

6 Conclusion

This information document shows the ecological interest of the eight territories with a view to making permanent protected areas of them. It highlights the ecological issues and social issues related to their protection and development and proposes an adaptable preliminary management framework in light of the regional context specific to the Abitibi-Témiscamingue region and, in the case of the Réserve aquatique projetée de la Rivière-Dumoine, to the regional context in the Outaouais region as well.

The main objective of the eight protected areas is to preserve the diversified territories that are representative of the natural and cultural heritage while seeking the harmonization of public use of the territory with conservation objectives. The protected areas should, through the manner in which the territory is managed, constitute examples of sustainable development.

The status of aquatic reserve and biodiversity reserve allow for non-industrial activities such as hunting, fishing, trapping and hiking as long as they do not significantly affect biodiversity. The exclusion of any other industrial activity makes it possible to preserve the most intact or barely degraded landscapes and ecosystems whose ecological value and potential as a backdrop for moderate development activities such as tourism, ecotourism, hunting, fishing and trapping are key strengths for the diversification of tourist attractions in the region and, consequently, its economy.

The eight territories display varied ecological characteristics that arouse specific concerns from the standpoint of conservation and management. What they have in common is the maintenance of biodiversity while facilitating the sustainable development of the resources of the Abitibi-Témiscamingue region. By protecting habitats suited to wildlife, we can promote numerous harvesting activities on the periphery in the Abitibi-Témiscamingue region and thus guarantee in the long term such activities while enhancing the degree of protection of biodiversity.

The aquatic reserves and biodiversity reserves, like all other protected areas, will be preserved in the long term. Future generations will thus be able to benefit from the ecological services that the territories offer, as will current generations.³³

³³ For more information on ecological services, see Limoges, 2009: *Le Naturaliste canadien*, Vol. 133-2: http://www.provancher.qc.ca/upload/file/133_2%20p%2015-19.pdf



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Appendix 1: Age class groups that define old-growth forests by forest tree species

Excerpted from Appendix 5 of "Portrait du réseau d'aires protégées au Québec – Période 2002-2009."

Dominant species	Establishment age of old-growth forest (MRNF, unpublished)	Age of breakage (Kneeshaw and Gauthier, 2003)	Maturity age (Burns and Honkala, 1990)	Matuity age of the old forest (Uhlic <i>et al.</i> , 2001)	Age class corresponding to old growth forests, according to species **
White Birch *	—	90-110 years	60-70 years	90-100 years	90 years and older and old uneven-aged forests
yellow Birch	—	—	120-150 years	150-160 years	120 years and older and old uneven-aged forests
Red oak or indistinct	—	—	-	110-120 years	120 years and older and old uneven-aged forests
White spruce	—	110-130 years	100-250 years	90-120 years	90 years and older and old uneven-aged forests
Black and/or red spruce	70-114 years	110-160 years	95-132 years	80-150 years	90 years and older and old uneven-aged forests
sugar Maple	—	—	140-150 years	120-140 years	120 years and older and old uneven-aged forests
Red Maple *	—	—	70-80 years	70-100 years	70 years and over and old uneven-aged forests
Indistinct ash	—	—	—	100 years	120 years and older and old uneven-aged forests
tamarack	—	—	—	90 years	90 years and older and old uneven-aged forests
Indistinct poplar *	66-82 years	90-100 years	—	80-100 years	90 years and older and old uneven-aged forests
eastern White pine	—	—	—	120-150 years	120 years and older and old uneven-aged forests
Jack pine *	70-86 years	90-110 years	60-80 years	80-140 years	90 years and older and old uneven-aged forests
Red pine	—	—	—	130-140 years	120 years and older and old uneven-aged forests
Hemlocks	—	—	—	140 years	120 years and older and old uneven-aged forests
Balsam fir	50-112 years	70-80 years	—	70 years	70 years and over and old uneven-aged forests
eastern White cedar	—	—	—	100-150 years	120 years and older and old uneven-aged forests
Humid hardwood	—	—	—	—	120 years and older and old uneven-aged forests
tolerant hardwood	—	—	—	—	120 years and older and old uneven-aged forests
Intolerant hardwood *	—	—	—	—	120 years and older and old uneven-aged forests
Indistinct softwood	—	—	—	—	90 years and older and old uneven-aged forests

