



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-NINTH LEGISLATURE

Bill 71

(2012, chapter 14)

**An Act respecting compensation measures
for the carrying out of projects affecting
wetlands or bodies of water**

**Introduced 24 April 2012
Passed in principle 1 May 2012
Passed 22 May 2012
Assented to 23 May 2012**

**Québec Official Publisher
2012**

EXPLANATORY NOTES

This Act expressly empowers the Minister of Sustainable Development, Environment and Parks to require compensation measures designed, in particular, to restore, protect or enhance a wetland, a body of water or a piece of land from a person who applies for authorization under section 22 or 32 of the Environment Quality Act to carry out a project affecting wetlands or bodies of water. Such measures do not give rise to an indemnity and must be the subject of a written undertaking by the applicant.

Compensation measures that were planned with a view to the issue under Chapter I of the Environment Quality Act, before 12 March 2012, of an authorization or a certificate of authorization for that kind of project are validated.

Bill 71

AN ACT RESPECTING COMPENSATION MEASURES FOR THE CARRYING OUT OF PROJECTS AFFECTING WETLANDS OR BODIES OF WATER

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. For the purposes of this Act,

(1) “wetland” means a pond, marsh, swamp or bog; and

(2) “body of water” means a lake or a constant or intermittent watercourse.

2. In the case of an application for authorization under section 22 or 32 of the Environment Quality Act (R.S.Q., chapter Q-2) for a project affecting a wetland or a body of water, the Minister of Sustainable Development, Environment and Parks may require from an applicant compensation measures designed, in particular, to restore, create, protect or ecologically enhance a wetland, a body of water or a piece of land near a wetland or a body of water.

No compensation measure gives rise to an indemnity. A compensation measure must be the subject of a written undertaking by the applicant, and it is deemed to form part of the conditions of the authorization or certificate of authorization.

3. A compensation measure that was planned with a view to the issue, before 12 March 2012, of an authorization or a certificate of authorization under Chapter I of the Environment Quality Act for a project affecting a wetland or a body of water is valid and does not give rise to an indemnity.

4. Sections 1 and 2 have effect from 24 April 2012.

5. Section 2 ceases to have effect on 24 April 2015, unless an Act providing for rules on the preservation and sustainable management of wetlands and bodies of water and proposing the repeal of that section is assented to by that date; in such a case, section 2 ceases to have effect on the date of assent to that Act.

6. This Act comes into force on 23 May 2012.