

**For Sustainable and Harmonious Development  
of Public Land**

# **APPROACH TO PUBLIC LAND USE PLANNING**

**3<sup>rd</sup> edition**

**MINISTÈRE DE L'ÉNERGIE ET DES RESSOURCES NATURELLES**



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## 1- Background

The management and sustainable development of public land is under the jurisdiction of the Government of Québec.

The government has tasked the Minister of Energy and Natural Resources with the coordination of public land use.

In carrying out this task, the Minister uses a tool provided for in the *Act respecting the lands in the domain of the state*, the public land use plan (PLUP).

Section 21 of the Act specifies that the purpose of a PLUP is to define and indicate sites and territorial units and determine their use in accordance with the aims and orientations in the areas of land use and resource conservation and development that the government and the departments concerned are pursuing or following or intend to pursue or follow in respect of those lands.”

PLUPs are drawn up and amended jointly by the government departments and offices that manage the use and protection of public land. There are also provisions for participation by non-government actors (regional and local authorities, organizations, associations, etc.) and by private citizens. Because of the jurisprudence and their status as nations, Aboriginal organizations and communities take part separately in the land use planning process.

Active PLUPs in most Québec administrative regions have been drawn up in such a way that everyone concerned can come away with an integrated picture of current and future use of public land.

### Key points regarding public land

- It makes up 92% of Québec’s total 1.7 million-square kilometre surface area.
- It includes land and water along with the natural resources found there.
- Development of State-owned land and its natural resources makes a significant contribution to the wealth of Québec.
- Public land harbours an inestimable diversity of life forms, which merits protection.
- Many departments and government bodies grant user rights and give special status to parcels of public land.
- On the regional level, regional county municipalities (RCMs) are involved in public land management in virtue of delegation agreements and programs put in place by the government.
- A number of Aboriginal communities hold or claim land- and resource-use rights.<sup>1</sup>
- As of 2017, over 225,000 instances of special rights and statuses<sup>2</sup> were in effect in Québec, covering practically every inch of public land.
- The first PLUPs were drawn up in 1980 and mainly reflected existing public land use.
- In 2005 the government consulted with a wide range of stakeholders and changed its approach to public land use.
- The new generation of PLUPs brought in in 2012 was based on the new approach.

<sup>1</sup> In virtue of government agreements or court rulings.

<sup>2</sup> Source: MERN, Secteur du territoire, September 2018.

This 3rd edition of the government approach is designed to make decisions more transparent, promote participation in the process, and make PLUPs more effective in ensuring coherent and consistent use of public land.

## **2- Role and scope of PLUPs in the management of public land**

The approach developed for public land use planning cannot be broached without first situating land use planning in the management of lands and resources in the domain of the State and clarifying it in relation to the other land use management tools. The role of the public land use plan in these areas is the cornerstone of the approach.

Public land is used for many purposes, and requests are constantly being made for a wide variety of new ones. In general, the use and protection of lands and resources in the domain of the State as well as interventions on the territory are authorized under rights or status designations. In order to manage public lands, every government department or agency produces directions and objectives based on knowledge acquired in their area of activity. These directions and objectives are considered sectoral, since they refer to a single field of activity. They are found, for example, in legislation (laws and regulations), policies and plans that guide government department or agency actions (granting of rights and status designations) or third-party interventions.

To harmonize their sectoral actions, the government departments and agencies generally consult each other. The directions, objectives and sometimes the granting of rights and status designations are the subject of consultations within government. In many instances, regional, local and Aboriginal organizations as well as the general public are also consulted on these

same topics. This is the case for the recreation and tourism and wind-energy sections of regional plans for public land development (RPPLD), integrated forest management plans and proposed protected areas.

The sharing of responsibility among many government departments and agencies requires a tool for pooling expertise and interests in order to develop an integrated, progressive government vision of the use and protection of lands and resources. This tool is the public land use plan. This plan plays a unique role in the management of lands and resources, a role which consists in the planning and coordination of government choices and decisions to ensure a use of public lands in the best interest of the population.

