood for domestic purposes under the Sustainable Forest Development Act may be issued, and for which, on the effective date of the protection status as a proposed biodiversity reserve, a designation as such had already been made by the Minister;

ii. the wood is collected by a person who, on the effective date of the protection status as a proposed biodiversity reserve or in any of the 3 preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the proposed reserve;

iii. the wood is collected by a person in compliance with the conditions set out in the permit for the harvest of firewood for domestic purposes issued by the Minister of Forests, Wildlife and Parks under the Sustainable Forest Development Act.

(3) Despite subsection 1, an authorization to carry on a forest management activity is not required if a person authorized by lease to occupy land within the proposed reserve in accordance with this conservation plan carries on the forest management activity for the purpose of

(a) clearing, maintaining or creating visual openings, or any other similar removal work permitted under the provisions governing the sale, lease and granting of immovable rights under the Act respecting the lands in the domain of the State, including work for access roads, stairs and other trails permitted under those provisions; or

(b) clearing the necessary area for the installation, connection, maintenance, repair, reconstruction or upgrading of facilities, lines or mains for water, sewer, electric power or telecommunications services.

If the work referred to in paragraph *b* of subsection 3 is carried on for or under the responsibility of an enterprise providing any of those services, the work requires the prior authorization of the Minister, other than in the case of the exemptions in sections 4.12 and 4.14.

(4) Despite subsection 1, an authorization to carry on a forest management activity is not required to maintain a sugar bush operation and collect maple products to meet domestic needs if the activity is

(a) carried on by a person who, on the effective date of the protection status as a proposed biodiversity reserve or in any of the 3 preceding years, held a permit for the operation of a sugar bush issued by the Minister of Forests, Wildlife and Parks under the Sustainable Forest Development Act allowing the person to carry on sugar bush activities in the territory of the proposed reserve;

(b) carried on within an area that, under the permit received, was already the subject of sugar bush activities on the effective date of the protection status as a proposed biodiversity reserve or in any of the 3 preceding years;

(c) carried on by a person in conformity with the conditions of the permit for a sugar bush operation issued by the Minister of Forests, Wildlife and Parks under the Sustainable Forest Development Act.

4.11. No person may carry on commercial activities in the proposed biodiversity reserve, unless the person has been authorized by the Minister.

Despite the first paragraph, no authorization is required

(a) if the activity does not imply sampling for fauna or flora resources or the use of a motor vehicle;

(b) to carry on commercial activities which, on the effective date of the protection status as a proposed biodiversity reserve, was the subject of a right to use the land for such a purpose, whether the right results from a lease or other form of title, permit or authorization, within the limits of the right.

§ Authorization exemptions

4.12. Despite the preceding provisions, an authorization is not required for an activity or other form of intervention within the proposed reserve if urgent action is necessary to prevent harm to the health or safety of persons, or to repair or prevent damage caused by a real or apprehended disaster. The person concerned must, however, immediately inform the Minister of the activity or intervention that has taken place.

4.13 The members of a Native community who, for food, ritual or social purposes, carry on an intervention or an activity within the proposed reserve are exempted from obtaining an authorization.

4.14 Despite the preceding provisions, the following activities and interventions carried out by Hydro-Québec (Société) or by any other person for Hydro-Québec do not require the prior authorization of the Minister under this conservation plan:

(1) any activity or intervention required within the proposed reserve to complete a project for which express authorization had previously been given by the Government and the Minister, or only by the Minister, in accordance with the Environment Quality Act, if the activity or intervention is carried out in compliance with the authorizations issued;

(2) any activity or intervention necessary for the preparation and presentation of a pre-project report for a project requiring an authorization under the Environment Quality Act; and

(3) any activity or intervention relating to a project requiring the prior authorization of the Minister under the Environment Quality Act if the activity or intervention is in response to a request for a clarification or for additional information made by the Minister to the Société, and the activity or intervention is carried out in conformity with the request.

The Société is to keep the Minister informed of the various activities or interventions referred to in this section it proposes to carry out before the work is begun in the proposed reserve.

For the purposes of this section, the activities and interventions of the Société include but are not restricted to pre-project studies, analysis work or field research, work required to study and ascertain the impact of electric power transmission and distribution line corridors and rights of way, geological or geophysical surveys and survey lines, and the opening and maintenance of roads required for the purposes of access, construction or traffic incidental to the work.

5. Activities governed by other laws

Certain activities that could potentially be practised in the proposed biodiversity reserve are also governed by other applicable legislative and regulatory provisions, and some require a permit or authorization or the payment of certain fees. Certain activities could be prohibited or limited under other laws or regulations applicable on the territory of the proposed reserve.

Within the proposed biodiversity reserve, a particular legal framework may govern permitted activities under the following categories:

- **Protection of the environment:** measures stipulated by the *Environment Quality Act* (chapter Q-2) and its regulations;
- **Biological refuges:** protection measures stipulated by the *Sustainable Forest Development Act* (chapter A-18.1, sections 27 to 30);
- **Plant species designated as threatened or vulnerable:** measures prohibiting the harvesting of such species under the *Act respecting threatened or vulnerable species* (chapter E-12.01);
- **Exploitation and conservation of wildlife resources:** measures stipulated by the *Act respecting the Conservation and Development of Wildlife* (chapter C-61.1) and its regulations, including provisions related to threatened or vulnerable wildlife species, wildlife habitat, outfitters and beaver reserves, and measures in the applicable federal laws and regulations, including the legislation and regulations on fisheries;
- **Archeological research and discoveries:** measures stipulated by the *Cultural Heritage Act* (chapter P-9.002);
- **Access and property rights related to the domain of the State:** measures stipulated by the *Act Respecting the Lands in the Domain of the State* (chapter T-8.1) and by the *Watercourses Act* (chapter R-13);
- **Issuance and oversight of forest development permits** (harvesting of firewood for domestic purposes, wildlife development, recreational development); and **delivery of authorizations** (forest roads): measures stipulated by the *Sustainable Forest Development Act* (chapter A-18.1);