* species denoting the beginning of succession

** correspondence of age classes: 10 = 0 to 20 years; 30 = 20-40 years; 50 = 40 to 60 years; 70 = 60 to 80 years; 90 = 80 to 100 years; 120 = 100 years and more

Appendix 2: Bird species in the Abitibi-Témiscamingue region

Abundant	Common	Uncommon	Occasional	Rares
White-throated sparrow	Osprey	Horned lark	Least sandpiper	Royal eagle**
Song sparrow	American woodcock	Goshawk	Sandarling	Hudsonian godwit
Savannah sparrow	Common snipe	Two-barred crossbill	Semipalmated sandpiper	White-rumped sandpiper
Chipping sparrow	Canada goose	Brent goose	Dunlin	Pectoral sandpiper
Red-winged blackbird	White-crowned sparrow	Conte's sparrow	Short-billed dowitcher	Caspian tern
American crow	Lincoln's sparrow	Red-tailed hawk	Brewer's sparrow	Red knot
Common starling	Marsh sparrow	Wood duck	Lapland longspur	Common crossbill
Ruffed grouse	Snow bunting	Northern shoveler	Vesper sparrow	Black-crowned night heron
Ring-billed gull	American tree sparrow	Red-breasted grosbeak	Gadwall	Nelson's sparrow*
Great blue heron	Hen harrier	Solitary sandpiper	Great grey owl	Clay-coloured sparrow
Swainson's thrush	Rough-legged hawk	Northern hawk owl	Black-billed cuckoo	Lark bunting
Veery	American bittern	Sharp-shinned hawk	American coot	Eurasian wigeon
Hermit thrush	Mallard	Merlin	Glaucous gull	Northern cardinal
Tree swallow	American wigeon	Greater scaup	Great black-backed gull	Yellow-headed blackbird
Cedar waxwing	Black duck	Greater yellowlegs	Grey-cheeked thrush	Barred owl
American robin	Northern pintail	Pileated woodpecker	Sandhill crane	Whimbrel
	American goldfinch	Great horned owl	Red-breasted merganser	Whip-poor-will
Black-capped chickadee	Spotted sandpiper	Red-necked grebe	Ptarmigan	Ruddy duck
Alder flycatcher	Ruby-throated Hummingbird	Brown creeper	Chimney swift	Peregrine falcon**
Least flycatcher	Double-crested cormorant	Black tern	Eastern bluebird	Canvasback
Yellow-rumped warbler	American kestrel	Oldsquaw	Grey catbird	Redhead
Chestnut-sided warbler	Pine grosbeak	Snowy owl	Northern mockingbird	Barrow's goldeneye*
Ovenbird	Common nighthawk	Hooded merganser	Olive-sided flycatcher	Horned grebe***
American redstart	Ring-necked duck	Short-eared owl*	Bonaparte's gull	Bicknell's thrush*
Yellow warbler	Common goldeneye	Cliff swallow	Blackpoll warbler	Wood thrush
Common yellowthroat	Bluejay	Bank swallow	Three-toed woodpecker	Common crane
Hairy woodpecker	Herring gull	Bohemian waxwing	Virginia rail	Long-eared owl
Northern flicker	Bobolink	White-winged scoter	White-breasted nuthatch	Surf scoter
Downy woodpecker	Common raven	Sora	Hoary redpoll	Black scoter
Rock dove	Common merganser	Boreal chickadee	Scarlet tanager	Upland sandpiper
Common loon	Pied-billed grebe	House sparrow	Sharp-tailed grouse	Mississippi kite
Killdeer	Evening grosbeak	Yellow-throated warbler	Rudy turnstone	Brown thrasher
Ruby-crowned kinglet	Junco	Palm warbler	Great-crested flycatcher	Eastern phoebe
Common grackle	Belted kingfisher	Connecticut warbler	Turkey vulture	Boreal owl
Spruce grouse	Grey jay	Blackburnian warbler	Warbling vireo	Greater white-fronted goose
Red-eyed vireo	Wilson's warbler	Bay-breasted warbler		Baltimore oriole
Philadelphia vireo	Black-throated green warbler	Lesser yellowlegs		Northern parula
	Nashville warbler	Snow goose		Yellow-breasted chat
	Magnolia warbler	Black-backed woodpecker		Orange-crowned warbler
	Black-throated blue warbler	Northern shrike		Indigo bunting
	Northern waterthrush	American pipit		Saw-whet owl
	Canada warbler	Bald eagle **		Wilson's phalarope
	Cape May warbler	Rusty blackbird		Red-throated loon