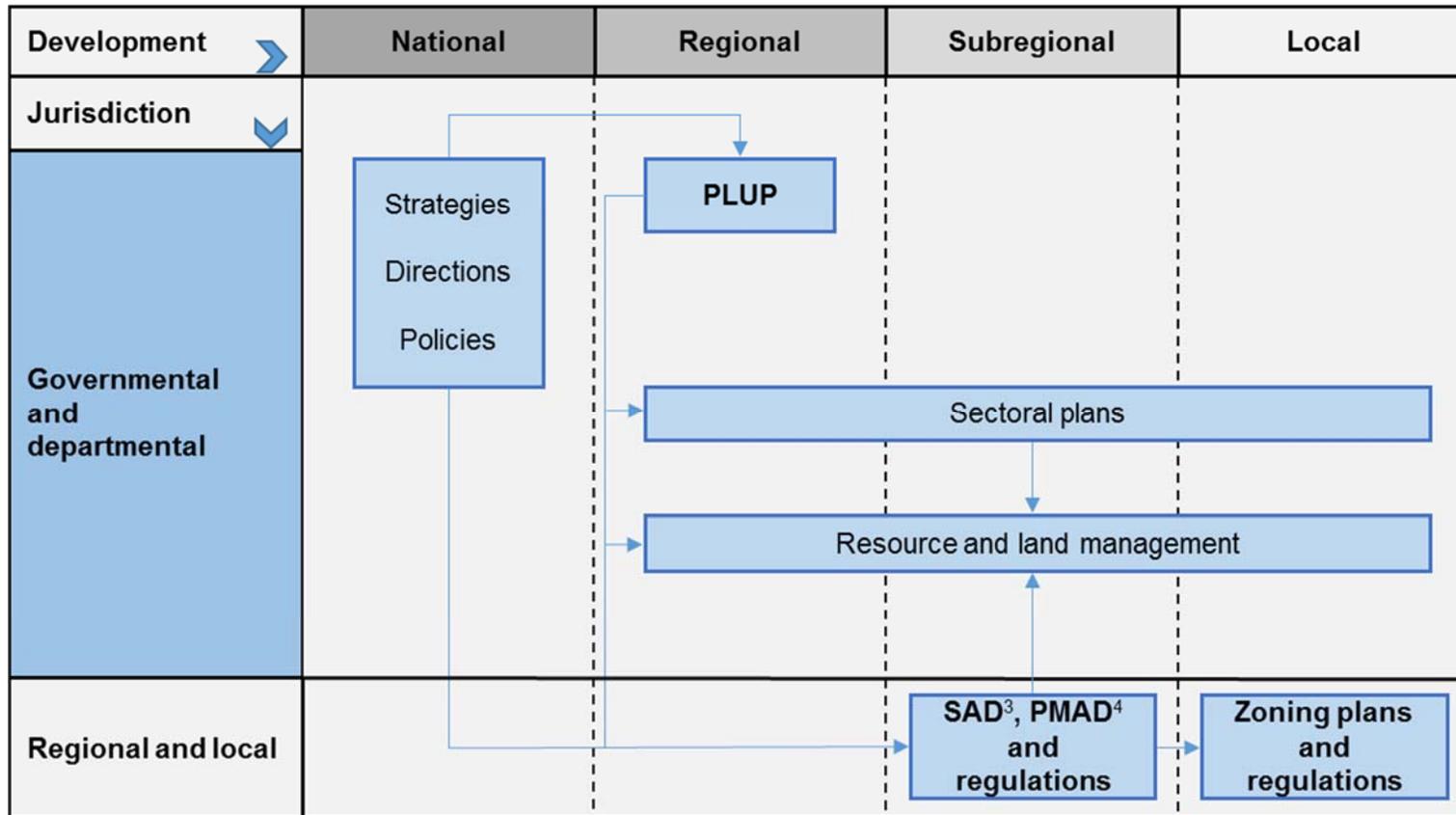
The accumulated knowledge of government departments and agencies with their sectoral goals and the rights and statuses they assign are key inputs in preparing land use plans. The results are then combined with the contributions of regional, local and Aboriginal stakeholders.

The directions set forth in the PLUPs, once approved, affect what is planned for and done on public land (via permissions, rights, statuses, and so forth) by governmental departments and agencies and at the municipal level. They provide guidelines and rules for the actions of government departments and agencies and affect what goes into the planning instruments used by municipal authorities, which must be consistent with them.

PLUPs are approved by the government, providing a way to plan public land use across Québec.

PLUPs are publicly available so that anyone interested can see how the government protects and manages the use of public land.

Figure 1: Links between PLUPs and other land and resource use planning instruments



<sup>3</sup> SAD = regional county municipality land use planning and development plan

<sup>4</sup> PMAD = metropolitan land use planning and development plan

PLUPs contribute to integrated management of land and resources and the harmonization of government actions on public land. It fits into the overall management process and covers planning for all public land. As shown in figure 1, such planning takes place at a higher level than other governmental and sectoral planning, which involves one field at a time (i.e., land, forestry, energy resource, or agricultural management) and thus brings together all the multiple interests that shape the use of public land.

### **3- Bringing greater consistency to the management of public land**

The context of public land management is constantly changing, sustainable land and natural resource use being an example. Factors include harmonizing uses and taking stakeholder interests and community concerns into account. The purpose of PLUPs is to ensure that government interventions are consistent in the interest of harmonizing the actions taken with respect to public land. The approach to public land use is based on integrating all these things.

- **Incorporation of environmental, social<sup>5</sup> and economic dimensions**

Sustainable development is an integral part of the concerns of the government and of regional, local, and Aboriginal communities. Private citizens have increasingly stringent expectations of how land and natural resources should be developed, related among other things, to the social acceptability of projects.

Land-use decisions therefore must take into account the specific environmental, social, and economic issues surrounding each tract of land. The approach is based on incorporating all this into a holistic, long-term perspective that remains open to new uses of the land while always seeking to balance economic activity with environmental protection and social needs.

- **Support for the socio-economic development of the regions**

Uses for public lands include recreational development (e.g., adventure tourism, outdoor activities, or accommodations) and the exploitation of natural and other resource potential (e.g., energy, mining, forestry, and agriculture) that could contribute to regional prosperity. Public land managers need to address these emerging needs while taking into account existing uses of lands and their potential. By promoting the harmonious co-existence of diverse existing and anticipated uses on public land, the land use plan facilitates project development as well as regional and local socio-economic development. Land use plans will also promote consistency in the long-term use of public land, which represents an essential guarantee for government stakeholders as well as for communities and investors.

- **Incorporation of regional concerns**

As with all policies concerning regional and rural development, those governing management of public land must address the particular characteristics of each region. It is therefore essential to have mechanisms that allow an area's actors and the Aboriginal communities concerned to take part in and contribute

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<sup>5</sup> The social dimension also includes culture and issues relating to access, occupation, or proximity to a piece of land.

to the land use planning exercise. It is for this reason that public land use plans are prepared in the regions and include steps through which the various parties can express their concerns and interests.

- **Harmonization of government actions**

By guiding what is done on public lands, the land-use approach makes for greater consistency in government action. Government intentions and the resulting uses, together with the objectives in the land use plans, provide the basis for directing actions in such a way as to promote harmonious development of land and resources in the domain of the State.

The government's intentions about public land use are based on the land-use approach, within the framework of each PLUP. The plans set a comprehensive course for public land going forward and give stakeholders clear, practical instructions for managing it. To harmonize government action, departments and agencies<sup>6</sup> have to factor land use plan policy directions into their own planning and incorporate them into their processes for granting user rights and special statuses. On the regional level, regional county municipalities and metropolitan communities (MC) must also bring their planning processes into line with the policy directions of the PLUPs.

#### **4- A regionally focused multi-stakeholder process**

As manager of publicly owned lands and resources, the government must make decisions that address the concerns and priorities of the many parties affected by public land management. The land use

planning approach provides for the involvement of these actors, as well as Aboriginal organizations and communities and interested individuals, associations or organizations, in the plan preparation and updating process. The land-use approach includes provisions for stakeholder participation, including from local and Aboriginal communities and anyone with an interest in drafting or updating the plans.

PLUPs are drawn up and updated locally, in regions with sufficient public land and where such planning is warranted.

#### **4.1 Government stakeholders**

Ministère de l'Énergie et des Ressources naturelles is in charge of coordinating the process of drafting, following up on, and updating PLUPs. Every field of endeavour relating to the use and protection of public land is represented in the land use–planning process. The government authorities pool their expertise to prepare, following a predetermined process (as shown in figure 2), a preliminary version of a land use plan, which will be submitted for governmental approval. The following government departments and agencies are directly involved in the preparation and modification of PLUPs:

- Ministère des Affaires municipales et de l'Occupation du territoire
- Ministère de l'Agriculture, des Pêcheries et de l'Alimentation
- Ministère de la Culture et des Communications
- Ministère de l'Économie, de la Science et de l'Innovation
- Ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques
- Ministère de l'Énergie et des Ressources naturelles
- Ministère des Forêts, de la Faune et des Parcs

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<sup>6</sup> As well as their mandataries and delegates if any.

- Ministère de la Sécurité publique
- Ministère des Transports, de la Mobilité durable et de l'Électrification des transports
- Ministère du Tourisme
- Hydro-Québec

Other government departments or agencies, such as the ministère de l'Éducation et de l'Enseignement supérieur (volet Loisir et Sport), the Secrétariat aux affaires autochtones, the Société du Plan Nord or the Société des établissements de plein air du Québec may be called upon to participate in the preparation of land use plans.

During the plan development and implementation phases, relations among the government stakeholders shall be governed by the principles of collaborative action (constructive contribution, joint responsibility for contents, unified support for outcomes).

Should a conflict arise among the government stakeholders during the process, a dispute resolution mechanism will be used to reconcile the differences. This mechanism is based on the government's decision-making structure. Accordingly, full documentation of the case in dispute and the advantages and disadvantages of the available options will first be submitted to the managers in the region. Should they fail to reach agreement, the matter will be referred to higher levels of authority.

The process of preparing or amending a draft PLUP need not necessarily be held up by such a conflict. If the disagreement cannot be solved quickly, it is possible to postpone decisions and to delay land use planning for the portion of land under dispute. A use may be designated at a later date, during a land use plan update.

#### **4.2 Stakeholders in local and regional communities, Aboriginal communities and private citizens**

Contributions from regional and local stakeholders, Aboriginal communities, and private citizens are sought out when plans are drafted or updated. Two main steps in the land use planning process effectively provide for their contribution. As a first step, the Government approaches organizations with land development responsibilities and, in a separate process, Aboriginal organizations, to ask about their interests and concerns in connection with public land use and protection. This step takes place at the beginning of the process so that the results can be brought in at the earliest possible stage. The next step is to present a draft plan or amendment drawn up by government for input by all nongovernmental stakeholders and private citizens. Aboriginal communities are consulted separately.

The following stakeholders are consulted as part of the process at some point according to their responsibilities and roles in land management, regional development and the use of public land and their interests are factored into decisions about land and resource use:

- Organizations involved in land planning and regional development : the regional county municipalities (RCM)<sup>7</sup>, the municipalities outside RCMs, the metropolitan communities (MC), the Kativik Regional Government and the Eeyou Istchee James Bay Regional Government;
- Aboriginal communities or the organizations representing them. Owing to their nation status and existing jurisprudence, Aboriginal communities are consulted separately from other

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<sup>7</sup> Along with the consultations provided for in the approach, RCMs and MCs are invited to be more closely involved at key steps in

the process to make it easier to bring their land use and development plans in line with the PLUPs.

stakeholders, and early in the process. Certain terms may be agreed to with these authorities to take into account their needs as well as the government's legal and administrative constraints and obligations. Where appropriate, this allows for consideration of information provided by the Aboriginal communities during the land use planning process. Like the other stakeholders, they too are provided with relevant and available information. When required, the participation of Aboriginal communities or groups of Aboriginal communities is ensured in accordance with the various agreements and treaties concluded with the Québec government;

- The following parties designated under the James Bay and Northern Québec Agreement, the Northeastern Agreement and side agreements to advise the government on issues relating to designation and use of land:
  - The Cree Nation Government;
  - The James Bay Advisory Committee on The Environment;
  - The Kativik Environmental Advisory Committee;
  - The Hunting, Fishing and Trapping Coordinating Committee.
- The associations and organizations representing industry groups, user groups and interest groups affected by the government directions for the use of public land, for example, forest and mining company associations, groups representing agricultural producers and energy providers, regional environmental councils, regional tourism associations, cottage site lessees, and the education and research community. The groups called on to participate can vary from one region to another depending on the particularities on the region in question.

The stakeholders consulted present the needs, expectations, concerns, and ideas of those they represent.

An opportunity is also given for any other interested individual to examine proposed plans and updates and comment on them to Ministère de l'Énergie et des Ressources naturelles.

## **5- The process of preparing and amending public land use plans**

The purpose of the land use–planning process is to determine what the government will seek to do with a given tract of land: the government's broad goals and intentions for its use and protection in consideration of current and future use, existing issues, and the interests of the communities involved. Doing so successfully calls for a structured and participatory approach.