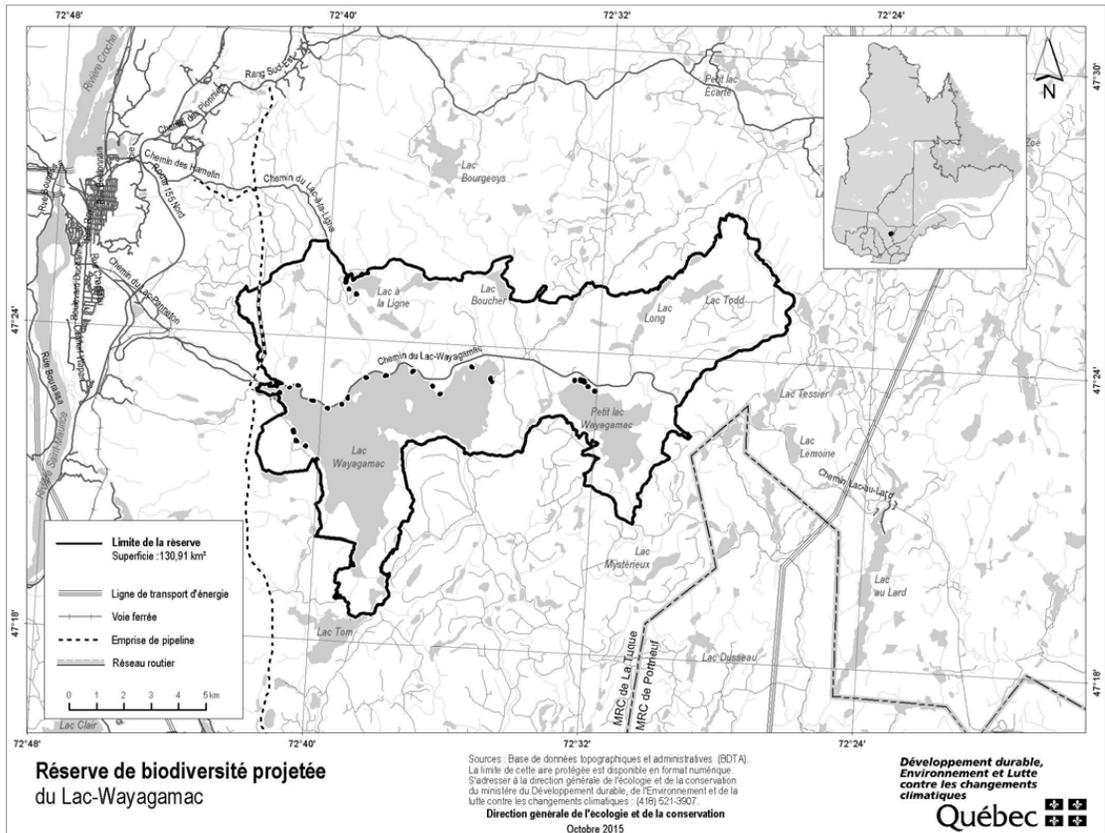
- **Travel:** measures stipulated by the *Act Respecting the Lands in the Domain of the State* and by the regulations on motor vehicle travel in fragile environments, under the *Environment Quality Act*;
- **Construction and development standards:** regulatory measures adopted by local and regional municipal authorities in accordance with the applicable laws.

6. Responsibilities of the Minister of Sustainable Development, Environment and the Fight against Climate Change

The Minister of Sustainable Development, Environment and the Fight against Climate Change is responsible for the management of Réserve de biodiversité projetée du Lac-Wayagamac. Among other things, the Minister sees to the control and supervision of activities that may be practised there. In his management, the Minister enjoys the collaboration and participation of other government representatives that have specific responsibilities in or adjacent to the territory, including the Minister of Energy and Natural Resources and the Minister of Forests, Wildlife and Parks, and their delegates. In performing their functions they will take into account the protection desired for these natural environments and the protection status they are now granted.

Appendix 1

Map of Réserve de biodiversité projetée du Lac-Wayagamac



103003

M.O., 2017**Order of the Minister of Sustainable Development, Environment and the Fight Against Climate Change dated 8 June 2017**

Natural Heritage Conservation Act
(chapter C-61.01)

Assignment of a temporary protection status as Réserve de biodiversité projetée Judith-De Brésoles, for a period of four years, and establishment of the plan and conservation plan of the area

THE MINISTER OF SUSTAINABLE DEVELOPMENT,
ENVIRONMENT AND THE FIGHT AGAINST CLIMATE
CHANGE,

CONSIDERING the first paragraph of section 27 of the Natural Heritage Conservation Act (chapter C-61.01), which provides that, for the purpose of protecting land to be established as a new protected area, the Minister of Sustainable Development, Environment and the Fight Against Climate Change, with the approval of the Government, prepares the plan of that area, establishes a conservation plan and assigns temporary protection status to the area as a proposed aquatic reserve, biodiversity reserve, ecological reserve or man-made landscape;

CONSIDERING the first paragraph of section 28 of the Act, which provides that, unless the Government authorizes a longer period, the setting aside of land under section 27 is valid for a period of not more than four years, which may be renewed or extended;

CONSIDERING Order in Council 475-2016 dated 8 June 2016 authorizing the Minister of Sustainable Development, Environment and the Fight Against Climate Change to assign to five territories, situated in the Mauricie region, a temporary protection status as proposed biodiversity reserve or proposed aquatic reserve, including the Réserve de biodiversité projetée Judith-De Brésoles, to prepare the plan of the area and to establish a conservation plan for the area;

CONSIDERING the publication in Part 2 of the *Gazette officielle du Québec* of 23 November 2016, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), of the draft conservation plan of the Réserve de biodiversité projetée Judith-De Brésoles with a notice of the Minister's intention to assign a temporary protection status to the territory appearing as a Schedule to the document on the expiry of 45 days following its publication;

CONSIDERING that it is expedient to assign a temporary protection status to the territory;

CONSIDERING that for the purpose of fostering the protection and maintenance of the biological diversity and associated natural and cultural resources, and of increasing the representativity of the network of protected areas, the territory requires temporary protection with a view of establishing a new protected area;

ORDERS AS FOLLOWS:

A temporary protection status as Réserve de biodiversité projetée Judith-De Brésoles is assigned for a period of four years;

The conservation plan of the Réserve de biodiversité projetée Judith-De Brésoles, attached to this Order, is established;

The plan of the Réserve de biodiversité projetée Judith-De Brésoles, attached to the conservation plan, is prepared.

Québec, 8 June 2017

DAVID HEURTEL,
*Minister of Sustainable Development,
Environment and the
Fight Against Climate Change*

Temporary protection status assigned as Réserve de biodiversité projetée Judith-De Brésoles

Natural Heritage Conservation Act
(chapter C-61.01, ss. 27 and 28)

1. The conservation plan of the Réserve de biodiversité projetée Judith-De Brésoles appears in Schedule A.

2. The territory in the Schedule to the conservation plan constitutes the Réserve de biodiversité projetée Judith-De Brésoles.

3. The temporary status as proposed biodiversity reserve, for a period of 4 years, and the conservation plan of the Réserve de biodiversité projetée Judith-De Brésoles, applicable to the territory appearing as a schedule to the document, come into force on the fifteenth day following the date of their publication in the *Gazette officielle du Québec*.

SCHEDULE A**CONSERVATION PLAN OF THE RÉSERVE DE BIODIVERSITÉ
PROJETÉE JUDITH-DE BRÉSOLES**

(s. 1)

QUÉBEC STRATEGY FOR PROTECTED AREAS

**Réserve de
biodiversité
projetée
Judith-De
Brésoules****Conservation plan**

January 2017

1. Protection status and toponym

The legal protection status of the territory described below is that of proposed biodiversity reserve, a status governed by the *Natural Heritage Conservation Act* (chapter C-61.01).

The permanent protection status proposed for the territory is that of “biodiversity reserve”, this status also being governed by the *Natural Heritage Conservation Act*.

The provisional toponym is: Réserve de biodiversité projetée Judith-De Brésoles. The official toponym will be determined when the territory is given permanent protection status.

2. Conservation objectives

Réserve écologique Judith-De Brésoles and Réserve de biodiversité projetée Judith-De Brésoles together form a nucleus of conservation that will better protect the ecosystems they contain. Creation of the proposed biodiversity reserve will protect and maintain biological diversity and the associated natural and cultural resources. Additionally, protection of this territory will augment the representativeness of the regional and national network of protected areas, since it has multiple components of ecological interest that are representative of characteristic ecosystems in the northern part of the La Tuque depression natural region (see section 3.2). Protection of these ecosystems will allow the practice of recreational and tourism activities to continue on the territory.

3. Plan and description

3.1. Geographical location, boundaries and dimensions

The boundaries and location of Réserve de biodiversité projetée Judith-De Brésoles appear in Appendix 1.

Réserve de biodiversité projetée Judith-De Brésoles is located in the administrative region of Mauricie, about 35 km northeast of downtown La Tuque, between 47° 34' and 47° 38' north latitude and between 72° 17' and 72° 22' west longitude. With a total area of 7.97 km², the proposed reserve sits on either side of Réserve écologique Judith-De Brésoles, extending to the northeast shore of Lac Édouard.