Abundant	Common	Uncommon	Occasional	Rares
	Black-and-white warbler	Gold-crowned kinglet		Black-bellied plover
	Tennessee warbler	Mourning dove		American golden plover
	Mourning warbler	Cowbird		Semipalmated plover
	Lesser scaup	Blue-headed vireo		Brewer's blackbird
	Buffedhead			Yellow rail*
	Broad-winged hawk			House finch
	Yellow-bellied sapsucker			Eastern meadowlark
	Purple finch			House wren
	Blue-winged teal			
	Common teal			
	Red-breasted nuthatch			
	Common redpoll			
	Common tern			
	Pine siskin			
	Wren			
	Eastern kingbird			

Appendix 3: Historical background on the Snake Creek area

The historical background below was provided by means of personal communications with a trapper and amateur historian from the territory.

Serpent Creek owes its name to its meandering course that “snakes” over a distance of seven miles then flows into the Ottawa River opposite Mile 11 of the railroad line. It originates in Snake Lake, now called Lac Marin. The oldest historical writings on the area go back to 1885 in the travel notes of Father Calixte Mourier, o.m.i., one of the first missionaries to travel the length and breadth of the Témiscamingue region to James Bay. He noted that he travelled from Mattawa toward Témiscaming and reached the La Cave then the Les Érables rapids, and crossed the Ottawa River to reach Fort Eddy, located at the mouth of Snake Creek. The site is now a private hunting and fishing club with the Amerindian name Shahwandahgooze, which means “a meeting place for friends.” A group from Mattawa founded the club in 1903, under a timber berth plan. Third-generation descendants still regularly visit the site from spring to fall. In 2003, the club celebrated its centenary.

The northern side of Lac Marin was also called Snake Creek. In Augustin Chénier’s historical background of the Témiscamingue region, published in 1937, he mentions the Jacob Raciot family, which built a stopping place to accommodate travellers coming from Lac Kipawa. According to their grandson Jean, who built a monument there in 1988, the family apparently lived on the site from 1882 to 1901. The family raised eight children, one of whom drowned in 1894 at the age of 18.

On the western slope of Lac Marin lies a spit of land with a white sand beach. In 1912, David Dunlap, a notary-attorney from Mattawa who made a fortune in northern Ontario mines, erected an imposing building dubbed the Château Dunlap. Even today, the ruins of three fireplaces that heated the sumptuous cottage are visible. There was also a golf course, a tennis court and a bridle path on the peninsula. Wealthy guests travelled there by airplane. The cottage burned down in 1953. The same year, there was a heatwave in late August. Lightning caused a huge fire that devastated 3 000 acres of forest in the Lac Clair and Lac Moosemeat area.

From the Club Shahwandahgooze, following the Snake Creek trail, vestiges of human activities are still apparent, such as the “red house” located mid-way between Lac Marin and the Ottawa River. Hawkesbury Lumber engaged in intensive forestry operations there until 1939. The Wickens family inhabited the house until 1957.

Near Lac Bangs and Lac Jos are two blocks of land on which the former farm of Alex Soucie, who was also a trapper and voyageur, was located. The row of spruce trees leading to the house is still visible. Only a shed housing abandoned tillage implements is still standing.

Farther away in a narrow spot between Snake Creek and the railway line sits a white house. It is on this farm that Paul Morin and his six-year-old son were murdered in 1917.

