

Gouvernement du Québec

O.C. 474-2017, 10 May 2017

An Act respecting the conservation and development of wildlife
(chapter C-61.1)

**Wildlife habitats
— Amendment**

Regulation to amend the Regulation respecting wildlife habitats

WHEREAS, under paragraph 2 of section 128.18 of the Act respecting the conservation and development of wildlife (chapter C-61.1), the Government may, by regulation, designate activities which, while they may alter a biological, chemical or physical component of a wildlife habitat, do not require any authorization and, as the case may be, prescribe the applicable standards or conditions of management, which may vary according to the criteria mentioned therein;

WHEREAS the Government made the Regulation respecting wildlife habitats (chapter C-61.1, r. 18);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act, a draft of the Regulation respecting the sustainable development of forests in the domain of the State and to amend the Regulation respecting wildlife habitats and the Regulation respecting the application of the Environment Quality Act was published in Part 2 of the *Gazette officielle du Québec* of 30 December 2014 with a notice that it could be made by the Government on the expiry of 60 days following that publication;

WHEREAS the draft Regulation amended the Regulation respecting wildlife habitats and the Regulation to amend the Regulation respecting wildlife habitats, attached to this Order in Council, includes, without amendment, the amending provisions;

WHEREAS it is expedient to make the Regulation to amend the Regulation respecting wildlife habitats;

IT IS ORDERED, therefore, on the recommendation of the Minister of Forests, Wildlife and Parks:

THAT the Regulation to amend the Regulation respecting wildlife habitats, attached to this Order in Council, be made.

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting wildlife habitats

An Act respecting the conservation and development of wildlife
(chapter C-61.1, ss. 128.6 and 128.18, par. 2)

1. The Regulation respecting wildlife habitats (chapter C-61.1, r. 18) is amended by replacing section 8 by the following:

“**8.** A person may, in a wildlife habitat, other than the habitat of a threatened or vulnerable wildlife species, carry on a forest development activity within the meaning of section 4 of the Sustainable Forest Development Act (chapter A-18.1), provided that the person complies with the standards applicable to those activities and prescribed in the Regulation respecting the sustainable development of forests in the domain of the State, made by Order in Council 473-2017 dated 10 May 2017, and any other forest development standard applicable to those activities that the person must comply with pursuant to the Sustainable Forest Development Act.

The following forest development activities are excluded from the application of the first paragraph and remain subject to the prohibition referred to in section 128.6 of the Act respecting the conservation and development of wildlife (chapter C-61.1):

(1) the construction, improvement and repair of roads whose management is under the Minister responsible for the Act respecting roads (chapter V-9) and that are classified autoroute or a national, regional or collector road;

(2) the construction, improvement and repair of a road that skirts a lake or a watercourse by encroaching on the fish habitat.”

2. The Regulation is amended by replacing the words “surrounding the site” wherever they appear in sections 11, 14, 15, 23 and 24 by “surrounding the site where the nests are found”.

3. Sections 37, 38 and 39 are revoked.

4. This Regulation comes into force on 1 April 2018.

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