Since there are no roads into the proposed reserve, the main access is by regional snowmobile trail #355, which skirts the western boundary of Réserve écologique Judith-De Brésoles. It can also be accessed by a quad trail in the northeast, or by boat or seaplane via Lac Édouard or Lac aux Orignaux.

3.2. Ecological portrait

Réserve de biodiversité projetée Judith-De Brésoles is in the southern Laurentian natural province, more precisely the northern part of the La Tuque depression natural region, in the northern part of the Lac Wayagamac low hills physiographic complex.

The relief of the proposed reserve is essentially mounds, the elevation ranging from 360 to 450 m, with an average elevation of 395 m.

Around Lac Édouard, in the western part of the proposed reserve, the geological foundation (Grenville geological province) consists of a gneissic complex of quartz-plagioclase, biotite and/or hornblende, along with amphibolites. The eastern part is mostly underlain by granite with pegmatite.

The surface deposits of the proposed reserve are varied and include the following: glacial deposits with no particular morphology, undifferentiated tills of medium thickness (50 cm to 1 m), and fluvioglacial, proglacial, juxtaglacial and outwash deposits. There are also thick organic deposits, and a few rocky outcrops on the edge of Lac Édouard.

The proposed biodiversity reserve is subject to a mild continental subarctic climate, subhumid with a long growing season. The average annual temperature is 1.9 to 4.5°C, total annual precipitation is 800 to 1359 mm, and the average growing season is 180 to 209 days.

The waters of the proposed reserve belong to the Rivière Batiscan watershed. Besides a few small lakes, the western part features a large coniferous swamp and fair-sized flooded swamps, while the eastern part has bogs/fens and fair-sized flooded swamps. As mentioned earlier, the western part includes sections of shoreline on Lac Édouard and Lac aux Orignaux.

The proposed reserve is in the mixed forest bioclimatic domain (fir-white birch). Woodlands in the western part are primarily mixed, with few deciduous stands and only rare coniferous stands. Woodlands in the eastern part are primarily coniferous, with few mixed stands and only rare deciduous stands.

Réserve de biodiversité projetée Judith-De Brésoles has a great diversity of forest stands, all age classes being represented. However, many stands in the western part are old-growth forest, accompanied by stands of 40 to 80 years. Stands in the eastern part are much more varied in age. Based on the available data, no age class is dominant.

The section west of the ecological reserve is favourable to the development of yellow birch-fir stands, with a few sugar maple-yellow birch stands. The section east of the ecological reserve is favourable to conifers (balsam fir-black spruce stands and black and/or red spruce stands). A major element of interest in the proposed biodiversity reserve is the presence of sugar maple-yellow birch stands at the northern limit of their range.

Wholly or partly included in the proposed reserve are several High Conservation Value Forests. They are: a proposed conservation zone (under the Mauricie TRIAD project), a priority 1 landscape protection area, a maple stand, and old-growth forests. Two biological refuges (#04251R091 and #04251R093) are also part of the proposed reserve.

No occurrence of a threatened or vulnerable species has been noted in the proposed reserve. However, one occurrence of southern bog lemming, a species likely to be designated threatened or vulnerable, has been observed nearby.

3.3. Land occupation and uses

There is a single resort lease on the territory of Réserve de biodiversité projetée Judith-De Brésoles.

The proposed reserve is in fur-bearing animal management unit 33, and in hunting zone 26.

A canoe-kayak route crosses Lac Édouard in a north-south direction. A regional snowmobile trail crosses the proposed reserve in the same direction, along the western boundary of Réserve écologique Judith-De Brésoles. A provincial quad trail crosses the northeast corner of the proposed biodiversity reserve.

Apart from the two trails, the territory of the proposed reserve is remarkably intact and thus relatively unfragmented. Use and maintenance of the trails may continue subject to the Activities framework described in section 4.

4. Activities framework

§ Introduction

The purpose of the proposed biodiversity reserve is to protect natural environments and their components. Activities that may have a significant impact on ecosystems and biodiversity, particularly industrial activities, are prohibited therein. This type of protected area allows the pursuit of less damaging activities and occupancies, namely recreational, wildlife, ecotourism and educational activities and occupancies.

The proposed biodiversity reserve must be considered to be a territory dedicated to the protection of the natural environment, nature discovery and recreation.

Activities carried on within the proposed biodiversity reserve are governed mainly by the provisions of the Natural Heritage Conservation Act (chapter C-61.01).

As provided in the 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 development activities within the meaning of section 4 of the Sustainable Forest Development Act (chapter A-18.1);
- the development of hydraulic resources and any production of energy on a commercial or industrial basis.

Although fundamental for the protection of the territory and ecosystems therein, the prohibitions do not cover all the standards deemed to be desirable to ensure the good management of the proposed biodiversity reserve and the conservation of the natural environment. The Natural Heritage Conservation Act makes it possible to specify in the conservation plan the legal framework applicable in the territory of the proposed biodiversity reserve.

The provisions in this section provide for prohibitions in addition to those already prescribed by law and regulate certain activities allowed to better ensure the protection of the natural environment, in conformity with the principles of conservation and other objectives of management of the proposed biodiversity reserve. Thus certain activities are subject to the prior authorization from the Minister.

The measures contained in this section concern in particular the new interventions in the territory and do not generally call into question existing facilities or certain activities already under way in the territory, thereby preserving a number of existing uses. Lastly, the measures also contain, for certain activities, exemptions from the requirement to obtain an authorization.

The measures do not distinguish, among all the activities subject to an authorization, those that are considered to be compatible from those that are considered to be incompatible with the vocation of the proposed biodiversity reserve. This last status (temporary) is managed in a manner very similar to the permanent status and basic information concerning the compatibility or incompatibility of each type of activity may be found in the document *Activity Framework for Biodiversity Reserves and Aquatic Reserves*, available on the website of the MDDELCC at

http://www.mddelcc.gouv.qc.ca/biodiversite/aires_protegees/regime-activites/regime-activite-reserve-bio-aqua-en.pdf.

§ Prohibitions, prior authorizations and other conditions governing certain activities in the proposed biodiversity reserve

§ Protection of resources and the natural environment

4.1. Subject to the prohibition in the second paragraph, no person may establish in the proposed reserve any specimens or individuals of a native or non-native species of fauna, including by stocking, unless the person has been authorized by the Minister.

No person may stock a watercourse or body of water for aquaculture, commercial fishing or any other commercial purpose.

No person may establish in the proposed reserve a non-native species of flora, unless the person has been authorized by the Minister.

4.2. No person may use fertilizer or fertilizing material in the proposed reserve. Compost for domestic purposes is permitted if used at least 20 metres from a watercourse or body of water measured from the high-water mark.

The high-water mark means the high-water mark defined in the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains (chapter Q-2, r. 35).