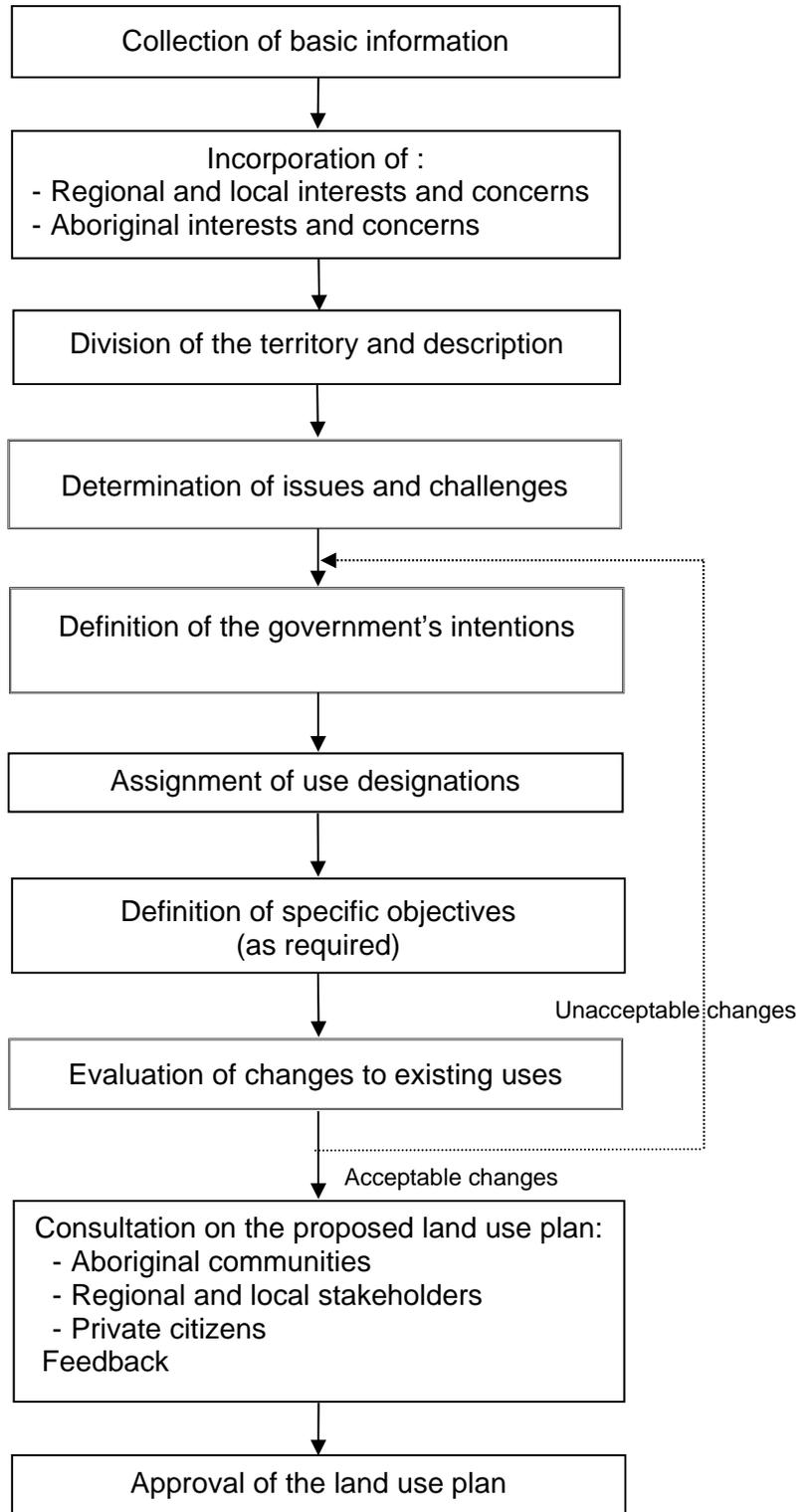
The main steps in the process as it applies to drawing up a PLUP can be summarized as follows: the government provides the basic framework, which is then filled out by local, regional, and Aboriginal interests and concerns contributed by land planning organizations and Aboriginal communities. All this is analyzed to determine how public lands in the region will be zoned. For each zone, issues and challenges are identified so that the government's broad goals (intention) can be defined. A designation corresponding to the government's goals is then assigned based on a preset typology. Specific objectives are set forth, if necessary, further to this intention and designation in order to clarify the desired effects on the management or use of public land. The changes of the proposed land use on existing uses are then identified and assessed. A draft plan is then submitted for consultation purposes to local and regional stakeholders, local and Aboriginal communities, and the general public.

A diagram of the general land use planning process is provided in Figure 2, followed by a more detailed discussion of each step.

The plan is then approved by the government and implemented by all those involved in the use and management of public land.

Land use plans also undergo follow-up and updating (see chapter 7).

**Figure 2: Public Land Use Planning process**



## **5.1 Collection of basic information**

An analysis of the following basic factors involved in land use is essential to the production of an effective, forward-looking public land-use plan:

- Existing planning and development issues that might affect choices regarding land use
- Existing uses of the land
- Potential uses of the land

General background issues relate to current and potential land use and need to be factored into the decision-making process. They consist of the region's environmental, social, and economic features, as well as Québec policy and strategic directions that affect land use.

Such background information has to be weighed and sifted through in search of trends and other factors that may impact choices about the best way to use and protect the land.

**Existing uses** include rights granted, such as rights to use land or resources and status designations, as in the case of protected areas and structured wildlife territories. Customary land use by the population for cultural or leisure purposes as well as land use by Aboriginal communities, according to ancestral and treaty rights, also fall into this category. These are normal activities that must be considered.

**Potential uses include those that are** under consideration or possibilities. They involve knowledge of future activities that might be added to existing uses and change or affect their management. Future projects, potential that could be developed and specific features all fall into this category. Examples include plans for regional parks, protected areas, or recreational development; mineral, energy, agricultural, or archaeological potential; elements of historical, cultural, aesthetic, or ecological

significance; or natural phenomena that might constitute a public safety hazard.

To be included in the basic information, potential uses must satisfy several criteria. For instance, government projects must have the support of officials in the government department or agency that initiated them. Similarly, projects arising from the local and regional community and Aboriginal communities must be supported by the community. Resource potential must be sufficiently well known to make its future development viable. Finally, specific elements must have special attributes or specific recognition at the national or regional level in order to be retained. Potential uses must also be sufficiently documented in order to delimit them and to allow for a clear grasp of their nature and associated objectives.

Land and resource managers provide Ministère de l'Énergie et des Ressources naturelles with the basic information needed for preparing and amending PLUPs.

## **5.2 Factoring in regional, local, and Aboriginal interests and concerns**

Input from regional and local authorities and Aboriginal organizations is the key to ensuring that land use decisions factor in all the available information. Without knowing the interests and concerns of the groups in question, the basic information provided by government would be incomplete.

## **5.3 Division of the territory into zones and description**

The planning of the public land use is based on the administrative region area. The public land is divided into zones to facilitate analysis and designation. This division into zones is done with reference to existing uses and potential uses. Portions of land that are relatively homogenous in terms of associated uses and issues can be

delimited by taking into account the existing rights, status designations, traditional activities, projects, development potential and specific elements.

