

Regulations and other acts

Gouvernement du Québec

O.C. 695-2002, 12 June 2002

Environment Quality Act
(R.S.Q., c. Q-2; 2001, c. 59)

Agricultural Operations

Agricultural Operations Regulation

WHEREAS, under paragraphs *a, c, d to h, j, k* and *m* of section 31, subparagraphs 1 to 5 of the first paragraph of section 53.30, paragraphs 1, 2, 3, 5 and 8 of section 70 and sections 109.1 and 124.1 of the Environment Quality Act (R.S.Q., c. Q-2; 2001, c. 59, s. 1), the Government may make regulations on the matters set forth therein;

WHEREAS, under the first paragraph of section 2 of the Act to impose restrictions on pig farming (2002, c. 18), the Government shall make, no later than 15 June 2002, a regulation to replace the Regulation respecting the reduction of pollution from agricultural sources enacted by Order in Council 742-97 dated 4 June 1997;

WHEREAS, under the second paragraph of that section, the making of the regulation is not subject to the publication requirements and date of coming into force set out in section 124 of the Environment Quality Act and sections 8 and 17 of the Regulations Act (R.S.Q., c. R-18.1);

IT IS ORDERED, therefore, upon the recommendation of the Minister of State for Municipal Affairs and Greater Montréal, the Environment and Water and Minister of the Environment:

THAT the Agricultural Operations Regulation, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Agricultural Operations Regulation

Environment Quality Act
(R.S.Q., c. Q-2, s. 31, pars. *a, c, d to h, j, k* and *m*, s. 53.30, 1st par., subpars. 1, 2, 3, 4, 5, s. 70, pars. 1, 2, 3, 5, 8, ss. 109.1 and 124.1; 2001, c. 59, s. 1)

CHAPTER I

OBJECT, SCOPE AND DEFINITIONS

1. The object of this Regulation is to protect the environment, particularly water and soil against pollution caused by certain agricultural activities.

2. This Regulation applies to the raising of animals and to the facilities used in the raising of such animals, to the storages for their waste and to the spreading of such waste. It also applies to parcels of land used for crop, except for silviculture, and to the use of fertilizers.

This Regulation does not apply to the raising of *canidae* and *felidae* as well as fish farming, zoos, parks and zoological gardens.

3. The following definitions apply to this Regulation:

“agro-environmental fertilization plan” means a plan that determines, for each parcel in an agricultural operation and each annual growing season (maximum of five years), the crop grown and the spreading limits for fertilizers; (*plan agroenvironnemental de fertilisation*)

“livestock waste” means animal urine and fecal matter. It also means bedding used as absorbents, contaminated water and precipitation water that came into contact with livestock waste; (*déjections animales*)

“annual phosphorus (P_2O_5) production” means the annual volume in cubic metres of livestock waste produced per raising site multiplied by the average phosphorus (P_2O_5) concentration in kilograms per cubic metre of that livestock waste; (*production annuelle de phosphore (P_2O_5)*)

“liquid manure management” means a method of removing livestock waste other than by solid manure management; (*gestion sur fumier liquide*)

“parcel” means a portion of land forming a single block, planted with the same crop and requiring the same fertilization, belonging to the same owner and constituting a lot or part of a lot; (*parcelle*)

“raising facility” means the farm building or yard where animals are raised; (*installation d'élevage*)

“raising site” means a group of raising facilities and storage facilities that belong to the same owner and where the distance between the facilities does not exceed 150 m; (*lieu d'élevage*)

“solid manure management” means a method of removing livestock waste in a solid state, with the liquids having been absorbed by the solid matter through the use of bedding in sufficient quantity or through other means to reduce the water content in the waste to a value lower than 85% at the outlet of an animal building; (*gestion sur fumier solide*)

“spreading site” means a group of parcels close together, belonging to the same owner who does not raise livestock; (*lieu d'épandage*) and

“yard” means a pen or part of a pen where the livestock is kept and which differs from pastures because the annual phosphorus (P_2O_5) input is greater than the deposits provided for in Schedule I for those pastures. (*cour d'exercice*)

CHAPTER II GENERAL PROHIBITIONS AND OBLIGATIONS RELATED TO LIVESTOCK WASTE

4. It is prohibited to deposit, discharge, spread, receive, keep in deposit or allow the deposit, discharge, spreading or keeping in deposit of livestock waste except to the extent provided for in this Regulation.

Except for fording across watercourses, it is prohibited to allow livestock to access watercourses and bodies of water and their shoreline.

5. The owner of a lot as well as any person to whom the owner has transferred the custody, control or use of that lot shall take the measures necessary to prevent livestock waste from entering the surface or subsurface water.

Any owner or person who has knowledge of the discharge, deposit, storage or spreading of livestock waste on that lot that contravenes this Regulation shall take the measures required to terminate such discharge, deposit, storage or spreading and to immediately remove such substances from the lot and, if necessary, restore it to its previous condition.

CHAPTER III LAYOUT DESIGN STANDARDS FOR RAISING AND STORAGE FACILITIES, SPREADING AND TREATMENT OF LIVESTOCK WASTE

DIVISION I LOCATION STANDARDS

6. It is prohibited to erect, lay out or expand a raising or storage facility in a watercourse, lake, swamp, natural marsh or pond, and the 15-metre area on each side or around those areas, measured from the normal high-water mark, if any.

The first paragraph shall apply to sections of watercourses whose total flow area (average width multiplied by average height) is greater than 2 square metres.

This section does not apply to bodies of water reserved for firefighting or crop irrigation.