4.3. No person may remove species of flora, small fruits or any other non-timber forest product by mechanical means.

4.4. No person may, unless the person has been authorized by the Minister,

- (1) intervene in a wetland area, including a marsh, swamp or bog;
- (2) modify the proposed reserve's natural drainage or water regime, including by creating or developing watercourses or bodies of water;
- (3) dig, fill, obstruct or divert a watercourse or body of water;
- (4) install or erect any structure, infrastructure or new works in or on the bed, banks, shores or floodplain of a watercourse or body of water, although no authorization is required for minor works such as a wharf, platform or boathouse erected for private purposes and free of charge under section 2 of the Regulation respecting the water property in the domain of the State (chapter R-13, r. 1);
- (5) carry on any activity other than those referred to in the preceding paragraphs that is likely to degrade the bed, banks or shores of a body of water or watercourse or directly and substantially affect the quality or biochemical characteristics of aquatic or riparian environments or wetland areas in the proposed reserve, including by discharging or dumping waste or pollutants into those areas;
- (6) carry out soil development work or carry on an activity that is likely to degrade the soil or a geological formation or damage the vegetation cover, such as stripping, the digging of trenches or excavation work, including any burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose;
- (7) install or erect any structure, infrastructure or new works;
- (8) reconstruct or demolish a structure, infrastructure or works;
- (9) use a pesticide, although no authorization is required for the use of personal insect repellent;
- (10) carry on educational or research-related activities if the activities are likely to significantly damage or disturb the natural environment, in particular because of the nature or size of the samples taken or the invasive character of the method or process used; or
- (11) hold a sports event, tournament, rally or any other similar event where
 - (a) fauna or flora species are taken or are likely to be taken; or
 - (b) motor vehicles or craft are used.

4.5. Despite paragraphs 6, 7 and 8 of section 4.4, no authorization is required to carry out work referred to in subparagraph 1 of this section when the requirements of subparagraph 2 are met.

(1) The work involves

(a) work to maintain, repair or upgrade a structure, infrastructure or works such as a camp, cottage, road or trail, including ancillary facilities such as lookouts or stairs;

(b) the construction or erection of

i. an appurtenance or ancillary facility of a trapping camp, rough shelter, shelter or cottage such as a shed, well, water intake or sanitary facilities; or

ii. a trapping camp, rough shelter, shelter or cottage if such a building was permitted under the right to use or occupy the land but had not been constructed or installed on the effective date of the status as a proposed biodiversity reserve; or

(c) the demolition or reconstruction of a trapping camp, rough shelter, shelter or cottage, including an appurtenance or ancillary facility such as a shed, well, water intake or sanitary facilities.

(2) The work is carried out in compliance with the following requirements:

(a) the work involves a structure, infrastructure or works permitted within the proposed reserve;

(b) the work is carried out within the area of land or right of way subject to the right to use or occupy the land in the proposed reserve, whether the right results from a lease, servitude or other form of title, permit or authorization;

(c) the nature of the work or elements erected by the work will not operate to increase the area of land that may remain deforested beyond the limits permitted under the provisions applicable to the sale, lease and granting of immovable rights under the Act respecting the lands in the domain of the State (chapter T-8.1) and, if applicable, the limits allowed under an authorization for the structure, works or infrastructure;

(d) the work is carried out in compliance with the conditions of a permit or authorization issued for the work or in connection with the structure, infrastructure or works involved, and in accordance with the laws and regulations that apply; and

(e) for roads in the forest, the work must not operate to alter or exceed the existing right of way, widen the roadway or convert the road to a higher class.

For the purposes of this section, repair and upgrading work includes work to replace or erect works or facilities to comply with the requirements of an environmental regulation.

4.6. No person may bury, abandon or dispose of waste, snow or other residual materials elsewhere than in waste disposal containers, facilities or sites determined by the Minister or in another place with the authorization of the Minister.

§ Rules of conduct for users

4.7. No person may enter, carry on an activity or operate a vehicle in a given sector of the proposed reserve if the signage erected by the Minister restricts access, traffic or certain activities in order to protect the public from a danger or to avoid placing the fauna, flora or other components of the natural environment at risk, unless the person has been authorized by the Minister.

4.8. No person may destroy, remove, move or damage any poster, sign, notice or other types of signage posted by the Minister within the proposed reserve.

§ **Activities requiring an authorization**

4.9. No person may occupy or use the same site in the proposed reserve for a period of more than 90 days in the same year, unless the person has been authorized by the Minister.

(1) For the purposes of the first paragraph,

(a) the occupation or use of a site includes

i. staying or settling in the proposed reserve, including for vacation purposes;

ii. installing a camp or shelter in the proposed reserve; and

iii. installing, burying or leaving property in the proposed reserve, including equipment, any device or a vehicle;

(b) "same site" means any other site within a radius of 1 kilometre from the site;

(2) Despite the first paragraph, no authorization is required if a person,

(a) on the effective date of the protection status as a proposed biodiversity reserve, was a party to a lease or had already obtained another form of right or authorization allowing the person to legally occupy the land under the Act respecting the lands in the domain of the State or, if applicable, the Act respecting the conservation and development of wildlife (chapter C-61.1), and whose right to occupy the land is renewed or extended on the same conditions, subject to possible changes in fees;

(b) in accordance with the law, has entitlement under a sublease, an assignment of a lease or a transfer of a right or authorization referred to in subparagraph a, and whose right to occupy the land is renewed or extended on the same conditions, subject to possible changes in fees; or

(c) elects to acquire land the person legally occupies on the effective date of the protection status as a proposed biodiversity reserve, pursuant to the Act respecting the lands in the domain of the State.

4.10. (1) No person may carry on forest management activities to meet domestic needs or for the purpose of maintaining biodiversity, unless the person has been authorized by the Minister.

(2) Despite subsection 1, the authorization of the Minister is not required if a person staying or residing in the proposed reserve collects wood to make a campfire.

An authorization is also not required if a person collects firewood to meet domestic needs in the following cases and on the following conditions:

(a) the wood is collected to supply a trapping camp or a rough shelter permitted within the proposed reserve if

i. the wood is collected by a person in compliance with the conditions set out in the permit for the harvest of firewood for domestic purposes issued by the Minister of Forests, Wildlife and Parks under the Sustainable Forest Development Act (chapter A-18.1);

ii. the quantity of wood collected does not exceed 7 apparent cubic metres per year;

(b) in all other cases if

i. the wood is collected within a sector designated by the Minister of Forests, Wildlife and Parks as a sector for which a permit for the harvest of firewood for domestic purposes under the Sustainable Forest Development Act may be issued, and for which, on the effective date of the protection status as a proposed biodiversity reserve, a designation as such had already been made by the Minister;

ii. the wood is collected by a person who, on the effective date of the protection status as a proposed biodiversity reserve or in any of the 3 preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the proposed reserve;

iii. the wood is collected by a person in compliance with the conditions set out in the permit for the harvest of firewood for domestic purposes issued by the Minister of Forests, Wildlife and Parks under the Sustainable Forest Development Act.

(3) Despite subsection 1, an authorization to carry on a forest management activity is not required if a person authorized by lease to occupy land within the proposed reserve in accordance with this conservation plan carries on the forest management activity for the purpose of

(a) clearing, maintaining or creating visual openings, or any other similar removal work permitted under the provisions governing the sale, lease and granting of immovable rights under the Act respecting the lands in the domain of the State, including work for access roads, stairs and other trails permitted under those provisions; or

(b) clearing the necessary area for the installation, connection, maintenance, repair, reconstruction or upgrading of facilities, lines or mains for water, sewer, electric power or telecommunications services.

If the work referred to in paragraph *b* of subsection 3 is carried on for or under the responsibility of an enterprise providing any of those services, the work requires the prior authorization of the Minister, other than in the case of the exemptions in sections 4.12 and 4.14.

(4) Despite subsection 1, an authorization to carry on a forest management activity is not required to maintain a sugar bush operation and collect maple products to meet domestic needs if the activity is

(a) carried on by a person who, on the effective date of the protection status as a proposed biodiversity reserve or in any of the 3 preceding years, held a permit for the operation of a sugar bush issued by the Minister of Forests, Wildlife and Parks under the Sustainable Forest Development Act allowing the person to carry on sugar bush activities in the territory of the proposed reserve;

(b) carried on within an area that, under the permit received, was already the subject of sugar bush activities on the effective date of the protection status as a proposed biodiversity reserve or in any of the 3 preceding years;

(c) carried on by a person in conformity with the conditions of the permit for a sugar bush operation issued by the Minister of Forests, Wildlife and Parks under the Sustainable Forest Development Act.