Speaking of railroad lines, the line that runs 40 miles between Mattawa and Témiscaming along the Ottawa River is called the Moccasin Line. The stretch was completed in 1899. The Morin farm was called the Moccasin Line Camp since it hosted on a stop travellers from the Timber Train, between 1998 and 2001. The attraction pleased many tourists who came to experience a historic trip to the sound of music while admiring the spectacular fall colours. The Morin house belonged until very recently (summer of 2009) to an outfitter from Mattawa who sold it to an individual from North Bay.

At Mile 12 of the railroad line there was a small village called Snake Creek, now a ghost town. The Duval brothers from Mattawa operated a sawmill belonging to Guelph Cask Plywood & Veneer from the 1940s to the late 1950s. There were also logging camps to accommodate the workers. Wood was transported by train to Mattawa. There was a small station, a post office, several houses and small neighbouring farms that were moved or abandoned when the railroad was moved in 1950.

Augustin Chénier (1937), *Notes historiques sur le Témiscamingue*, page 69.

David Dunlap (1925), *Shahwandahgooze Days*, 75 pages.

Excursion Timber Train (1999), tourist brochure.

Doug Mackey, “Up Snake Creek without a paddle” in *Community Voices*, September 26, 2008. dmackey@pastforward.ca

Bob Mingie (2003), *Club Shahwandahgooze 1903-2003*, 62 pages.

Claudie Poitras (1997), “Mocassin’s Line, une recherche historique,” 20 pages.

Jean Racicot (2004), “De Mattawa vers Kipawa/Témiscaming,” 26 pages.

Appendix 4: Regime of activities

§ 1. Introduction

The activities carried on inside the biodiversity reserve are mainly governed by provisions in the *Natural Heritage Conservation Act*.

The provisions in this section call for prohibitions in addition to those already prescribed by the Act. They structure the carrying out of certain allowable activities in order to better protect the natural environment in a spirit of respect for the principles of conservation and the other management objectives of the biodiversity reserve concerned.

It should be noted that pursuant to the *Natural Heritage Conservation Act*, the main activities prohibited in a territory with the status of a biodiversity reserve are:

- forest development within the meaning of section 3 of the *Forest Act* (R.S.Q., c. F-4.1);
- mining, gas or oil development;
- mining, gas or oil exploration, exploration for brine or underground reservoirs, prospecting, excavation or exploratory drilling;
- the exploitation of hydropower and any commercial or industrial energy production.

§ 2. Prohibitions, prior permission and other conditions governing the exercising of certain activities in the biodiversity reserve

§2.1 Protection of resources and the natural environment

3.1. Subject to the prohibition in the second paragraph, no one may establish in a biodiversity reserve, especially through stocking, specimens or individuals of species that are indigenous or non-indigenous to the environment, unless he obtains authorization from the Minister.

No one may stock a watercourse or a water body for aquacultural purposes, commercial fishing or another commercial purpose.

Unless he has obtained authorization from the Minister, no one may establish in the biodiversity reserve a plant species that is not indigenous to the reserve.

3.2. No one may use fertilizer in the biodiversity reserve. However, the use of compost for domestic purposes is allowed if it is used at least 20 m from a watercourse or a water body measured from the high water mark.

The high water mark means that defined by the *Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains* adopted by Order No. 468-2005 of May 18, 2005.

3.3. Unless the Minister has authorized him to do so, no one may:

- 1° intervene in a wetland, including a marsh, a swamp or a peat bog;
- 2° modify the natural drainage or the moisture balance of the reserve, in particular by creating or adjusting watercourses or water bodies there;;
- 3° dig, backfill, obstruct or divert any watercourse or water body;
- 4° install or build any construction, infrastructure or new structure in the bed, on the banks or in the flood plain of a watercourse or a water body. However, no authorization is required for minor structures such as wharves, platforms or boathouses whose construction is carried out for private purposes and may be carried out free of charge pursuant to section 2 of the *Regulation respecting the water property in the domain of the State* enacted by Order No. 81-2003 of January 29, 2003;
- 5° carry out any activity other than those covered by the preceding paragraphs that is likely to degrade the bed or the banks of a water body or a watercourse or directly, substantially alter the quality or biochemical characteristics of aquatic or riparian environments or wetlands in the biodiversity reserve, among other things by releasing therein any waste or pollutant;
- 6° engage in land husbandry, including burial, earth work, the removal or displacement of surface materials or plant cover, for any reason whatsoever, including tourist facilities and trail building;
- 7° install or establish any construction, infrastructure or new structure;
- 8° rebuild or demolish a construction, infrastructure or a structure;