DIVISION II LIVESTOCK WASTE STORAGE

7. The storage of solid manure piles in cultivated fields shall comply with the following conditions:

(1) the pile must be more than 150 m from a site referred to in the first paragraph of section 6;

(2) the pile must be more than 15 m from an agricultural ditch;

(3) the soil surface must be covered with vegetation;

(4) the ground must have a slope of less than 5%;

(5) runoff must be prevented from reaching the pile; and

(6) the pile must not be stored in the same place for two consecutive years.

8. The ground on which a raising facility is constructed or laid out must be protected from any contact with the livestock waste produced by means of a watertight floor or by any other appropriate means.

The facility must have the capacity to store, without overflow, all of the livestock waste produced between each of the occasions on which the waste is removed.

9. Raising sites with liquid manure management must have watertight storages for the livestock waste produced therein.

Raising sites with solid manure management whose annual phosphorus (P_2O_5) production is greater than 1 600 kg must have watertight storages for the livestock waste produced or use another facility or layout for the same purposes to prevent the contamination of surface or subsurface water.

10. Storages must have the capacity to accumulate, without overflow, for the entire period where the livestock waste may not be spread, the livestock waste produced in the raising facilities as well as all other waste that may be accumulated in those facilities.

11. Storages must not be equipped with overflow drains or sump drains.

They must be designed in a way that prevents any runoff infiltration.

12. Storages must be equipped, on the entire outer perimeter, with a drain placed level with as or below the floor or bottom. The drain must not be connected to the storage and its outlet must be linked to a manhole with a minimum inside diameter of 40 cm accessible for sample-taking.

A permanent marker must indicate the drain outlet's location.

The drain must be functional at all times and evacuate water by gravity or pumping.

13. The livestock waste removal equipment of raising facilities and storages must be watertight and maintained in a fully watertight condition.

14. A person who operates a storage facility or who has custody or care of a storage facility shall take every measure to prevent or stop any overflow or leakage of the stored substances.

15. A person who stores livestock waste in a storage facility shall remove the waste at least once a year before there is any overflow of the substances contained.

16. An operator of a raising site who ships livestock waste to a storage facility belonging to a third party shall enter into a written agreement for that purpose with the operator of the storage facility.

A notice written by an engineer must accompany the agreement specifying that the storage facility has the capacity to store the additional livestock waste shown in the agreement.

Each party to the agreement must keep in its possession a copy of that agreement for a minimum of two years after it expires and provide that copy to the Minister of the Environment upon request.

The owner of a storage facility must keep a register of delivery and record the information relevant to the waste received and provide it to the Minister of the Environment upon request.

17. A yard must be laid out so that no runoff can reach it.

18. Contaminated water originating from a yard must be contained and channelled toward a watertight storage facility or handled with any other equipment or facility so as to prevent the contamination of surface or subsurface water.

DIVISION III LIVESTOCK WASTE DISPOSAL

19. A person who stores livestock waste must reclaim or eliminate it.

Reclamation shall be made by spreading in accordance with this Regulation or by treatment and transformation into useful products by a person authorized under the Environment Quality Act (R.S.Q., c. Q-2).

To eliminate livestock waste, it shall be destroyed by a person authorized under the Environment Quality Act.

DIVISION IV SPREADING OF FERTILIZERS

20. The operator of a raising site who spreads livestock waste must have, for each annual growing season, cultivated parcels that correspond to the total area required for the purposes of spreading the waste or surplus waste.

An operator may own, lease or enter into written spreading agreements with a third party for cultivated parcels.

The calculation of the minimum area required to comply with the first paragraph is made from the charts of maximum deposits appearing in Schedule I.

21. Each party to a lease or spreading agreement must keep a copy of that lease or agreement for a minimum of two years after it expires and provide it to the Minister of the Environment upon request.

22. Spreading fertilizers is permitted only for the purposes of fertilizing the soil of a cultivated parcel. It may be carried out only in compliance with an agro-environmental fertilization plan established in accordance with the provisions of this Regulation according to each parcel to be fertilized.

The following must establish a plan :

(1) operators of raising sites on liquid manure and operators of raising sites on solid manure whose annual phosphorus (P_2O_5) production is greater than 1 600 kg ; and

(2) operators of spreading sites whose cumulative area is greater than 15 ha, excluding pasture areas. For market crops or fruit production, the cumulative area shall be reduced to 5 ha.

23. The agro-environmental fertilization plan must contain all the information required for its implementation such as fertilizer doses and the spreading periods and methods.

24. The plan must be signed by an agronomist who is a member of the Ordre des agronomes du Québec. It may also be signed by persons who cultivate a parcel included in their agricultural operation, or by one of the partners or shareholders of the operation, provided that the signatory holds an attestation for a training course on implementing an agro-environmental fertilization plan delivered under a program of studies authorized by the Minister of Education.

The signatory shall certify that the agro-environmental fertilization plan complies with this Regulation.

25. An agronomist or person referred to in the first paragraph of section 24 shall ensure the follow-up of the recommendations of the plan and, at the end of the crop season, attach to the plan a report on the fertilization actually carried out.

26. A copy of the plan shall be kept by the person who cultivates a parcel referred to in the plan, by the owner of that parcel and, where applicable, by any mandatory authorized by the Minister of the Environment.

Those persons and, where applicable, the mandatory shall keep a copy of the plan for two years after it ceases to have effect and, upon request, provide the Minister of the Environment with the plan or, if so authorized by the Minister, provide a summary thereof.

27. A person who cultivates a parcel on which the spreading of fertilizers is authorized under an agro-environmental fertilization plan shall keep, for each parcel of the agricultural operation and for each annual growing season, a spreading register and, in respect of the spread fertilizers, record the relevant information such as the doses, spreading periods and methods.

That person and the owner of the parcel shall keep a copy of that document and for a minimum of two years from the last entry. They shall provide it to the Minister of the Environment upon request.

28. At least once a year, the operator of a raising site shall have the fertilizing content of the livestock waste spread on cultivated parcels analyzed.

The first paragraph does not apply to raising sites on solid manure where the annual phosphorus (P_2O_5) production is 1 600 kg or less.

29. The operator of a parcel cultivated under an agro-environmental plan shall ensure that the phosphorus content and percentage saturation and all the required conditions for its use is analyzed.

The analysis must have been carried out no more than five years before fertilization.

30. The spreading of fertilizers is prohibited in the following areas :

(1) a watercourse or body of water as well as within their shoreline the boundaries of which are defined by municipal by-law ; and

(2) in the absence of a shoreline defined by municipal by-law :

(a) in a watercourse, a lake, a swamp having a minimum area of 10 000 square metres or a pond as well as within their 3-metre shoreline ; and

(b) in an agricultural ditch and within a 1-metre strip from that ditch.

Clause *a* of subparagraph 2 of the first paragraph applies to the sections of watercourses whose total flow area (average width multiplied by the average height) is greater than 2 square metres.

Livestock waste must be spread in such manner that there is no runoff from that waste into the areas listed in the first paragraph.

For the purposes of determining the shoreline from the sites referred to in the first paragraph, the measurement shall be taken starting from the normal high water mark. Where there is a slope, that space shall include a width of at least 1 m at the top of the slope.

31. Fertilizers must be spread on ground that is not frozen or covered with snow.

Fertilizers may only be spread between 1 April and 1 October of each year.

Notwithstanding the foregoing, fertilizers may be spread after 1 October on ground that is not frozen or covered with snow if

— the agrologist who designed the agro-environmental fertilization plan specifies a new prohibition period. Furthermore, if the fertilizers to be spread are from livestock waste, the following conditions must be complied with:

(1) such waste is buried within two days after the spreading on bare soil and within five days after the spreading on soil with vegetative mat; or

(2) it is a small proportion of the annual volume produced by the raising site.

32. The spreading of livestock waste with mobile or stationary spreading equipment designed to project livestock waste at a distance of more than 25 m is prohibited.

Livestock waste from liquid manure management must be spread with low-ramp equipment.

DIVISION V TREATMENT OR DISPOSAL OF LIVESTOCK WASTE

33. The operator of a raising site who ships the livestock waste produced to a facility authorized under the Environment Quality Act to treat and transform it into useful products or dispose of it shall enter into an agreement with the operator of that facility.

Each party to the agreement shall keep a copy of the agreement for a minimum of two years after it expires. They must provide it to the Minister of the Environment upon request.

34. The operator of a raising site who ships the livestock waste produced to a facility authorized under the Environment Quality Act to treat and transform it into useful products or dispose of it shall keep a shipping register and record the relevant information on the shipped waste.

The operator shall keep a copy of that document for a minimum of two years after the date of the last entry. The operator must provide it to the Minister of the Environment upon request.

DIVISION VI MISCELLANEOUS

35. Any operator of a raising site referred to in subparagraph 1 of the second paragraph of section 22 shall have a phosphorus report of the raising site drawn up, signed by an agrologist who is a member of the Ordre des agronomes du Québec, by establishing the annual phosphorus volume combined with the volume of any other fertilizer used, if any, as well as the volume that may be spread on the lots available, while complying with the maximum deposits established in Schedule I.

Any spreading site operator referred to in subparagraph 2 of the second paragraph of section 22 must have a phosphorus report of the spreading site drawn up, signed by an agrologist who is a member of the Ordre des agronomes du Québec, by establishing the annual phosphorus volume received from any fertilizer, as well as the volume that may be spread on the lots available by complying with the maximum deposits established in Schedule I.

The report must be updated annually considering sections 28 and 29 relating to the analysis of livestock waste and the soil of cultivated parcels.

36. Any operator of a raising site must, at the request of the Minister of the Environment, send to the Minister a true copy certified by La Financière agricole du Québec of the most recent final payment statement it issued to the operator with respect to the insured units.

37. Wastewater from farm dairies must be recovered according to one of the following methods:

(1) for an operation with liquid manure management, water must flow into the storage or, where permitted, into a sewer system; or

(2) for an operation with solid manure management equipped with storage and a holding basin, water must flow into the holding basin or, where permitted, into a sewer system.

For a raising site with solid manure management existing on 15 June 2002 and equipped with storage and a holding basin that does not have the capacity to recover liquid dairy waste, the requirement in subparagraph 2 of the first paragraph applies only where the number of livestock is increased for that site and the increase justifies the increased storage capacity.

38. Livestock waste must be transported in a water-tight container.

CHAPTER IV PROJECT NOTICE AND AUTHORIZATION CERTIFICATE

DIVISION I PROJECT NOTICE

39. With the exception of the projects for which an authorization certificate is required, notice must be given to the Minister of the Environment at least 30 days before

— implementing a new raising site with liquid manure management;

— implementing a new raising site with solid manure management the annual phosphorus (P_2O_5) production of which will be greater than 1 600 kg;

— increasing by more than 5%, in relation to the operating rights, the annual phosphorus (P_2O_5) production of an existing raising site with liquid manure management;

— increasing by more than 5%, in relation to the operating rights, the annual phosphorus (P_2O_5) production of a raising site with solid manure management to raise the annual phosphorus (P_2O_5) production to more than 1 600 kg; and

— transferring, in a raising facility, from solid manure to liquid manure management.

The project notice must be signed by the operator and signed by an agrologist who is a member of the Ordre des agronomes du Québec and who will follow up the application. The agrologist's signature certifies that the proposed application complies with this Regulation.

Where applicable, the confirmation of an engineer stating that the existing storage will be sufficient to receive the additional livestock waste must also be attached to the project notice.

Within 60 days of carrying out the project, the agrologist must provide the Minister of the Environment with a certificate stating that the project complies with this Regulation and the project notice.

40. A project notice for erection work or increasing storage capacity must be served to the Minister of the Environment at least 30 days before it is carried out.

The project notice must be signed by the operator and by an engineer who is a member of the Ordre des ingénieurs du Québec and who will supervise the work. The engineer's signature certifies that the proposed work complies with this Regulation.

Within 60 days of carrying out the project, the engineer must provide the Minister of the Environment with a certificate stating that the work complies with this Regulation and the project notice.

41. Any project notice must be given on the form provided by the Minister of the Environment and include the requested documents.

The project notice must contain the identification of the operator, a brief description and the location of the project, the date forecasted for its carrying out, as well as an update, based on the project, of the phosphorus report provided for in section 35.

DIVISION II AUTHORIZATION CERTIFICATES

42. Notwithstanding section 2 of the Regulation respecting the application of the Environment Quality Act, made by Order in Council 1529-93 dated 3 November 1993, the following projects shall be subject to an authorization certificate:

— implementing a new raising site where the annual phosphorus (P_2O_5) production will be greater than 3 200 kg; and

— increasing, in relation to the operating rights, the annual phosphorus (P_2O_5) production of a raising site to raise the annual phosphorus (P_2O_5) production to more than 3 200 kg where long the increase is greater than 500 kg.

43. Any application for an authorization certificate must be given on the form provided by the Minister of the Environment and include the requested documents.

The application for an authorization certificate, in addition to containing the information required under the Regulation respecting the application of the Environment Quality Act, made by Order in Council 1529-93 dated 3 November 1993, must also include the agro-environmental fertilization plan referred to in section 22, the plans and specifications of storage, if applicable, and the information related to the reclamation of livestock waste or to their disposal in accordance with section 19.

CHAPTER V PENALTIES

44. Any offence against the provisions of sections 16, 21, 23, 26 to 29, 33 and 34 makes the offender liable

(1) to a fine of \$1 000 to \$15 000 for a first offence and of \$4 000 to \$40 000 for any subsequent offence, for a natural person; and

(2) to a fine of \$1 000 to \$90 000 for a first offence and of \$4 000 to \$120 000 for any subsequent offence, for a legal person.

Any offence against the provisions of other sections of this Regulation makes the offender liable

(1) to a fine of \$2 000 to \$20 000 for a first offence and of \$5 000 to \$50 000 for any subsequent offence, for a natural person; and

(2) to a fine of \$2 000 to \$150 000 for a first offence and of \$5 000 to \$500 000 for any subsequent offence, for a legal person.

CHAPTER VI TRANSITIONAL AND FINAL

DIVISION I LIMITED ACTIVITY ZONES AND SWINE PRODUCTION

45. The following definitions apply to this Division:

“full treatment” means a treatment by which livestock waste is transformed into a solid product of a different nature, such as fertilizing granulates or mature composts, and through which the bacteria it contains are destroyed; and

“limited activity zone” means a municipality listed in Schedule II.

46. Notwithstanding sections 19 and 20, in a limited activity zone,

(1) no new raising site for swine may be authorized;

(2) in a raising site existing on 15 June 2002, an increase in the number of sows or of more than 250 hogs, in relation to the operating rights, may not be authorized unless the livestock waste from the raising site undergoes a full treatment and the treatment product is used elsewhere than in an agricultural operation located in a limited activity zone; and

(3) in a raising site existing on 15 June 2002, an increase of 250 hogs or less, in relation to the operating rights, may not be authorized except if one of the following conditions is met:

(a) the livestock waste from a raising site undergoes a full treatment and the treatment product is used elsewhere than in an agricultural operation located in a limited activity zone; and

(b) the operator owns, leases or enters into contracts for the available cultivated parcels. In the latter case, the parcels must not be more than 20 km away from the raising site.

The increase provided for in clause *b* of subparagraph 3 of the first paragraph may only be authorized once before 15 June 2004 and for only one of the raising sites belonging to the same operator. An application must be filed no later than 15 June 2003.

47. Notwithstanding sections 19 and 20, outside a limited activity zone,

(1) no new raising site for swine may be authorized unless the livestock waste from the raising site undergoes a full treatment and the treatment product is used elsewhere than in an agricultural operation located in a limited activity zone; and

(2) in a raising site existing on 15 June 2002, an increase in the number of sows or of more than 250 hogs, in relation to the operating rights, may not be authorized unless the livestock waste from the raising site undergoes a full treatment and the treatment product is used elsewhere than in an agricultural operation located in a limited activity zone or the livestock waste is spread on cultivated parcels owned by the operator of the raising site.

48. Notwithstanding sections 19 and 20, within a limited activity zone, no new raising site other than for swine may be authorized unless the livestock waste from the raising site undergoes a full treatment and the treatment product is used elsewhere than in an agricultural operation located in a limited activity zone or the livestock waste is spread on cultivated parcels owned by the operator of the raising site.

DIVISION II MISCELLANEOUS

49. Operators of a raising site or spreading site existing on 15 June 2002 must send to the Minister of the Environment the phosphorus report referred to in section 35 no later than 15 June 2003.

The report must be given on the form provided by the Minister and include the requested documents. The report must contain, if applicable, the identification of the operator, a description of the raising site (number of raising facilities, type and number of livestock), number of storage facilities and percentage of stored livestock waste, and information relating to the reclamation or disposal of livestock waste in accordance with section 19.

50. The operator of a raising site existing on 15 June 2002 that was established in accordance with the law and whose annual phosphorus (P_2O_5) production combined with any other fertilizer used, if any, is greater than the phosphorus (P_2O_5) load that may be spread in accordance with Schedule I shall take the measures required to reduce that excess and comply with the following deadlines:

— from 1 April 2005, have available the areas required for 50% or more of the phosphorus (P_2O_5) load;

— from 1 April 2008, have available the areas required for 75% or more of the phosphorus (P_2O_5) load; and

— from 1 April 2010, have available the areas required for the entire phosphorus (P_2O_5) load.

This section does not apply to operators of raising sites existing on 15 June 2002 who increase the number of animals in relation to the operating rights; operators must then have available the areas required for the entire phosphorus (P_2O_5) load produced combined with the load of any other fertilizer used.

51. The requirement related to storage under the second paragraph of section 9 and the requirement related to contaminated water from a yard in section 18 shall apply from 1 April 2010 to raising sites existing on 15 June 2002 and from 1 April 2005 to raising sites established after 15 June 2002.

52. The requirement related to the agro-environmental fertilization plan under section 22 applies from

— 1 April 2003 for operators of spreading sites; and

— 1 April 2004 for raising sites with solid manure management whose annual phosphorus (P_2O_5) production is less than 3 200 kg but greater than 1 600 kg.

53. The provisions of this Regulation apply to immovables in reserved areas and agricultural zones established in accordance with the Act respecting the preservation of agricultural land and agricultural activities (R.S.Q., c. P-41.1).

54. This Regulation replaces the Regulation respecting the reduction of pollution from agricultural sources made by Order in Council 742-97 dated 4 June 1997.

55. The Minister of the Environment shall, no later than 15 June 2005, and thereafter every five years, report to the Government on the implementation of this Regulation, in particular on the necessity of changing the manure management standards based on the scientific and technical knowledge of the time.

56. Section 7 relating to the storage of solid manure piles in cultivated fields ceases to have effect on 1 October 2005.

Section 47 relating to the raising of livestock outside a limited activity zone ceases to have effect on 15 December 2003.

Sections 45, 46 and 48 relating to limited activity zones and to swine production cease to have effect on 15 June 2004.

57. This Regulation comes into force on 15 June 2002 with the exception of

— the second paragraph of section 4 relating to the access to watercourses and bodies of water which comes into force on 1 April 2005; and

— the second paragraph of section 32 relating to the use of low ramps which comes into force on 1 April 2005 for liquid manure from swine raising and 1 April 2007 for liquid manure from other sources.

SCHEDULE I

(ss. 3, 20, 35 and 50)

CHARTS OF MAXIMUM ANNUAL DEPOSITS FOR ALL FERTILIZERS USED ON A PARCEL ACCORDING TO THE CROP GROWN AND EXPRESSED IN KILOGRAMS OF TOTAL PHOSPHORUS (P₂O₅) PER HECTARE

CORN

Phosphorus content (kg P/ha)	Percentage of phosphorus saturation (P/AI)	Crop yields (MT/ha at 15% humidity)		
		< 7	7 to 9	> 9
0 – 30	—	140	150	160
31 – 60	—	130	140	150
61 – 90	—	120	130	140
91 – 120	—	110	120	130
121 – 150	—	100	110	120
151 – 250	< 5	90	100	110
	5 to 10	75	85	95
	> 10	50	60	70
251 – 500	≤ 10	65	75	85
	> 10	50	60	70
501 and more	—	40	50	60

CEREAL (OATS, WHEAT, BARLEY) AND SOYA**MEADOWS AND PASTURES**

Phosphorus content (kg P/ha)	Percentage of phosphorus saturation (P/AI)	Crop yields (MT/ha at 15% humidity)		
		< 2.5 ¹ < 5 ²	2.5 to 3.5 ¹ 5 to 7 ²	> 3.5 ¹ > 7 ²
0 – 30	—	120	130	140
31 – 60	—	110	120	130
61 – 90	—	100	110	120
91 – 120	—	90	100	110
121 – 150	—	80	90	100

Phosphorus content (kg P/ha)	Percentage of phosphorus saturation (P/AI)	Crop yields (MT/ha at 15% humidity)		
		< 2.5 ¹ < 5 ²	2.5 to 3.5 ¹ 5 to 7 ²	> 3.5 ¹ > 7 ²
151 – 250	< 5	70	80	90
	5 to 10	55	65	75
	> 10	30	40	50
251 – 500	≤ 10	45	55	65
	> 10	30	40	50
501 and more	—	20	30	40

¹ This line refers to cereal and soya.² This line refers to meadows and pastures.**NOTES**

1. This Schedule is used to calculate the minimum area required to comply with section 20 of the Regulation. The minimum area required corresponds to the areas necessary to dispose of the phosphorus (P₂O₅) load from the raising site from which the treated or removed phosphorus (P₂O₅) load in accordance with section 19 was subtracted. The load of any other fertilizer used in conjunction with livestock waste on cultivated parcels must be considered in the calculation of the minimum area in accordance with the conditions of this Schedule.