4.11. No person may carry on commercial activities in the proposed biodiversity reserve, unless the person has been authorized by the Minister.

Despite the first paragraph, no authorization is required

(a) if the activity does not imply sampling for fauna or flora resources or the use of a motor vehicle;

(b) to carry on commercial activities which, on the effective date of the protection status as a proposed biodiversity reserve, was the subject of a right to use the land for such a purpose, whether the right results from a lease or other form of title, permit or authorization, within the limits of the right.

§ Authorization exemptions

4.12. Despite the preceding provisions, an authorization is not required for an activity or other form of intervention within the proposed reserve if urgent action is necessary to prevent harm to the health or safety of persons, or to repair or prevent damage caused by a real or apprehended disaster. The person concerned must, however, immediately inform the Minister of the activity or intervention that has taken place.

4.13 The members of a Native community who, for food, ritual or social purposes, carry on an intervention or an activity within the proposed reserve are exempted from obtaining an authorization.

4.14 Despite the preceding provisions, the following activities and interventions carried out by Hydro-Québec (Société) or by any other person for Hydro-Québec do not require the prior authorization of the Minister under this conservation plan:

- (1) any activity or intervention required within the proposed reserve to complete a project for which express authorization had previously been given by the Government and the Minister, or only by the Minister, in accordance with the Environment Quality Act, if the activity or intervention is carried out in compliance with the authorizations issued;
- (2) any activity or intervention necessary for the preparation and presentation of a pre-project report for a project requiring an authorization under the Environment Quality Act; and
- (3) any activity or intervention relating to a project requiring the prior authorization of the Minister under the Environment Quality Act if the activity or intervention is in response to a request for a clarification or for additional information made by the Minister to the Société, and the activity or intervention is carried out in conformity with the request.

The Société is to keep the Minister informed of the various activities or interventions referred to in this section it proposes to carry out before the work is begun in the proposed reserve.

For the purposes of this section, the activities and interventions of the Société include but are not restricted to pre-project studies, analysis work or field research, work required to study and ascertain the impact of electric power transmission and distribution line corridors and rights of way, geological or geophysical surveys and survey lines, and the opening and maintenance of roads required for the purposes of access, construction or traffic incidental to the work.

5. Activities governed by other laws

Certain activities that could potentially be practised in the proposed biodiversity reserve are also governed by other applicable legislative and regulatory provisions, and some require a permit or authorization or the payment of certain fees. Certain activities could be prohibited or limited under other laws or regulations applicable on the territory of the proposed reserve.

Within the proposed biodiversity reserve, a particular legal framework may govern permitted activities under the following categories:

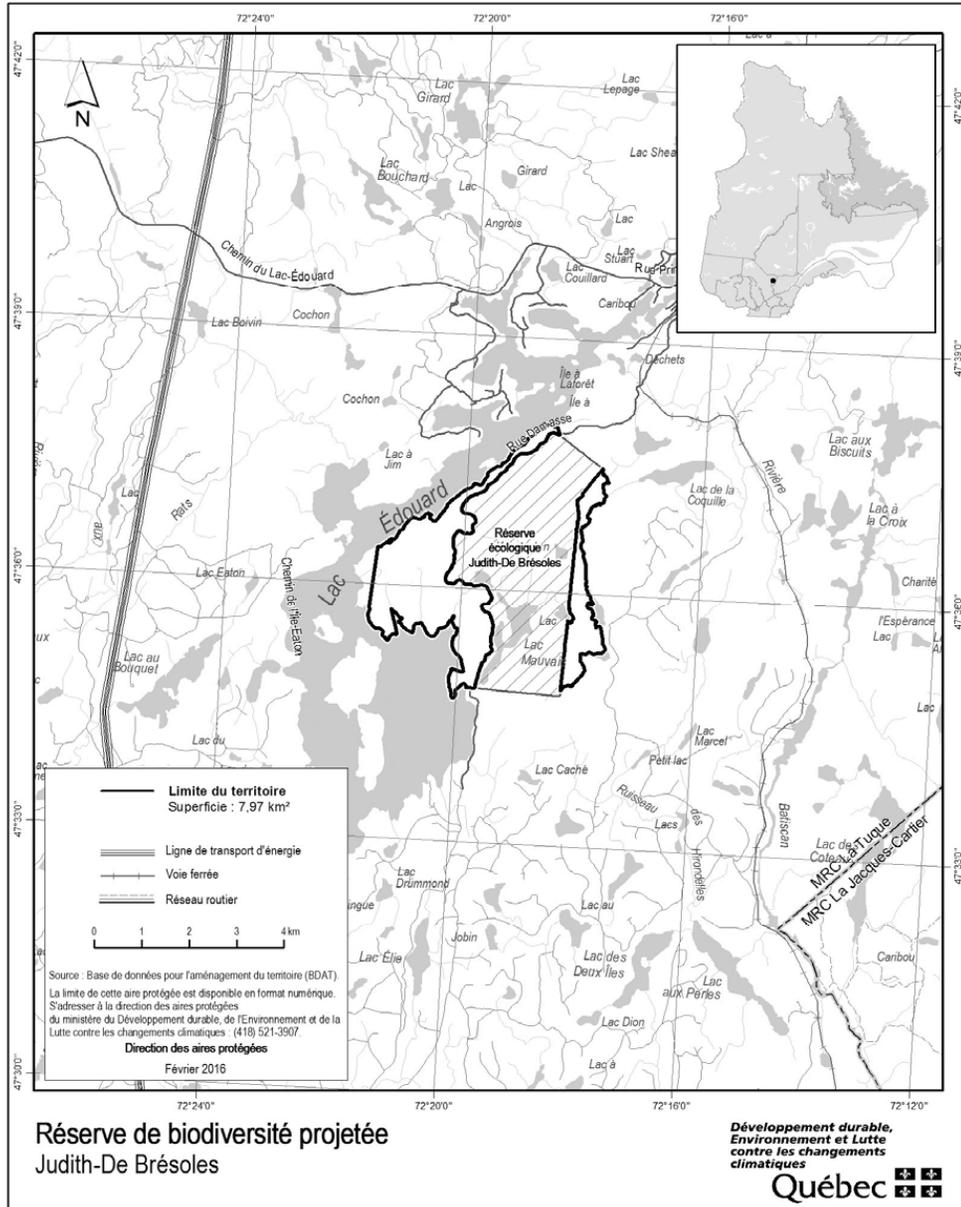
- **Protection of the environment:** measures stipulated by the *Environment Quality Act* (chapter Q-2) and its regulations;
- **Biological refuges:** protection measures stipulated by the *Sustainable Forest Development Act* (chapter A-18.1, sections 27 to 30);
- **Plant species designated as threatened or vulnerable:** measures prohibiting the harvesting of such species under the *Act respecting threatened or vulnerable species* (chapter E-12.01);
- **Exploitation and conservation of wildlife resources:** measures stipulated by the *Act respecting the Conservation and Development of Wildlife* (chapter C-61.1) and its regulations, including provisions related to threatened or vulnerable wildlife species, outfitters and beaver reserves, and measures in the applicable federal laws and regulations, including the legislation and regulations on fisheries;
- **Archeological research and discoveries:** measures stipulated by the *Cultural Heritage Act* (chapter P-9.002);
- **Access and property rights related to the domain of the State:** measures stipulated by the *Act Respecting the Lands in the Domain of the State* (chapter T-8.1) and by the *Watercourses Act* (chapter R-13);
- **Issuance and oversight of forest development permits** (harvesting of firewood for domestic purposes, wildlife development, recreational development); and **delivery of authorizations** (forest roads): measures stipulated by the *Sustainable Forest Development Act* (chapter A-18.1);
- **Travel:** measures stipulated by the *Act Respecting the Lands in the Domain of the State* and by the regulations on motor vehicle travel in fragile environments, under the *Environment Quality Act*;
- **Construction and development standards:** regulatory measures adopted by local and regional municipal authorities in accordance with the applicable laws.

6. Responsibilities of the Minister of Sustainable Development, Environment and the Fight against Climate Change

The Minister of Sustainable Development, Environment and the Fight against Climate Change is responsible for the management of Réserve de biodiversité projetée Judith-De Bréssoles. Among other things, the Minister sees to the control and supervision of activities that may be practised there. In his management, the Minister enjoys the collaboration and participation of other government representatives that have specific responsibilities in or adjacent to the territory, including the Minister of Energy and Natural Resources and the Minister of Forests, Wildlife and Parks, and their delegates. In performing their functions they will take into account the protection desired for these natural environments and the protection status they are now granted.

Appendix 1

Map of Réserve de biodiversité projetée Judith-De Brésolles



Draft Regulations

Draft Regulation

Animal Health Protection Act
(chapter P-42)

Designation of an infectious agent

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation to designate contagious or parasitic diseases, infectious agents and syndromes, appearing below, may be made by the Minister of Agriculture, Fisheries and Food on the expiry of 45 days following this publication.

The draft Regulation designates Senecavirus A as an infectious agent for the purposes of the Animal Health Protection Act (chapter P-42).

Study of the matter reveals that the global economic impact of the Regulation on enterprises is minimal.

Further information may be obtained by contacting Claudia Gagné-Fortin, Direction de la santé animale, Ministère de l'Agriculture, des Pêcheries et de l'Alimentation, 200, chemin Sainte-Foy, 11^e étage, Québec (Québec) G1R 4X6; telephone: 418 380-2100; fax: 418 380-2169.

Any person wishing to comment on the matter is requested to submit written comments before the expiry of the 45-day period to Christine Barthe, Assistant Deputy Minister, Sous-ministériat à la santé animale et à l'inspection des aliments, 200, chemin Sainte-Foy, 12^e étage, Québec (Québec) G1R 4X6.

LAURENT LESSARD,
*Minister of Agriculture,
Fisheries and Food*

Regulation to amend the Regulation to designate contagious or parasitic diseases, infectious agents and syndromes

Animal Health Protection Act
(chapter P-42, s. 3)

1. The Regulation to designate contagious or parasitic diseases, infectious agents and syndromes (chapter P-42, r. 4.2) is amended by inserting the following after paragraph 13:

“(13.1) Senecavirus A;”.

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

102991

Draft Regulation

Civil Code of Québec

Publication of a notice of marriage or civil union

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting the publication of a notice of marriage or civil union, appearing below, may be made by the Minister of Justice on the expiry of 45 days following this publication.

The draft Regulation prescribes the content of an application for a notice of publication of the marriage or civil union or the application for a dispensation from publication submitted to the registrar of civil status. It also prescribes certain particulars that must be included in the notice of publication of the marriage or civil union.

Further information on the draft Regulation may be obtained by contacting Annie Gauthier, Direction générale de l'accès à la justice, Direction des orientations et politiques, Ministère de la Justice, 1200, route de l'Église, 9^e étage, Québec (Québec) G1V 4M1; telephone: 418 646-5580, extension 20172; fax: 418 646-4894; email: annie.gauthier@justice.gouv.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Justice, 1200, route de l'Église, 9^e étage, Québec (Québec) G1V 4M1.

STÉPHANIE VALLÉE,
Minister of Justice

Regulation respecting the publication of a notice of marriage or civil union

Civil Code of Québec
(Civil Code, art. 369, 1st par.)

DIVISION I APPLICATION FOR NOTICE OF PUBLICATION

1. An application for a notice of publication of the marriage or civil union submitted to the registrar of civil status must be made by the officiant and contain

(1) the type of solemnization, that is, a marriage or a civil union;

(2) the date scheduled for the solemnization of the marriage or civil union and the address of the place of solemnization;

(3) the name, domicile address, or work address in the case of the officiant, the telephone number and email address, if applicable, of each of the intended spouses, of the officiant and of the witness who confirms the correctness of the particulars;

(4) the confirmation of the witness;

(5) the date and place of birth of each of the intended spouses;

(6) the names of the parents of each of the intended spouses;

(7) the quality of the officiant and his or her registration number in the register of officiants issued by the registrar of civil status; and

(8) the date on which publication is to take place.

An application for a notice of publication submitted outside the business days and hours of the offices of the registrar of civil status is deemed to be made at the time of opening on the next business day.

DIVISION II NOTICE OF PUBLICATION

2. In addition to what is provided for in article 369 of the Civil Code, the notice of publication of the marriage or civil union must set out

(1) the type of solemnization, that is, a marriage or a civil union;

(2) the quality of the officiant; and

(3) the address where the marriage or civil union will be solemnized.

DIVISION III DISPENSATION FROM PUBLICATION

3. An application for a dispensation from the notice of publication of the marriage or civil union submitted to the registrar of civil status may be made by the intended spouses and by the officiant and must contain

(1) the type of solemnization, that is, a marriage or a civil union;

(2) the serious reasons in support of the application;

(3) the date scheduled for the solemnization of the marriage or civil union and the address of the place of solemnization;

(4) the name, domicile address, or work address in the case of the officiant, the telephone number and email address, if applicable, of each of the intended spouses and of the officiant;

(5) the date and place of birth of each of the intended spouses;

(6) the names of the parents of each of the intended spouses; and

(7) the quality of the officiant and the registration number in the register of officiants issued by the registrar of civil status.

4. This Regulation comes into force on the date of coming into force of section 3, paragraph 1 of section 6 and sections 8 and 11 of the Act to amend various legislative provisions to better protect persons (2016, chapter 12).

102993

Draft Regulation

Civil Code of Québec

Rules respecting the solemnization of civil marriages and civil unions —Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Rules respecting the solemnization of civil marriages and civil unions, appearing below, may be made by the Minister of Justice on the expiry of 45 days following this publication.

The draft Regulation provides that certain officiants must file the documents concerning the solemnization of a marriage or civil union with the registrar of civil status rather than with the office of the Superior Court in the judicial district where the solemnization of the marriage or civil union takes place. That new procedure will improve the application of the rules requiring them to keep or file certain documents related to the solemnization of a marriage or civil union.

The draft Regulation also revokes the provisions respecting the publication of a marriage or civil union since the Minister will make a new regulation pertaining specifically to those publication rules.

Further information on the draft Regulation may be obtained by contacting Annie Gauthier, Direction générale de l'accès à la justice, Direction des orientations et politiques, Ministère de la Justice, 1200, route de l'Église, 9^e étage, Québec (Québec) G1V 4M1; telephone: 418 646-5580, extension 20172; fax: 418 646-4894; email: annie.gauthier@justice.gouv.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Justice, 1200, route de l'Église, 9^e étage, Québec (Québec) G1V 4M1.

STÉPHANIE VALLÉE,
Minister of Justice

Regulation to amend the Rules respecting the solemnization of civil marriages and civil unions

Civil Code of Québec
(Civil Code, art. 376)

1. The Rules respecting the solemnization of civil marriages and civil unions (chapter CCQ, r. 3) is amended by revoking section 1.

