

WHEREAS it is expedient to make amendments to that policy, particularly to take into account the Water Withdrawal and Protection Regulation made by Order in Council 696-2014 dated 16 July 2014 and the impact of the standards it contains on the content of the policy;

WHEREAS, under paragraph 6 of section 4 of the Regulation respecting the *Gazette officielle du Québec* (chapter C-8.1.1, r. 1), the Government may order that a document published in the French Edition of Part 2 be also published in English;

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

THAT the following amendments be made to the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains (chapter Q-2, r. 35):

— the replacement of section 2.8 by the following:

“2.8. Watercourse

The Policy applies to all watercourses. They include

(a) any mass of water running along a bed in a regular or intermittent flow, including a bed created or altered by human intervention, the St. Lawrence River and all the seas surrounding Québec, except a ditch as defined in section 2.9;

(b) in a forest in the domain of the State, a watercourse as defined by the Regulation respecting standards of forest management for forests in the domain of the State (chapter A-18.1, r. 7).”;

— the replacement of section 2.9 by the following:

“2.9. Ditch

A common ditch, a ditch along a public or private road or a drainage ditch within the meaning of subparagraph 4 of section 103 of the Municipal Powers Act (chapter C-47.1).”;

— the replacement of the seventh hyphen of paragraph g of section 3.2 by the following:

“— groundwater withdrawal facilities used for purposes other than municipal, commercial, industrial, public purposes or used for purposes of public access, and installed in accordance with the Water Withdrawal and Protection Regulation;”;

— the replacement of subparagraph *d* of the second paragraph of section 3.3 by the following:

“(d) surface water withdrawal facilities installed in accordance with the Water Withdrawal and Protection Regulation, except facilities composed of inlet or diversion channels intended for non-agricultural purposes;”;

— the striking out of subparagraph *e* of the second paragraph of section 3.3:

— the replacement of paragraph *f* of section 4.2.1 by the following:

“(f) alteration or replacement, for the same use, of an existing water withdrawal facility, as well as the installation of a surface water withdrawal facility below ground level, in accordance with the Water Withdrawal and Protection Regulation;”;

— the replacement of paragraphs *d* and *e* of section 4.2.2 by the following:

“(d) the installation of a groundwater withdrawal facility in accordance with the Water Withdrawal and Protection Regulation;

(e) the installation of a surface water withdrawal facility below ground level in accordance with the Water Withdrawal and Protection Regulation;”;

THAT these amendments to the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains be also published in the English Edition of the *Gazette officielle du Québec*.

3445

Gouvernement du Québec

O.C. 703-2014, 16 July 2014

Pesticides Act
(chapter P-9.3)

**Pesticides Management Code
— Amendment**

Regulation to amend the Pesticides Management Code

WHEREAS, under section 105 of the Pesticides Act (chapter P-9.3), the Government enacts by regulation a Pesticides Management Code which may prescribe rules, restrictions or prohibitions respecting activities related to

the distribution, storage, transportation, sale or use of any pesticide, pesticide container or any equipment used for any of those activities;

WHEREAS, under paragraphs 1 and 2 of section 109 of the Act, the Government may, by regulation, establish classes of pesticides and exempt any pesticide from the application of all or part of the provisions of Chapter IV of the Act or the regulations thereunder, on the conditions it may determine;

WHEREAS the Government made the Pesticides Management Code (chapter P-9.3, r. 1);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act (chapter Q-2), a draft Water Withdrawal and Protection Regulation was published in Part 2 of the *Gazette officielle du Québec* of 28 December 2011 with a notice that it could be made by the Government on the expiry of 60 days following that publication;

WHEREAS the draft Regulation contained amendments to the Pesticides Management Code;

WHEREAS, in accordance with sections 10 and 12 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Pesticides Management Code was published in Part 2 of the *Gazette officielle du Québec* of 29 May 2013 with a notice that it could be made by the Government on the expiry of 30 days following that publication;

WHEREAS it is expedient to make the Regulation to amend the Pesticides Management Code without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Sustainable Development, the Environment and the Fight Against Climate Change:

THAT the Regulation to amend the Pesticides Management Code, attached to this Order in Council, be made.