2. This Schedule refers to a total maximum deposit of phosphorus (P₂O₅) and not to a deposit of available phosphorus (P₂O₅). The deposit of phosphorus (P₂O₅) is based on the type of crops, crop yield, richness of the soil and phosphorus saturation rate of the parcel in question.

3. The values of maximum deposits are not fertilization recommendations. An agrologist may, in an agro-environmental fertilization plan, recommend fertilization for a given parcel greater than the value appearing in this Schedule.

Notwithstanding the foregoing, if the total deposit recommended by an agrologist for all parcels and the years referred to in the agro-environmental fertilization plan is greater than the deposit calculated by using this Schedule, the agrologist designing the plan will have to specify in the plan the agrological and environmental reasons justifying the excess and inform the Minister thereof in writing.

An agrologist must, through fertilization recommendations, ensure that the level of soil saturation in phosphorus (P/Al) is lowered to a value less than 7.6% for soil with a clay content greater than 30% and to 13.1% for soil with a clay content equal to or less than 30% and that it is maintained below that value.

4. The deposit calculated using this Schedule is the sum of the deposits of phosphorus (P_2O_5) that may be spread on each of the parcels referred to in the agro-environmental plan. The deposit of phosphorus (P_2O_5) that may be spread on a parcel is obtained by multiplying the number of hectares of the parcel by the value indicated in this Schedule for the parcel in question.

5. In the absence of analysis of the soil specifying the richness of the soil and the phosphorus saturation rate of a parcel, it is possible to use the average value of the analyses of neighbouring parcels. If no analysis is available, the deposit value that must be retained is the value corresponding to a soil richness of 501 and more.

6. The crop yield for a given parcel is determined from the actual yields of the last five years in the following manner:

— for an agricultural operation where one crop is insured by an individual crop insurance program of La Financière agricole du Québec, the crop yield for the agricultural operation shall be used;

— for an agricultural operation where one crop is insured by a collective crop insurance program of La Financière agricole du Québec, the average value of the zone of the agricultural area shall be used; and

— or an agricultural operation where one crop is not insured by La Financière agricole du Québec, the operation's crop yield measured according to a method recognized by La Financière agricole du Québec or the average value for the zone of agricultural area determined under the collective crop insurance program shall be used.

7. For an agricultural operation that operates parcels referred to in an agro-environmental fertilization plan with types of crops that are not referred to in the chart, the maximum deposits of phosphorus (P_2O_5) on those parcels in particular shall be set by the agrologist designing the plan. The agrologist shall also specify in the plan the reasons justifying the values of the recommended maximum deposits.

SCHEDULE II

(s. 45)

TERRITORIES OF MUNICIPALITIES CONSIDERED LIMITED ACTIVITY ZONES

Bas-Saint-Laurent REGION

<i>RCM</i>	<i>Kamouraska</i>	
14050	Kamouraska	M
14085	La Pocatière	V
14065	Rivière-Ouelle	M
14035	Saint-Alexandre-de-Kamouraska	M
14040	Saint-André	M
14055	Saint-Denis	P
14045	Saint-Germain	P
14030	Saint-Joseph-de-Kamouraska	P
14070	Saint-Pacôme	M
14018	Saint-Pascal	V
14060	Saint-Philippe-de-Néri	P
14090	Sainte-Anne-de-la-Pocatière	P
14025	Sainte-Hélène	P
<i>RCM</i>	<i>La Matapédia</i>	
07100	Saint-Noël	VL
07070	Saint-Tharcisius	P
07085	Sayabec	M
<i>RCM</i>	<i>La Mitis</i>	
09005	La Rédemption	P
09015	Les Hauteurs	M
09025	Saint-Gabriel-de-Rimouski	M
09055	Saint-Octave-de-Métis	P
09092	Sainte-Luce	M
<i>RCM</i>	<i>Les Basques</i>	
11005	Saint-Clément	P
11010	Saint-Jean-de-Dieu	M
11030	Sainte-Françoise	P
<i>RCM</i>	<i>Matane</i>	
08023	Sainte-Félicité	M
<i>RCM</i>	<i>Rimouski-Neigette</i>	
10043	Rimouski	V
10030	Saint-Anaclet-de-Lessard	P
10060	Saint-Valérien	P

<i>RCM</i>	<i>Rivière-du-Loup</i>		<i>RCM</i>	<i>Les Chenaux</i>	
12043	L'Isle-Verte	M	37225	Saint-Luc-de-Vincennes	M
12072	Rivière-du-Loup	V	37230	Saint-Maurice	P
12065	Saint-Arsène	P	37205	Sainte-Anne-de-la-Pérade	M
12010	Saint-Hubert-de-Rivière-du-Loup	M	37215	Sainte-Geneviève-de-Batiscan	P
<i>RCM</i>	<i>Témiscouata</i>		<i>RCM</i>	<i>Maskinongé</i>	
13080	Saint-Louis-du-Ha! Ha!	P	51015	Louiseville	V
Saguenay/Lac-Saint-Jean REGION			51025	Saint-Barnabé	P
<i>NON-RCM</i>			51085	Saint-Boniface-de-Shawinigan	VL
94068	Saguenay (V)	V	51090	Saint-Étienne-des-Grès	P
<i>RCM</i>	<i>Lac-Saint-Jean-Est</i>		51035	Saint-Léon-le-Grand	P
93042	Alma	V	51060	Saint-Paulin	M
93025	Hébertville-Station	VL	51055	Sainte-Angèle-de-Prémont	M
93012	Métabetchouan-Lac-à-la-Croix	V	51040	Sainte-Ursule	P
93030	Saint-Bruno	M	51020	Yamachiche	M
<i>RCM</i>	<i>Le Domaine-du-Roy</i>		<i>RCM</i>	<i>Mékinac</i>	
91020	Chambord	M	35015	Saint-Adelphe	P
91035	Saint-Prime	M	35027	Saint-Tite	V
Capitale-Nationale REGION			Estrie REGION		
<i>RCM</i>	<i>Charlevoix</i>		<i>RCM</i>	<i>Asbestos</i>	
16048	Les Éboulements	M	40047	Danville	V
16050	Saint-Hilarion	P	40025	Saint-Camille	CT
<i>RCM</i>	<i>Charlevoix-Est</i>		40032	Saint-Georges-de-Windsor	M
15005	Saint-Irénée	P	40017	Wotton	M
<i>RCM</i>	<i>L'Île-d'Orléans</i>		<i>RCM</i>	<i>Coaticook</i>	
20010	Sainte-Famille	P	44037	Coaticook	V
Mauricie REGION			44071	Compton	M
<i>NON-RCM</i>			44023	Dixville	M
37067	Trois-Rivières	V	44010	East Hereford	M
			44060	Martinville	M
			44015	Saint-Herménégilde	M
			44003	Saint-Malo	M
			44005	Saint-Venant-de-Paquette	M
			44055	Sainte-Edwidge-de-Clifton	CT
			44050	Stanstead-Est	M
			<i>RCM</i>	<i>Le Granit</i>	
			30095	Lambton	M
			30110	Stratford	CT