2. Section 10 is amended

(1) by inserting “of the judgment authorizing a minor’s marriage,” in the first paragraph after “copy”;

(2) by replacing the second paragraph by the following:

“If the officiant is not a clerk or deputy clerk of the Superior Court, a notary, a mayor, a member of a municipal or borough council or a municipal officer, the copy of the documents required in the first paragraph must be sent to the registrar of civil status not later than the day on which the declaration of marriage or civil union is sent.”;

(3) by adding the following paragraph after the second:

“If the officiant is a clerk or deputy clerk of the Superior Court, a notary, a mayor, a member of a municipal or borough council or a municipal officer, the officiant must send a copy of the judgment authorizing a minor’s marriage to the registrar of civil status not later than the day on which the declaration of marriage or civil union is sent.”.

3. Schedule I is revoked.

4. Schedule II is revoked.

5. This Regulation comes into force on the date of coming into force of section 3, paragraph 1 of section 6 and sections 8 and 11 of the Act to amend various legislative provisions to better protect persons (2016, chapter 12).

102994

Draft Regulation

Environment Quality Act
(chapter Q-2)

Application of the Act — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act (chapter Q-2), that the Regulation to amend the Regulation respecting the application of the Environment Quality Act, appearing below, may be made by the Government on the expiry of 60 days following this publication.

The draft Regulation amends the Regulation respecting the application of the Environment Quality Act (chapter Q-2, r. 3) to exempt from the application of the first paragraph of section 22 of the Environment Quality Act the carrying on of certain recreational activities and the work, construction or projects associated to the activities. The draft Regulation provides however that work, construction or projects associated to the carrying on of those recreational activities are not exempt if they are performed on a bank or shore or in a floodplain within the meaning of the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains (chapter Q-2, r. 35).

The draft Regulation has little impact on enterprises.

Further information on the draft Regulation may be obtained by contacting Mathieu Marchand, team leader, Direction régionale de l'analyse et de l'expertise de l'Estrie

et de la Montérégie, Ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques, 201, place Charles-Le Moyne, 2^e étage, Longueuil (Québec) J4K 2T5; telephone: 450 928-7607, extension 284; fax: 450 928-7625; email: mathieu.marchand@mddelcc.gouv.qc.ca

Any person wishing to comment on the matter is requested to submit written comments within the 60-day period to Mathieu Marchand, at the above-mentioned contact information.

LISE THÉRIAULT,
*Acting Minister of Sustainable Development,
the Environment and the
Fight Against Climate Change*

Regulation to amend the Regulation respecting the application of the Environment Quality Act

Environment Quality Act
(chapter Q-2, s. 31, 1st par., subpar. f)

1. The Regulation respecting the application of the Environment Quality Act (chapter Q-2, r. 3) is amended by adding the following before section 3:

“**2.2.** The following recreational activities and the work, construction or projects associated to those activities are also exempt from the application of the first paragraph of section 22 of the Environment Quality Act:

- (1) shows or events requiring the use of a device or apparatus intended to reproduce or amplify sound;
- (2) fireworks shows;
- (3) motor vehicle races, tests or shows;
- (4) shooting practices.

The work, construction or projects associated to the practice of those activities on a bank or shore or in a floodplain within the meaning of the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains (chapter Q-2, r. 35) are not subject to the exemption.”

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

102995

Draft Regulation

Police Act
(chapter P-13.1)

École nationale de police du Québec Training Plan — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (CQLR, c. R-18.1), that the Regulation to amend the Training Plan Regulation of the École nationale de police du Québec, the text of which appears below, may be made by the École nationale de police du Québec, upon the expiry of 30 days from this publication.

This draft regulation aims at adding an admission requirement for the basic training program in police patrolling, and making some modifications to the forms attached to the current regulation concerning the medical examination report, the standardized physical abilities test required from the applicants, and the medical questionnaire which must be filled out by the applicants with the help of the physician, respectively.

In accordance with section 12 of the Regulations Act, this regulation may be made within a shorter period than the 45-day period provided for in section 11 of this Act.

The École nationale de police du Québec is of the opinion that this shorter publication period is justified by the urgency due to the obligation for the applicants to meet the new admission requirements 6 weeks prior to the beginning of the first cohort scheduled 30 October, 2017, for the 2017-2018 academic year. The enactment of this regulation will allow applicants to benefit from new admission requirements for the basic training program in police patrolling.

To date, study of the draft regulation has not revealed any impact on businesses.

For additional information, please contact Mr. Pierre St-Antoine, Director of Institutional Affairs and Communications, 350, rue Marguerite-D'Youville, Nicolet, Québec, J3T 1X4; telephone: 819 293-8631 extension 6247; email: psta@enpq.qc.ca

Any interested person having comments to make may send them in writing, before the expiry of the 30-day period, to the Director of Institutional Affairs and Communications of the École nationale de police du Québec, Mr. Pierre St-Antoine, 350, rue Marguerite-D'Youville, Nicolet, Québec, J3T 1X4.

PIERRE ST-ANTOINE,
*Director of Institutional Affairs
and Communications*

Regulation to amend the Training Plan Regulation of the École nationale de police du Québec

Police Act
(chapter P-13.1, s. 16)

1. Section 4 of the Training plan regulation of the École nationale de police du Québec (c. P-13.1, r. 4) is amended:

1° by replacing “physical achievement” in subparagraph 10° of the first paragraph by “standardized physical abilities”;

2° by adding, after subparagraph 14° of the first paragraph, the following subparagraph:

“15° have obtained a firearms certification determined by the School.”

3° by replacing the third paragraph by the following paragraph:

“This medical examination is performed by a physician appointed by the School and includes, among other things, a medical questionnaire described in Schedule “D” to this Regulation, the taking of vital signs, an eyesight test, a puretone audiogram, a blood sample providing a complete blood count (CBC) and the biochemical profile of the applicant, a urinalysis as well as a complete physical examination with respect to the physiological systems and medical conditions as described in Schedule “D”.”

2. Schedules A, B and D are replaced by the schedules attached to this Regulation.

3. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*. However, subparagraph 15° of the first paragraph of section 4, added by subparagraph 2° of section 1, as well as schedules A, B and D, replaced by section 2 do not apply to the assessment of the applicant’s admissibility until the 2017-2018 academic year.

SCHEDULE "A"

MEDICAL EXAMINATION REPORT

Last Name: _____	First Name: _____
File Number: _____	
Address: _____	
Postal Code: _____	Telephone: _____

The above-mentioned applicant underwent a medical examination on ____/____/____.

