

Gouvernement du Québec

**O.C. 320-2006, 13 April 2006**

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

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

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

WHEREAS, under sections 23, 31, 31.1, 31.3, subparagraph *a* of the first paragraph of section 31.9, paragraphs *a* to *g* and *l* of section 46, subparagraphs 1, 2 and 4 of the first paragraph of section 53.30, section 66, paragraphs 1, 2, 5 and 6 of section 70 and sections 109.1 and 124.1 of the Environment Quality Act (R.S.Q., c. Q-2), the Government may make regulations on the matters set forth therein;

WHEREAS, 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, the draft 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 was published in Part 2 of the *Gazette officielle du Québec* of 1 June 2005 with a notice that it could be made by the Government on the expiry of 60 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments to take into account the comments received following that publication in the *Gazette officielle du Québec* and to add certain details;

IT IS ORDERED, therefore, on the recommendation of the Minister of Sustainable Development, Environment and Parks:

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, attached to this Order in Council, be made.

ANDRÉ DICAIRE,  
*Clerk of the Conseil exécutif*

**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;”;

(2) in section 2

(*a*) 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 part preceding paragraph 1 by “on a bank or shore or in a floodplain within the meaning of the Protection Policy for

<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 451-2005 dated 11 May 2005 (2005, *G.O.* 2, 1182). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2005, updated to 1 September 2005.

Lakeshores, Riverbanks, Littoral Zones and Floodplains adopted by Order in Council 468-2005 dated 18 May 2005”;

(b) by replacing “the Regulation respecting the prevention of water pollution in livestock operations (R.R.Q., 1981, c. Q-2, r.18)” in paragraph 1 by “the regulations on farm operations made under the Environment Quality Act”;

(c) by adding the following at the end of paragraph 2:

“Despite the introductory provision, even if it is carried out on a bank or shore or in a floodplain, work to maintain, rebuild, repair or demolish the components of aerial transmission or distribution systems for electricity, telecommunications or cable-television, including the lines of those systems and their rights-of-way are also governed by this paragraph, if such work does not entail

(a) the use of pesticides on the bank or shore, or if it is carried out in a floodplain, the use of pesticides referred to in subparagraphs *b* to *d* of paragraph 10; or

(b) backfilling, trench digging, excavation, removal of topsoil or any other type of intervention likely to disturb the soil, the air or the hydraulic regime;”;

(d) by replacing “the Regulation respecting the prevention of pollution in livestock operations” in paragraph 12 by “the regulations on farm operations made under the Environment Quality Act”;

(3) by inserting the following after section 2:

“2.1. Despite the provisions of sections 1 and 2, the laying out of penstocks or by-pass canals for agricultural purposes remains subject to section 22 of the Environment Quality Act.”;

(4) by adding the following at the end of the first paragraph of section 8:

“In addition, if the project concerns the territory of a regional park or watercourse under the jurisdiction of a regional county municipality, the applicant must submit to the Minister a certificate from the secretary-treasurer of the regional county municipality concerned attesting to the project’s compliance with the applicable regional municipal by-laws.”.

**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: “. If the 2-year flood line cannot be established using the available information, it is to be determined using any relevant element, but giving preference to the botanical criteria referred to 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 Protec-

<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 regulations made by Orders in Council 451-2005 dated 11 May 2005 (2005, *G.O.* 2, 1182) and 1252-2005 dated 20 December 2005 (2006, *G.O.* 2, 139). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2005, updated to 1 September 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 451-2005 dated 11 May 2005 (2005, *G.O.* 2, 1182). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2005, updated to 1 September 2005.

tion 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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## M.O., 2006

### Order number 2006-010 of the Minister of Health and Social Services dated 12 April 2006

An Act respecting bargaining units in the social affairs sector (R.S.Q., c. U-0.1)

Date of effect of sections 72 to 92 of the Act respecting bargaining units in the social affairs sector (R.S.Q., c. U-0.1)

CONSIDERING that the Act respecting bargaining units in the social affairs sector and amending the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (2003, c. 25) was assented to on 18 December 2003 and is now consolidated under the alphanumeric nomenclature U-0.1;

CONSIDERING that the Act respecting bargaining units in the social affairs sector introduces a union representation system applicable to associations of employees and institutions in the social affairs sector whose negotiation process is governed by the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (R.S.Q., c. R-8.2);

CONSIDERING that, under section 71 of the Act respecting bargaining units in the social affairs sector, the Minister determines by order the date on which sections 72 to 92 of that Act take effect for each institution indicated by the Minister;

CONSIDERING that, by Orders 2004-004 dated 25 February 2004, 2004-009 dated 20 July 2004, 2004-011 dated 20 August 2004, 2004-014 dated 19 October 2004, 2004-017 dated 30 November 2004, 2004-018 dated 7 December 2004, 2005-004 dated 1 March 2005 and 2005-008 dated 14 July 2005 made by the Minister of Health and Social Services, sections 72 to 92 of that Act took effect for the institutions indicated therein;

CONSIDERING that it is expedient to determine the date of effect of sections 72 to 92 of that Act for another institution;

THEREFORE, the Minister of Health and Social Services determines 30 April 2006 to be the date on which sections 72 to 92 of the Act respecting bargaining units in the social affairs sector take effect for the following institution :

### Region 12 – Chaudière-Appalaches

Centre de santé et de services sociaux de Beauce

Québec, 12 April 2006

PHILIPPE COUILLARD,  
*Minister of Health and Social Services*

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<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).