The area extent of the zones delimited in this fashion will be variable. To facilitate the implementation of the land use plans, zone limits coincide, where possible, with natural boundaries (e.g., watercourses, drainage divides) or artificial boundaries (e.g., roads, administrative regions).

The description of a zone will include at least the zone's identifying features (what distinguishes it from adjacent zones) and the particular environmental, social, or economic attributes that define it and explain its status as a zone.

#### ***5.4 Determination of issues and challenges***

The description of each zone will make it possible to determine the issues and challenges with which managers must grapple, a diagnosis concerning the state of public land use in that zone. The results can then be used as a guide when there are a number of competing possibilities available for a single zone.

Some issues are economic, such as the development of particular resources. Others are social, as in the case of maintaining and developing natural or cultural heritage or preserving a particular use. Fragile ecosystem conservation is an example of an environmental issue. Finally, some challenges deal specifically with management, such as diversifying uses on public land or ensuring integrated resource management.

#### ***5.5 Definition of the government's intentions***

By drawing on the basic information collected and the challenges identified for each zone, the government will outline its intention with regard to the use and

protection of region public land. For each zone, only one broad goal will be set forth, stated in general terms, because of the need, in many cases, to address a spectrum of interests. This intention corresponds to the government's general goal for each zone in terms of the use and protection of public land. It is worded in such a way that it can be applied to public land and resource management.

For certain zones, when the government intends to confirm an existing use (e.g. a national park), this intention can be defined in a quasi-automatic manner.

However, for other zones characterized by multiple challenges, a more in-depth analysis must be undertaken in order to consider various parameters such as use compatibility, responsiveness to the needs and interests of local and Aboriginal communities, anticipated impacts on the existing use or regional context.

In these cases, the situation in the zone is analysed from a number of angles. To aid in this process, the government stakeholders may refer to the elements provided in Table 1. As such, numerous parameters and data are examined prior to the determination of intention.

**Tableau 1: Elements to Consider in Defining Government Intention**

<b>Analysis Parameter</b>	<b>Elements to Consider</b>
Possibility of multiple uses	<ul style="list-style-type: none"> <li>- Compatibility of activities</li> <li>- Compatibility of activities possible through an existing mechanism or the adjustment of practices or interventions</li> <li>- Complementarity of activities</li> </ul>
Precedence granted by the government	<ul style="list-style-type: none"> <li>- Government decision already rendered</li> <li>- Government decision about to be rendered (favourable decision by departmental authorities)</li> <li>- Departmental decision (approved by government partners)</li> <li>- Responds to a government priority (direction, policy, program)</li> <li>- Formal or implicit recognition by managers of lands and resources (through concrete actions)</li> </ul>
Project location	<ul style="list-style-type: none"> <li>- Legal aspect</li> <li>- Technical feasibility</li> <li>- Financial aspect</li> <li>- Social acceptability</li> </ul>
Regional context	<ul style="list-style-type: none"> <li>- Regional characteristics (favourable or unfavourable situations)</li> <li>- Regional development trends</li> </ul>
Responsiveness to the needs and interests of regional and local populations	<ul style="list-style-type: none"> <li>- Management differs from current management method</li> <li>- Applicable government program</li> <li>- Demands made by communities</li> <li>- Reaction of the regional or local community (intentions, support, opposition)</li> <li>- Importance to the community</li> </ul>
Exceptional character of natural phenomena	<ul style="list-style-type: none"> <li>- At the international level</li> <li>- At the national level</li> <li>- At the regional level</li> <li>- At the local level</li> </ul>
Anticipated impacts on existing uses	<ul style="list-style-type: none"> <li>- Economic impacts</li> <li>- Social impacts</li> <li>- Environmental impacts</li> <li>- Scope of impacts (local, regional or national level)</li> <li>- Mitigation or compensatory possibilities</li> </ul>

Note: During the land use planning process, other parameters and elements may be considered in the analyses.

## **5.6 The assignment of use designation**

Once the government's intention has been defined for a zone, it is transposed onto a map according to a corresponding use designation. The types of designation available are designed to encompass all the intentions regarding public land use and protection that the government might have.

The designations indicate the nature of the intention, namely whether a use is being allowed or priority is being given to protection, and the general mode of application (i.e. exclusive use, priority use or multiple use).

Table 2 shows the types of public land use designation available with their definitions, effects on land use, and some examples of each.

Use designations are stated in general terms so as to reflect a direction and the general scope of the government intention, which may vary slightly from one zone to another. As an extension of the government's intention, the names and definition given them therefore convey a general goal rather than identifying specific rights, status designations, activities or uses.

Thus, like government intention, it is not always possible to infer an automatic association between a right or a status designation and a use designation. Public land use planning is highly complex, and to ensure harmonious use designation, many variables must be taken into consideration. Therefore, different use designations may be considered for zones which, on the surface, appear to be identical.