- Montreal
- Quebec
- Other Specify the city: _____

It is my opinion that this applicant:

- Passed the medical examination prescribed in subparagraph 7° of section 4 of the Training Plan Regulation of the École nationale de police du Québec.
- Did not pass the medical examination prescribed in subparagraph 7° of section 4 of the Training Plan Regulation of the École nationale de police du Québec by reason of:
- Permanent disability
- Temporary disability

I cannot reach a decision at this point because I am expecting:

- Additional information
- The medical problem to be remedied
- Specialized advice
- Additional medical testing
- Other (specify): _____
- _____

Additional comments:

_____	_____	_____
Last Name	First Name	Licence Number

Signature of assessing physician

Date

SCHEDULE “B”
STANDARDIZED PHYSICAL ABILITIES TEST (2017 POLICE SPAT-ENPQ) REPORT

Last Name	First Name
Permanent Code	Sex
College Institution	Assessment Date
Address	A.E.C. <input type="checkbox"/> yes
Postal Code	Telephone
E-mail Address	

TIMED CIRCUIT Maximum duration of 322 seconds (5 min 22 s)	
LAP 1 <ul style="list-style-type: none"> ▪ Illuminated targets ▪ Jump ▪ Movement in the crowd ▪ Lateral movement ▪ Stairs ▪ Chain link wall ▪ Stairs ▪ Push ▪ Low walls ▪ T-test 	<p style="text-align: center;"><i>Compilation of data for statistical purposes</i></p> <p>ILLUMINATED TARGETS Number of attempts <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 or + <input type="checkbox"/> --> Total number _____</p> <p>JUMP Number of attempts <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 or + <input type="checkbox"/> --> Total number _____</p>
LAP 2 <ul style="list-style-type: none"> ▪ Illuminated targets ▪ Jump ▪ Movement in the crowd ▪ Lateral movement ▪ Stairs ▪ Chain link wall ▪ Stairs ▪ Pull ▪ Low walls 	<p style="text-align: center;"><i>Compilation of data for statistical purposes</i></p> <p>ILLUMINATED TARGETS Number of attempts <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 or + <input type="checkbox"/> --> Total number _____</p> <p>JUMP Number of attempts <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 or + <input type="checkbox"/> --> Total number _____</p>
LAP 3 <ul style="list-style-type: none"> ▪ Jump ▪ Movement in the crowd ▪ Lateral movement ▪ Stairs ▪ Chain link wall ▪ Stairs ▪ Low walls ▪ Victim body drag ▪ Illuminated targets 	<p style="text-align: center;"><i>Compilation of data for statistical purposes</i></p> <p>JUMP Number of attempts <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 or + <input type="checkbox"/> --> Total number _____</p> <p>ILLUMINATED TARGETS Number of attempts <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 or + <input type="checkbox"/> --> Total number _____</p>
TOTAL COMPLETION TIME	_____ MIN _____ S <input type="checkbox"/> WITHDRAWAL (NOTE THE TIME)
FINAL RESULT	<input type="checkbox"/> PASS <input type="checkbox"/> FAIL (DOCUMENT FAILURE)

NOTES (e.g., reason for failure, health condition, injury, reason for absence, difficulty observed during the test)

NAME OF THE PERSON IN CHARGE OF ASSESSMENT _____

SIGNATURE OF THE PERSON IN CHARGE OF ASSESSMENT _____

SCHEDULE "D"

Medical Questionnaire

To the applicant: PLEASE GIVE DETAILS on positive answers in the questionnaire.
 Incomplete information may cause a delay in the processing of your file.
To the medical examiner: check and comment the positive answers in a clear and relevant manner.

IMPORTANT – PLEASE READ BEFORE COMPLETING THIS QUESTIONNAIRE: The purpose of this medical examination is to determine if the applicant has a condition that could affect his ability to perform the tasks of the basic training program in police patrolling safely and efficiently, including firearms handling.

N.B. The masculine form used in this questionnaire includes the feminine.

1	Identification
----------	-----------------------

File Number:

Last Name: _____

First Name: _____

Address: _____
(street) (apt.)

(city) (province) (postal code)

Telephone: _____
(home)

(work or cell)

Email: _____

Date of Birth: _____
(year) (month) (day)

Age: _____ Sex: M F

Have you ever completed a medical questionnaire or undergone a medical examination for the École nationale de police du Québec?

Yes No

Applicant's Initials:

To the applicant: PLEASE GIVE DETAILS on positive answers in the questionnaire.
Incomplete information may cause a delay in the processing of your file.
To the medical examiner: check and comment the positive answers in a clear and relevant manner.

	Yes	No	No.	Comments
13 - Kidney or bladder disorders: e.g. kidney failure, blood, proteins or sugar in urine?	<input type="checkbox"/>	<input type="checkbox"/>	13 -	
14 - Nervous system disorders: e.g. convulsions, vertigo, epilepsy, paralysis, severe headaches, tremor, loss of consciousness, concussion, dyslexia or other cognitive disorders? If yes, please give details.	<input type="checkbox"/>	<input type="checkbox"/>	14 -	
15 - Mental health disorders: e.g. insomnia, anxiety, depression, memory loss, phobia, panic disorder, psychosis, attention-deficit disorder? If yes, please give details.	<input type="checkbox"/>	<input type="checkbox"/>	15 -	Month/Year: Time off from work/studies? If yes, duration: Hospitalization? Medication:
16 - Musculo-skeletal disorders: a) joint pain, arthritis, muscle atrophy, amputation, stiffness or loss of strength in the shoulders, elbows, wrists, hands hips, knees, ankles, feet? If yes, please give details.	<input type="checkbox"/>	<input type="checkbox"/>	16a -	
b) Difficulty walking on uneven surface, climbing stairs, standing in stairs, kneeling, making movements with wrists, arms? If yes, please give details.	<input type="checkbox"/>	<input type="checkbox"/>	16b -	
17 - Back and spine disorders: e.g., back pain, herniated disk, difficulty bending, carrying heavy objects, turning or bending your neck forward or keeping your head in the same position for a long time? If yes, please give details.	<input type="checkbox"/>	<input type="checkbox"/>	17 -	Month/year: Description of the problem: Time off from work/studies? If yes, duration: Treatment:
18 - Skin/immune system disorders: e.g., psoriasis, eczema, hives? If yes, please give details.	<input type="checkbox"/>	<input type="checkbox"/>	18 -	Treatment: Time off from work/studies? If yes, duration:
19 - Circulatory system disorder: e.g., anemia, coagulation disorder, leukemia, etc.? If yes, please give details.	<input type="checkbox"/>	<input type="checkbox"/>	19 -	
20 - Endocrine system disorders: e.g., thyroid, adrenal gland disorders? If yes, please give details.	<input type="checkbox"/>	<input type="checkbox"/>	20 -	
21 - Have you ever received treatment or do you receive treatment for: If yes, please give details. - Cancer? - Hypertension? - Allergies: medication, latex, food, others? - Diabetes?	<input type="checkbox"/>	<input type="checkbox"/>	21 -	
22 - Have you ever refused to undergo treatment or surgery that was recommended by a physician?	<input type="checkbox"/>	<input type="checkbox"/>	22 -	Month/year: Nature of treatment or surgery:

Applicant's Initials:

Comments:

Notices

Notice

Natural Heritage Conservation Act
(chapter C-61.01)

Boisé-de-la-Marconi Nature Reserve — Recognition

Notice is hereby given, in keeping with article 58 of the Natural Heritage Conservation Act (chapter C-61.01), that the Minister of Sustainable Development, Environment and the Fight Against Climate Change has recognized as a nature reserve a private property situated on the territory of the town of Drummondville, MRC de Drummond, known and designated as a part of the lots numbers 3 535 542 and 4 727 808 of the Quebec cadastre, Drummond registry division. This property covering an area of 59,759 hectares.

This recognition, for perpetuity, takes effect on the date of the publication of this notice in the *Gazette officielle du Québec*.

PATRICK BEAUCHESNE,
*Assistant Deputy Minister for Sustainable
development and Environmental quality*

102992

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Abbreviations: **A**: Abrogated, **N**: New, **M**: Modified

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Assignment of a temporary protection status as Réserve de biodiversité projetée des Buttes-et-Basses-Collines-du-Lac-Najoua, for a period of four years, and establishment of the plan and conservation plan of the area (Natural Heritage Conservation, chapter C-61.01)	1588	N
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Natural Heritage Conservation — Assignment of a temporary protection status as Réserve de biodiversité projetée des Îles-du-Réservoir-Gouin, for a period of four years, and establishment of the plan and conservation plan of the area (chapter C-61.01)	1602	N
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