9° engage in an activity that is likely to seriously degrade the soil, a geological formation or damage the plant cover, among other things, through topsoil stripping, digging trenches or excavation. However, no authorization is required for the removal of steatite by a beneficiary within the meaning of section 1 of the *Act respecting the land regime in the James Bay and New Québec territories* (R.S.Q., c. R-13.1);

10° use pesticide, although no authorization is required for the use for personal purposes of insect repellent;

11° engage in educational or research activities when they are likely to damage or substantially disturb the natural environment, notably by the nature or extent of the samples collected or by the invasive nature of the method or the process employed;

12° organize a sports competition, tournament, rally or similar event when the number of individuals like to participate and simultaneously access the territory of the biodiversity reserve exceeds 15. However, the Minister may not issue authorization in the event that the activity in question involves the passage of motor vehicles, unless the Minister has been shown that it is impossible to organize the activity elsewhere or serious constraints prevent the circumvention of the territory of the biodiversity reserve.

3.4. Notwithstanding paragraphs 6, 7, 8 and 9 of the first subparagraph of section 3.3, no authorization is required to carry out the work mentioned in the first paragraph of this article when the requirements of paragraph 2 are met.

1° The work concerns:

a) the maintenance, repair or improvement of any construction, infrastructure or structure, including a camp, a cottage, a road or trail, including a facility that is accessory to them, such as a lookout or a staircase;

b) the construction or installation:

i. of an accessory building or facility pertaining to a trapping camp, a basic shelter, a hut or a cabin, including a shed, a well, a water inlet, or sanitary facilities;

ii. a trapping camp, a basic shelter, a hut or a cabin when, on the date that the status of the biodiversity reserve takes effect, such a building was allowed within the framework of the usage or occupancy right granted but had not yet been built;

c) the demolition or reconstruction of a trapping camp, a basic shelter, a hut or a cabin, including an accessory building or facility, including a shed, a well, a water inlet, or sanitary facilities.

2° Specifically:

a) the work must pertain to a construction, infrastructure or a structure whose presence is allowed in the territory of the biodiversity reserve;

b) the work must be carried out inside the area of the lot or the right-of-way that is subject to a right of use or an occupancy right in the biodiversity reserve, whether such right stems from a lease, an easement or another form of title, permit or authorization;

c) the nature of the work or the elements established through the work must not increase the surface of the lot that may be maintained deforested beyond the boundaries allowed by the provisions applicable to the sale, leasing and granting of immovable rights pursuant to the *Act respecting the lands in the domain of the State* (R.S.Q., c. T-8.1) and, as the case may be, the boundaries stipulated within the framework of an authorization issued in respect of such construction, structure or infrastructure;

d) the work must be carried out in accordance with the prescriptions in any permit or any authorization issued in respect of such work or related to the construction, infrastructure or structure to which they pertain, and in a spirit of respect for the applicable legislative and regulatory measures.

For the administration of this article, repair and improvement work includes work to replace or build structures or facilities in order to comply with an environmental regulation.

3.5. No one may bury, abandon or deposit waste, snow or other residual materials except in waste receptacles, facilities or sites provided by the Minister or elsewhere with the Minister's authorization.

Notwithstanding the first paragraph, no authorization is required by an outfitting operation to use a facility or disposal site in accordance with the *Environment Quality Act* and the attendant regulations when the outfitting operation was already using such a facility or disposal site on the date on which the protected status of the biodiversity reserve came into effect.