RCM Le Haut-Saint-François

41045	Cookshire	V
41042	Eaton	M
41098	Weedon	M
41065	Westbury	CT

RCM Le Val-Saint-François

42040	Bonsecours	M
42045	Lawrenceville	VL
42065	Maricourt	M
42075	Melbourne	CT
42032	Racine	M
42020	Saint-François-Xavier-de-Brompton	P
42050	Sainte-Anne-de-la-Rochelle	M
42005	Stoke	M
42095	Val-Joli	M
42060	Valcourt	CT

RCM Memphrémagog

45043	Hatley	M
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Abitibi-Témiscamingue REGION*RCM Témiscamingue*

85055	Fugèreville	M
85050	Laverlochère	P

RCM Vallée-de-l'Or

89008	Val-d'Or (V)	M
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Chaudière-Appalaches REGION*NON-RCM*

25213	Lévis	V
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RCM Beauce-Sartigan

29030	La Guadeloupe	VL
29100	Saint-Benoît-Labre	M
29112	Saint-Éphrem-de-Beauce	M
29038	Saint-Honoré-de-Shenley	M
29045	Saint-Martin	P
29065	Saint-Philibert	M
29125	Saint-Simon-les-Mines	M

RCM Bellechasse

19037	Armagh	M
19070	Honfleur	M
19090	La Durantaye	P
19062	Saint-Anselme	M
19097	Saint-Charles-de-Bellechasse	M
19075	Saint-Gervais	M
19068	Saint-Henri	M
19050	Saint-Lazare-de-Bellechasse	M
19020	Saint-Léon-de-Standon	P
19025	Saint-Malachie	P
19110	Saint-Michel-de-Bellechasse	M
19015	Saint-Nazaire-de-Dorchester	P
19045	Saint-Nérée	P
19082	Saint-Raphaël	M
19055	Sainte-Claire	M

RCM L'Amiante

31056	Adstock	M
31020	Disraeli	P
31105	Kinnear's Mills	M
31130	Sacré-Coeur-de-Jésus	P
31095	Saint-Adrien-d'Irlande	M
31030	Saint-Fortunat	M
31140	Saint-Jacques-de-Leeds	M
31135	Saint-Pierre-de-Broughton	M
31060	Sainte-Clotilde-de-Beauce	M
31084	Thetford Mines	V

RCM L'Islet

17078	L'Islet	M
17055	Saint-Aubert	M
17065	Saint-Roch-des-Aulnaies	P
17060	Sainte-Louise	P

RCM La Nouvelle-Beauce

26005	Frampton	M
26055	Saint-Bernard	M
26022	Saint-Elzéar	M
26063	Saint-Isidore	M
26070	Saint-Lambert-de-Lauzon	P
26040	Sainte-Hénédine	P
26035	Sainte-Marguerite	P
26030	Sainte-Marie	V
26010	Saints-Anges	P
26048	Scott	M
26015	Vallée-Jonction	M