The designation assigned to a portion of public land may confirm and extend an existing use, signal the need to adapt management practices or announce a projected change in the existing use in the medium or long term. The term *designation*

may thus reaffirm a given use of public land or signal a change.

The typology also includes a deferred use designation, which applies to situations where the land use decision should be put off until later, for example, in order to have additional studies or analyses conducted or to enable the parties involved to reach agreement. Interim measures are then needed for managing resources and land occupation and use to keep the zone intact and minimize conflicts until such time as a designation can be finalized. Designations are finalized when the plan is updated.

**Table 2: Typology of Use Designations**

<b>Designation</b>	<b>Definition</b>	<b>Effect of the Designation on Land Uses</b>	<b>Examples<sup>8</sup></b>
<b><i>Specific use</i></b>	Exclusive use of lands or a resource.	The nature of the recommended use affecting these lands precludes the practice of all other types of activity.	Agricultural zones under production Mining
<b><i>Priority use</i></b>	Use of lands or resources on a priority basis, with all other activities being subordinated thereto.	Land and resource development possibilities are limited or subject to restrictions owing to the nature of the recommended use.	Hydro-electric power sites Research sites Intensive silviculture Large-scale recreational development
<b><i>Multiple use with conditions</i></b>	Multipurpose use of lands and resources, subject to terms or rules that are adapted to specific environmental, landscape, cultural, social or economic conditions.	The use of lands and resources is adjusted according to one or more specific characteristics of this portion of the territory.	Sites used for traditional purposes by populations Archaeological sectors Specific landscapes Some structured wildlife territories Natural hazard areas
<b><i>Multiple use</i></b>	Multipurpose use of lands and resources.	The multiple activities carried on this portion of the territory continue as practiced at the time of the decision.	Public land in general
<b><i>Protection</i></b>	Preservation of a component of the natural or cultural heritage with all other activities being subordinated thereto.	Activities in this portion of the territory must include specific measures established to meet the protection objectives for the target natural or cultural component.	Wildlife habitats Heritage rivers Cultural landscapes Sensitive environments

<sup>8</sup> Examples subject to the designation given. Not an exhaustive list.

<b>Designation</b>	<b>Definition</b>	<b>Effect of the Designation on Land Uses</b>	<b>Examples<sup>8</sup></b>
<b><i>Strict protection</i></b>	Preservation of areas that are rare, exceptional or representative of natural heritage, the associated biodiversity or cultural heritage.	To ensure the attainment of protection objectives, the range of possible activities is largely limited. When activities are permitted, they are subject to severe constraints.	Some protected areas National parks Floristic and wildlife habitats Outstanding geological sites Exceptional forest ecosystems
<b><i>Deferred land use</i></b>	Deferral of the land use decision combined with provisional management measures.	The existing use and new uses of the land are subject to provisional measures.	Disputed zones

## **5.7 Definition of specific objectives**

It is sometimes necessary to add specific objectives to a government's intention or a use designation in order to address particular characteristics identified for a zone in the course of gathering basic information or determining the issues and challenges. By further clarifying the government's intention, these objectives permit better understanding of the general goal pursued and the expected outcomes of public land use management in the zone concerned. They must be so worded as to be applicable to the management of the lands, resources, and activities under the responsibility of various government authorities.

These objectives may apply to the entire zone or to parts of it. They may centre on particular activities or all activities likely to be carried on there, provided they don't conflict with the overall intention for the zone. When specific objectives are defined for a given zone, they are presented in conjunction with the government's intention and the designation.

## **5.8 Evaluation of changes to existing uses**

It is important to carefully analyze all the possible environmental, social, and economic effects of any proposed changes in designation and how they might affect current land use. This evaluation is essential to ensuring implementation in the management process of changes produced by the public land use designation. It is carried out once the planning process for the entire administrative region has been completed.

Every government participant is responsible for assessing the effects of the proposed designations on existing uses in its area of activity. If one or more government

stakeholders feel that there is unacceptable impact, the analysis must start over at the stage of defining the government's intention so as to attain, if possible, changes that are acceptable to all those involved.

Studying changes and their effects provides those consulted with information on the probable impacts of the proposed use designation. It also facilitates decision-making by the responsible government officials at all levels.

## **5.9 Consulting regional, local, and Aboriginal stakeholders as well as private citizens on a proposed plan**

Once the Québec government departments and agencies involved have prepared a land use plan, consultations are held with regional, local, and Aboriginal community stakeholders<sup>9</sup> as well as with organizations and private citizens. These external stakeholders will examine the proposal and submit their comments to Ministère de l'Énergie et des Ressources naturelles, which is responsible for co-ordinating the preparation of land use plans. Their comments may lead to adjustments to the proposed plan before it is submitted to the government for approval. A report on how the comments received were used is made available to the stakeholders consulted.

## **5.10 Approval**

The draft PLUP is accepted by the relevant authorities and submitted to the government for approval.

The PLUPs and subsequent amendments take effect on approval by the government and supersede earlier plans.

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<sup>9</sup> See 4.2

## **6. The contents of public Land Use Plans**

An approved PLUP will include at least the following:

- How the region's public land is divided up, as explained in section 5.3
- Descriptions of the zones established and of the issues and challenges discussed in sections 5.3 and 5.4
- Government intentions and the specific designations and objectives assigned to the zones as discussed in sections 5.5, 5.6, and 5.7, and the grounds for choosing the particular designations to be applied.

## **7- Implementing the plans**

A PLUP is legally binding and must be implemented by all parties involved in managing public land as soon as it receives government approval. This involves three steps:

- implementation
- triennial follow-up
- updating

### ***7.1 Implementation***

The directions set forth in the PLUPs must guide everything that government agencies and authorities do with respect to public land. PLUPs are made available to departments and agencies responsible for land and natural resource management, along with their mandataries and delegates, so that their actions follow through on the intentions, designations, and objectives set forth in the plans. All government authorities are required to take the necessary measures to implement the PLUPs in their own fields of endeavor (e.g., planning development, assigning land-use rights, authorizing activities on the land, designating a status as part of an authorization procedure, and so forth).

Departments and agencies are required to put an action plan in place and report on it in their annual management reports.

Departments and agencies apply the PLUPs to their activities by ensuring that everything they and their mandataries and delegates do with respect to public land is compatible with the designations in the PLUPs.

PLUPs are also made available to the stakeholders consulted during the planning process for incorporation into their planning. This is particularly significant for RCMs and MCs, as they must ensure that their own land planning instruments are in line with the

directions set forth in the PLUPs and subsequent amendments.

The plans are also made public.

## ***Making plans user-friendly and accessible***

*PLUPs need to be easy to read, use and implement. That's why plans are made available using advanced geomatics and communications technology.*

### **7.2-Triennial follow-up**

Follow-up is conducted every three years after the PLUP is approved or amended to examine how departments and agencies have responded to public land zoning and make any necessary adjustments. This follow-up concerns zones with one or more of the following characteristics: the designation is aimed at modifying existing uses, necessitates adjustments to existing practices or sets out specific objectives.

Land and resource managers must provide the Ministère de l'Énergie et des Ressources naturelles with the information necessary for follow-up. This might for instance relate to new practices implemented, new conditions imposed on the exercise of a right, adaptations made to planning, or mitigation measures that have been identified.

Ministère de l'Énergie et des Ressources naturelles is responsible for producing PLUP follow-up reports, which are forwarded to the government partners concerned. The government is notified of what they contain. Reports are also made public.

### **7.3 -Updating**

Despite the volume of data collected at the beginning of the land use planning process, it is not unusual for the plans to be amended when new situations arise. For example, amendments may be required when a new

policy direction is implemented, a previously unsuspected potential is discovered, a major project is developed or an agreement is signed with an Aboriginal community.

The effect of this new situation on the land use planning will be evaluated by the government stakeholders to determine whether the plan needs to be updated. If so, updating will be done by following the same process as for developing a plan covering the same things. Some updates may involve consultations with local and regional stakeholders, Aboriginal communities, and private citizens<sup>10</sup> The consultation method will be adjusted according to the scope of the update.

The portion of the administrative region that is affected depends on the scope of the changes involved. Any government stakeholder involved in the public land use planning process or any organization consulted from the local or regional area or Aboriginal communities may request an update. It is up to applicants to justify their requests, and it is the responsibility of the Ministère de l'Énergie et des Ressources naturelles to inform them of how those requests have been processed.

PLUPs that go five years without an update are also reviewed to check if the directions set forth in them are still current and update them if necessary.

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<sup>10</sup> This is the case for PLUPs not arising from government decisions equivalent to designation and having already been the subject of

public consultations (e.g., certain legally constituted protected areas).

## Conclusion

The land use planning approach is designed to share the government's vision of public land use and protection with government departments and agencies as well as all the other organizations, Aboriginal communities and individuals with a stake in planning and managing public land. It's a vision based on knowing the environmental, social, and economic features of the land, grasping the national interest, and understanding the developmental needs of communities, all combined with a determination to develop public land sustainably.

PLUPs are produced on the regional level by government departments and agencies with input from regional and local community stakeholders, Aboriginal communities, and private citizens and factor in the particular features and potential of the land in light of regional and national issues.

Some of what goes into the designation process (descriptions of zones, issues and challenges) enrich our understanding of public lands and are of use to government or other stakeholders with plans to do something that involves public land.

The integrated and progressive vision is expressed through directions and general goals in the form of intentions, use designations and objectives. Through these three components, land use planning influences interventions across the territory. As a result, designations become governance information and promote greater coherence of actions on the territory and the harmonization of its uses.

The PLUPs generated using this approach are invaluable strategic planning tools in support of the sustainable development of public lands.





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