§2.2 Rules of conduct governing users

3.6. Any person who stays, engages in an activity or travels in the territory of the biodiversity reserve is bound to maintain the site in a satisfactory state and, before leaving the territory of the reserve, to restore the site as much as possible to its natural state.

3.7. Any person who builds a campfire must check to make sure that:

- 1° the site where the fire is to be lit has first been cleared within a sufficient radius to prevent the fire from spreading, in particular by removing from the area in question branches, undergrowth, dry leaves and other combustible materials;
- 2° someone remains on the site to monitor the fire;
- 3° the fire is completely extinguished before the users leave the site.

3.8. It is prohibited in a biodiversity reserve to:

- 1° make excessive noise;
- 2° behave in a manner that unduly disturbs other users or prevents them from enjoying the use of the site;
- 3° harrÿ wildlife.

For the application of paragraphs 1 and 2 of the first subparagraph, excessive or undue behaviour is deemed to be behaviour that significantly disturbs other people and constitutes unusual or abnormal conditions in the carrying out of an activity or the use allowed of a good, an apparatus or an instrument in the territory of the biodiversity reserve.

3.9. Unless so authorized by the Minister, no one may have access to carry out an activity or travel there with a vehicle in a given area of the biodiversity reserve when the signage established by the Minister restricts such access, such travel or the carrying out of certain activities with a view to protecting the public from a threat or to avoid endangering wildlife, flora or other components of the natural environment.

3.10. No one may destroy, remove, move or damage the posters, signs, notices or other forms of signage posted by the Minister on the site of the biodiversity reserve.

§2.3 Miscellaneous activities subject to authorization

3.11. No one may occupy or use a given site in the biodiversity reserve for a period of more than 90 days in a given year, unless authorized to do so by the Minister.

- 1° For the application of the first paragraph:
 - a) the occupation or use of a site means, in particular:
 - i. staying or settling in the biodiversity reserve, among other things for the purpose of holidaying;
 - ii. building a campsite or shelter there;
 - iii. building, burying or leaving there any good, including equipment, a device or a vehicle;

b) the expression "given site" includes any other site located within a radius of one (1) km from this site;

2° Notwithstanding the first paragraph, no authorization is required of individuals:

- a) who, on the date that the protected status of the biodiversity reserve comes into effect, were parties to a lease or benefited from another right or another authorization allowing them to legally occupy the territory pursuant to the *Act respecting the lands in the domain of the State* or, as the case may be, the *Act respecting the conservation and development of wildlife* (R.S.Q., c. C-61.1), and whose occupancy right is renewed under the same conditions, subject to possible changes in the user fees;
- b) who, in accordance with the legislation, benefit from a sub-lease, an assignment of lease or the transfer of a right or an authorization contemplated in subparagraph (a) and whose occupancy right is renewed under the same conditions, subject to possible changes in the user fees;
- c) who take advantage of the possibility of acquiring a lot occupied legally on the date on which the protected status of the biodiversity reserve came into effect, pursuant to the *Act respecting the lands in the domain of the State*.

3.12. 1° No one may engage in forest development activities to satisfy domestic needs or for the purpose of maintaining biodiversity, unless authorized to do so by the Minister.

2° Notwithstanding paragraph 1, individuals who stay or reside in the territory of the biodiversity reserve and who harvest there the wood required to build a campfire outdoors are exempted from the obligation to obtain authorization from the Minister.

Moreover, authorization from the Minister is not required to harvest fuelwood to satisfy domestic needs in the following instances and under the following conditions:

- a) when the harvesting is intended to supply a trapping camp or a basic shelter whose presence is allowed in the territory of the biodiversity reserve:
 - i. if such harvesting is carried out by a person in accordance with the conditions stipulated in the permit to harvest fuelwood for domestic purposes issued by the Minister of Natural Resources and Wildlife pursuant to the *Forest Act*.
 - ii. if the quantity of wood harvested does not exceed 7 apparent m³ per year;

b) in other instances:

- i. if the harvesting is carried out within an area that the Minister of Natural Resources and Wildlife has selected as an area that may be subject to the issuing of permit to harvest fuelwood for domestic purposes pursuant to the *Forest Act* that the Minister had already selected on this account on the date that the protected status of the biodiversity reserve came into effect;
- ii. if the harvesting is carried out by a person who, on the date that the protected status of the biodiversity reserve came into effect or during one of the three (3) previous years, held a permit to harvest fuelwood for domestic purposes that allowed him to harvest fuelwood in the territory of the biodiversity reserve;
- iii. if such harvesting is carried out by a person in accordance with the conditions stipulated in the permit to harvest fuelwood for domestic purposes issued by the Minister of Natural Resources and Wildlife pursuant to the *Forest Act*.

