

## Draft Regulations

### Draft Regulation

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

**Application of the Environment Quality Act  
Motor vehicle traffic in certain fragile environments  
Environmental impact assessment and review  
Pulp and paper mills  
Snow elimination sites  
— Amendments**

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and section 124 of the Environment Quality Act, that the Regulation to amend the Regulation respecting the application of the Environment Quality Act, the Regulation respecting motor vehicle traffic in certain fragile environments, the Regulation respecting environmental impact assessment and review, the Regulation respecting pulp and paper mills and the Regulation respecting snow elimination sites, the text of which appears below, may be made by the Government on the expiry of 60 days following this publication.

The draft Regulation makes a number of consequential amendments and necessary adjustments to the regulation under the Environment Quality Act to give effect to the new Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains adopted by the Government under section 2.1 of that Act. The new policy, adopted by Order in Council 468-2005 dated 18 May 2005, replaces the former policy adopted by Décret 103-96 dated 24 January 1996 (1996, *G.O.* 2, 1263).

Further information on the draft of the Regulation to amend the Regulation respecting the application of the Environment Quality Act, the Regulation respecting motor vehicle traffic in certain fragile environments, the Regulation respecting environmental impact assessment and review, the Regulation respecting pulp and paper mills and the Regulation respecting snow elimination sites, may be obtained by contacting Luc Proulx, Direction des politiques de l'eau, ministère du Développement durable, de l'Environnement et des Parcs, Édifice Marie-Guyart, 8<sup>e</sup> étage, boîte 42, 675, boulevard René-Lévesque Est, Québec (Québec) G1R 5V7; telephone: (418) 521-3885, extension 4863; fax: (418) 644-2003; e-mail: luc.proulx@menv.gouv.qc.ca

Any person having comments to make on the draft Regulation is asked to send them in writing, before the expiry of the 60-day period, to the Minister of Sustainable Development, Environment and Parks, Édifice Marie-Guyart, 30<sup>e</sup> étage, 675, boulevard René-Lévesque Est, Québec (Québec) G1R 5V7.

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*Minister of Sustainable Development,  
Environment and Parks*

### **Regulation to amend the Regulation respecting the application of the Environment Quality Act, the Regulation respecting motor vehicle traffic in certain fragile environments, the Regulation respecting environmental impact assessment and review, the Regulation respecting pulp and paper mills and the Regulation respecting snow elimination sites**

Environment Quality Act  
(R.S.Q., c. Q-2, ss. 23, 31, 31.1, 31.3 and 31.9, 1st par., subpar. *a*, s. 46, pars. *a* to *g* and *l*, s. 53.30, 1st par., subpars. 1, 2 and 4, s. 66, s. 70, pars. 1, 2, 5 and 6, and ss. 109.1 and 124.1)

**1.** The Regulation respecting the application of the Environment Quality Act<sup>1</sup> is amended

(1) by replacing “, where permitted under the Politique de protection des rives, du littoral et des plaines inondables (Order in Council 103-96 dated 24 January 1996)” in paragraph 3 of section 1 by “within the meaning of the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains adopted by Order in Council 468-2005 dated 18 May 2005;”;

<sup>1</sup> The Regulation respecting the application of the Environment Quality Act, made by Order in Council 1529-93 dated 3 November 1993 (1993, *G.O.* 2, 5996), was last amended by the regulation made by Order in Council 1091-2004 dated 23 November 2004 (2004, *G.O.* 2, 3275). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2005, updated to 1 March 2005.

(2) by replacing “on the strip of land along the edge of a watercourse or a lake, the limits of such strip of land being defined in the Politique de protection des rives, du littoral et des plaines inondables” in the first paragraph of section 2 by “on a bank or shore or in a floodplain within the meaning of the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains adopted by Order in Council 468-2005 dated 18 May 2005”.

**2.** The Regulation respecting motor vehicle traffic in certain fragile environments<sup>2</sup> is amended by replacing “same meaning as the word littoral in the Politique de protection des rives, du littoral et des plaines inondables, made by Décret 103-96 dated 24 January 1996” in section 4 by “meaning assigned by the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains adopted by Order in Council 468-2005 dated 18 May 2005”.

**3.** The Regulation respecting environmental impact assessment and review<sup>3</sup> is amended in subparagraph *b* of the first paragraph of section 2

(1) by replacing “average spring high water line” by “2-year flood line”;

(2) by adding the following sentence at the end: “. Where the 2-year flood line cannot be established using the information available, it is determined using all relevant factors, but giving preference to the botanical criteria provided for in the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains adopted by Order in Council 468-2005 dated 18 May 2005 to establish the natural high-water mark;”.

**4.** The Regulation respecting pulp and paper mills<sup>4</sup> is amended

(1) by replacing “natural high water mark of the sea, a watercourse or a lake within the meaning of the Politique de protection des rives, du littoral et des plaines inondables, made by Order in Council 1980-87 dated 22 December 1987, as amended” in paragraph 1 of section 53 by “natural high-water mark of the sea, a watercourse or a lake within the meaning of the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains adopted by Order in Council 468-2005 dated 18 May 2005”;

(2) by replacing paragraph 1 of section 112 by the following:

“(1) in a floodplain within the meaning of the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains adopted by Order in Council 468-2005 dated 18 May 2005;”.

**5.** The Regulation respecting snow elimination sites<sup>5</sup> is amended by replacing “assigned to the word “rive” in the Politique de protection des rives, du littoral et des plaines inondables, made by Order in Council 103-96 dated 24 January 1996” in the fourth paragraph of section 1 by “assigned by the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains adopted by Order in Council 468-2005 dated 18 May 2005;”.

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

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<sup>2</sup> The Regulation respecting motor vehicle traffic in certain fragile environments was made by Order in Council 1143-97 dated 3 September 1997 (1997, *G.O.* 2, 4595) and has not been amended since.

<sup>3</sup> The Regulation respecting environmental impact assessment and review (R.R.Q., 1981, c. Q-2, r.9) was last amended by the regulation made by Order in Council 119-2002 dated 13 February 2002 (2002, *G.O.* 2, 1449). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2005, updated to 1 March 2005.

<sup>4</sup> The Regulation respecting pulp and paper mills, made by Order in Council 1353-92 dated 16 September 1992 (1992, *G.O.* 2, 4453), was last amended by the regulation made by Order in Council 492-2000 dated 19 April 2000 (2000, *G.O.* 2, 2090). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2005, updated to 1 March 2005.

<sup>5</sup> The Regulation respecting snow elimination sites, made by Order in Council 1063-97 dated 20 August 1997 (1997, *G.O.* 2, 4522), was amended by the regulation made by Order in Council 488-98 dated 8 April 1998 (1998, *G.O.* 2, 1602).