<i>RCM</i>	<i>Les Etchemins</i>		<i>RCM</i>	<i>L'Assomption</i>	
28053	Lac-Etchemin	M	60040	L'Épiphanie	P
28025	Saint-Benjamin	M			
28005	Saint-Zacharie	M	<i>RCM</i>	<i>Matawinie</i>	
28030	Sainte-Rose-de-Watford	M	62007	Saint-Félix-de-Valois	M
			62015	Saint-Jean-de-Matha	M
<i>RCM</i>	<i>Lotbinière</i>		<i>RCM</i>	<i>Montcalm</i>	
33040	Dosquet	M	63025	Saint-Alexis	P
33123	Leclercville	M	63030	Saint-Esprit	M
33085	Notre-Dame-du-Sacré-Coeur-d'Issoudun	P	63065	Saint-Liguori	P
33045	Saint-Agapit	M	63048	Saint-Lin-Laurentides	V
33090	Saint-Apollinaire	M	63035	Saint-Roch-de-l'Achigan	P
33080	Saint-Édouard-de-Lotbinière	P	63040	Saint-Roch-Ouest	M
33052	Saint-Flavien	M	63060	Sainte-Julienne	M
33035	Saint-Gilles	P	63005	Sainte-Marie-Salomé	P
33065	Saint-Janvier-de-Joly	M			
33030	Saint-Narcisse-de-Beaurivage	P			
33025	Saint-Patrice-de-Beaurivage	M	Laurentides REGION		
33007	Saint-Sylvestre	M	<i>RCM</i>	<i>La Rivière-du-Nord</i>	
33017	Sainte-Agathe-de-Lotbinière	M	75017	Saint-Jérôme	V
33070	Val-Alain	M	75028	Sainte-Sophie	M
<i>RCM</i>	<i>Montmagny</i>		<i>RCM</i>	<i>Les Laurentides</i>	
18045	Cap-Saint-Ignace	M	78032	Sainte-Agathe-des-Monts	V
18050	Montmagny	V			
18060	Saint-François-de-la-Rivière-du-Sud	M			
<i>RCM</i>	<i>Robert-Cliche</i>		Montérégie REGION		
27028	Beauceville	V	<i>RCM</i>	<i>Acton</i>	
27065	Saint-Frédéric	P	48028	Acton Vale	V
27043	Saint-Joseph-de-Beauce	V	48005	Béthanie	M
27050	Saint-Joseph-des-Érables	M	48015	Roxton	CT
27055	Saint-Jules	P	48010	Roxton Falls	VL
27035	Saint-Odilon-de-Cranbourne	P	48050	Saint-Nazaire-d'Acton	P
27070	Saint-Véran	P	48045	Saint-Théodore-d'Acton	P
27008	Saint-Victor	M	48020	Sainte-Christine	P
27060	Tring-Jonction	VL	48038	Upton	M
			<i>RCM</i>	<i>Brome-Missisquoi</i>	
Lanaudière REGION			46090	Brigham	M
<i>RCM</i>	<i>D'Autray</i>		46070	Brome	VL
52090	Saint-Didace	P	46050	Dunham	V
52085	Saint-Gabriel-de-Brandon	P	46085	East Farnham	VL
52070	Saint-Norbert	P	46112	Farnham	V
<i>RCM</i>	<i>Joliette</i>		46075	Lac-Brome	V
61013	Crabtree	M	46095	Saint-Ignace-de-Stanbridge	P
61040	Saint-Ambroise-de-Kildare	P	46105	Sainte-Sabine	P
61005	Saint-Paul	M	46030	Stanbridge Station	M
61020	Saint-Pierre	VL			
61050	Sainte-Mélanie	M			

RCM La Haute-Yamaska

47005	Bromont	V
47015	Granby	V
47047	Roxton Pond	M
47010	Saint-Alphonse	P
47040	Saint-Joachim-de-Shefford	P
47055	Sainte-Cécile-de-Milton	CT
47035	Shefford	CT
47030	Warden	VL

RCM La Vallée-du-Richelieu

57033	Saint-Jean-Baptiste	P
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RCM Le Haut-Richelieu

56097	Mont-Saint-Grégoire	M
56105	Sainte-Brigide-d'Iberville	M

RCM Les Maskoutains

54035	La Présentation	P
54105	Saint-Barnabé-Sud	M
54115	Saint-Bernard-de-Michaudville	M
54060	Saint-Dominique	M
54100	Saint-Hugues	M
54048	Saint-Hyacinthe	V
54110	Saint-Jude	M
54072	Saint-Liboire	M
54120	Saint-Louis	P
54010	Saint-Pie	P
54090	Saint-Simon	P
54065	Saint-Valérien-de-Milton	CT
54095	Sainte-Hélène-de-Bagot	M
54025	Sainte-Madeleine	VL

RCM Rouville

55008	Ange-Gardien	M
55037	Rougemont	M
55023	Saint-Césaire	V
55015	Saint-Paul-d'Abbotsford	P

RCM Vaudreuil-Soulanges

71025	Saint-Zotique	VL
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Centre-du-Québec REGION*RCM Arthabaska*

39030	Chesterville	M
39165	Maddington	CT
39045	Norbertville	VL
39085	Saint-Albert	M
39060	Saint-Christophe-d'Arthabaska	P
39042	Saint-Norbert-d'Arthabaska	M
39145	Saint-Rosaire	P
39135	Saint-Valère	M
39150	Sainte-Anne-du-Sault	M
39117	Sainte-Clotilde-de-Horton	M
39090	Sainte-Élisabeth-de-Warwick	P
39105	Sainte-Séraphine	P
39062	Victoriaville	V
39077	Warwick	V

RCM Bécancour

38047	Fortierville	M
38005	Saint-Sylvère	M
38035	Sainte-Françoise	M
38015	Sainte-Marie-de-Blandford	M
38040	Sainte-Sophie-de-Lévrard	P

RCM Drummond

49025	L'Avenir	M
49020	Lefebvre	M
49080	Notre-Dame-du-Bon-Conseil	P
49100	Saint-Edmond-de-Grantham	P
49105	Saint-Eugène	M
49048	Saint-Germain-de-Grantham	M
49090	Saint-Joachim-de-Courval	P
49030	Saint-Lucien	P
49035	Saint-Nicéphore	V
49040	Wickham	M

RCM L'Érable

32058	Inverness	M
32072	Laurierville	M
32065	Lyster	M
32080	Notre-Dame-de-Lourdes	P
32045	Plessisville	P
32033	Princeville	V
32023	Sainte-Sophie-d'Halifax	M
32085	Villeroy	M

RCM Nicolet-Yamaska

50113	Pierreville	M
50023	Saint-Wenceslas	M
50090	Saint-Zéphirin-de-Courval	P

5084