3° Notwithstanding paragraph 1, no authorization is required by a person authorized by the lease to occupy the territory of the biodiversity reserve, in accordance with the provisions in this plan, to carry out a forest development activity for one of the following purposes:

- a) to clear the allowable areas, maintain them or make vista clearings and other similar harvesting allowed by the provisions governing the sale, leasing and granting of immovable rights pursuant to the *Act respecting the lands in the domain of the State*, including access roads, staircases and other trails allowed by the same provisions;
- b) to clear the spaces necessary for the building or connection of distribution lines, water-supply facilities and pipes, sanitary facilities or the supplying of electricity or telecommunications services, and their maintenance, repair, reconstruction or upgrading.

However, when the work contemplated in subparagraph (b) of paragraph (3) is carried out on behalf of or under the responsibility of an enterprise that provides any such service, the execution of such work, except for the exemptions stipulated in sections 3.14 and 3.16, is subject to first obtaining the Minister's authorization;

3.13. No one may engage in commercial activities in the biodiversity reserve unless authorized to do so by the Minister.

Notwithstanding the first subparagraph, no authorization is required to maintain commercial activities that, on the date that the protected status of the biodiversity reserve came into effect, were subject to a right of use of the territory for such purpose,

whether the right stems from a lease or other form of title, permit or authorization, within the limits of what such right allows.

§2.4 Exemptions from authorization

3.14. Notwithstanding the foregoing provisions, no authorization is required by a person to engage in an activity or another form of initiative in the territory of the biodiversity reserve if it is urgent to act to avoid harm to the health or safety of individuals or in order to repair or prevent damage caused by a real or apprehended catastrophe. However, the person concerned must promptly inform the Minister of the activity or initiative that he has carried out.

3.15. The members of an Aboriginal community who, for food, ritual or social purposes, carry out an initiative or engage in an activity in the territory of the biodiversity reserve are exempted from the obligation to request authorization for this purpose.

3.16. Notwithstanding the foregoing provisions, the following activities or initiatives that are carried out by Hydro-Québec or another person on its behalf may be carried out without first obtaining authorization from the Minister pursuant to this plan:

- 1° activities or initiatives required in the territory of the biodiversity reserve to complete a project whose fulfilment was already expressly authorized by the government and the Minister or by the Minister alone in accordance with the requirements of the *Environment Quality Act* (R.S.Q., c. Q-2), if they are carried out in accordance with the authorizations issued;
- 2° activities or initiatives prior to the preparation and submission of a draft proposal for a project in respect of which authorization must be obtained pursuant to the *Environment Quality Act*;
- 3° activities or initiatives related to a project that requires prior authorization by the Minister pursuant to the *Environment Quality Act*, when their execution seeks to respond to a request for clarification or additional information addressed by the Minister to Hydro-Québec, if such activities and initiatives are carried out in accordance with the request formulated;
- 4° the activities or initiatives of Hydro-Québec, the conditions governing the execution of which are subject to an agreement concluded between the Minister and Hydro-Québec and are carried out in a spirit of respect for such conditions.

Hydro-Québec must inform the Minister of the activities or initiatives covered by this section that it plans to carry out before it does so in the territory of the reserve.

For the application of this section, the activities and initiatives of Hydro-Québec include, among other things, preliminary studies, on-site analysis or research, the work required to study and verify the impact of corridors and power transmission or distribution line routes, geological or geophysical surveys, survey lines, and the opening and maintenance of access, construction or traffic roads to carry out such work.