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif

Regulation to amend the Pesticides Management Code

Pesticides Act
(chapter P-9.3, s. 105 and s. 109, pars. 1 and 2)

1. The Pesticides Management Code (chapter P-9.3, r. 1) is amended in section 15 by replacing subparagraphs 2 and 3 of the first paragraph by the following:

“(2) less than 100 m from a category 1 or category 2 water withdrawal site within the meaning of paragraphs 1 and 2 of section 51 of the Water Withdrawal and Protection Regulation or from a water intake used for the production of spring water or mineral water within the meaning of the Regulation respecting bottled water (chapter P-29, r. 2);

(3) less than 30 m from a category 3 water withdrawal site within the meaning of paragraph 3 of section 51 of the Water Withdrawal and Protection Regulation or from any other groundwater withdrawal site.”.

2. Section 35 is amended by replacing subparagraphs 2 and 3 of the first paragraph by the following:

“(2) less than 100 m from a category 1 or category 2 water withdrawal site within the meaning of paragraphs 1 and 2 of section 51 of the Water Withdrawal and Protection Regulation or from a water intake used for the production of spring water or mineral water within the meaning of the Regulation respecting bottled water (chapter P-29, r. 2);

(3) less than 30 m from a category 3 water withdrawal site within the meaning of paragraph 3 of section 51 of the Water Withdrawal and Protection Regulation or from any other groundwater withdrawal site.”.

3. Section 50 is replaced by the following:

“**50.** It is prohibited to apply pesticides

(1) less than 100 m from a category 1 or category 2 water withdrawal site within the meaning of paragraphs 1 and 2 of section 51 of the Water Withdrawal and Protection Regulation or from a water intake used for the production of spring water or mineral water within the meaning of the Regulation respecting bottled water (chapter P-29, r. 2);

(2) less than 30 m from a category 3 water withdrawal site within the meaning of paragraph 3 of section 51 of the Water Withdrawal and Protection Regulation;

(3) less than 3 m from any other groundwater withdrawal site.

The prohibitions set out in subparagraphs 2 and 3 of the first paragraph do not apply to

(1) pesticide application for extermination and during work described in permit Subclasses C5 or D5, if it is carried out more than 3 m from the water withdrawal site;

(2) pesticide application for ornamental horticulture and during work described in permit Subclasses C4 and D4, if it is carried out more than 3 m from the water withdrawal site, except in the case of a golf course;

(3) pesticide application on a railway ballast, if it is carried out with a windbreak.”.

4. Section 76 is replaced by the following:

“**76.** It is prohibited to apply pesticides

(1) less than 100 m from a category 1 or category 2 water withdrawal site within the meaning of paragraphs 1 and 2 of section 51 of the Water Withdrawal and Protection Regulation or from a water intake used for the production of spring water or mineral water within the meaning of the Regulation respecting bottled water (chapter P-29, r. 2);

(2) less than 30 m from a category 3 water withdrawal site within the meaning of paragraph 3 of section 51 of the Water Withdrawal and Protection Regulation;

(3) less than 3 m from any other groundwater withdrawal site.

The prohibitions set out in subparagraphs 2 and 3 of the first paragraph do not apply to pesticide application near a water withdrawal site supplying a building that is occasionally used as a dwelling in a forest area.”.

5. This Regulation comes into force on 14 August 2014.

3446

Gouvernement du Québec

O.C. 704-2014, 16 July 2014

An Act respecting the Ministère du Développement durable, de l'Environnement et des Parcs (chapter M-30.001)

Ministère du Développement durable, de l'Environnement et des Parcs
— **Amendments to the Order in Council respecting the Rules for the signing of certain documents**

Amendments to the Order in Council respecting the Rules for the signing of certain documents of the Ministère du Développement durable, de l'Environnement et des Parcs

WHEREAS the second paragraph of section 7 of the Act respecting the Ministère du Développement durable, de l'Environnement et des Parcs (chapter M-30.001) provides that no deed, document or writing is binding on the Minister or may be attributed to the Minister unless it is signed by the Minister, the Deputy Minister, a member of the personnel of the department or the holder of a position and, in the latter two cases, only so far as determined by the Government;

WHEREAS the Government made the Order in council respecting the Rules for the signing of certain documents of the Ministère du Développement durable, de l'Environnement et des Parcs (chapter M-30.001, r. 1);

WHEREAS, under the Act to affirm the collective nature of water resources and provide for increased water resource protection (2009, chapter 21), the Minister was granted a new power of authorization with respect to water withdrawal;

WHEREAS it is expedient to amend the Order in Council respecting the Rules for the signing of certain documents of the Ministère du Développement durable, de l'Environnement et des Parcs to authorize certain functionaries and holders of a position in the department to sign any document regarding the exercise of that power;

IT IS ORDERED, therefore, on the recommendation of the Minister of Sustainable Development, the Environment and the Fight Against Climate Change: