

## Draft Regulation

Environment Quality Act  
(chapter Q-2)

Act respecting certain measures enabling the enforcement of environmental and dam safety legislation  
(chapter M-11.6)

### Agricultural Operations — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Agricultural Operations Regulation, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation makes various amendments aimed mainly at relaxing certain requirements applicable to agricultural activities.

An amendment is proposed to the Agricultural Operations Regulation (chapter Q-2, r. 26) to allow the phosphorus reports required under the Regulation to be drawn up and sent to the Minister every other year, on certain conditions. Adjustments consequential to that amendment are made, as well as certain adjustments to the monetary administrative penalties and the penal sanctions. Lastly, new factors are proposed to determine the annual phosphorus production of buffaloes and calves.

The regulatory relief proposed is aimed at ensuring greater equity and improving the efficiency of the parties involved by implementing regulations that are simpler, more specific and more consistent, while maintaining a high level of environmental protection. The regulatory relief should enable the enterprises concerned to save approximately 0.2 million dollars per year. All of those savings would be made by agricultural enterprises. The other measures proposed would not generate any additional costs for enterprises.

Further information on the draft Regulation may be obtained by contacting Maude Durand, Director, Bureau de stratégie législative et réglementaire, Ministère de l'Environnement, de la Lutte contre les changements climatiques, de la Faune et des Parcs, 900, boulevard René-Lévesque Est, bureau 800, Québec (Québec) G1R 2B5; email: [question.bslr@environnement.gouv.qc.ca](mailto:question.bslr@environnement.gouv.qc.ca).

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Maude Durand at the above contact information.

BENOIT CHARETTE

*Minister of the Environment, the Fight Against Climate Change, Wildlife and Parks*

## Regulation to amend the Agricultural Operations Regulation

Environment Quality Act  
(chapter Q-2, s. 95.1, subpars. 3 and 21).

Act respecting certain measures enabling the enforcement of environmental and dam safety legislation  
(chapter M-11.6, s. 30, 1st par., and s. 45, 1st par.).

**1.** The Agricultural Operations Regulation (chapter Q-2, r. 26) is amended by inserting the following after section 35:

“**35.0.1.** Despite the first and second paragraphs of section 35, the phosphorus report referred to in those paragraphs may be drawn up only for each even-numbered year, in accordance with section 35, if

(1) the operator has at least 30% more area of cultivated parcels than the minimum total area required in accordance with sections 20 and 20.1 for the purpose of spreading all the fertilizers;

(2) the operator reclaims fertilizing residuals only by spreading, and only on cultivated parcels owned or leased by the operator;

(3) the operator has drawn up a phosphorus report in accordance with section 35 for the preceding even-numbered year and meets the conditions provided for in subparagraphs 1 and 2.

Where the operator no longer meets the conditions provided for in the first paragraph, the operator must send the Minister an update of the phosphorus report in accordance with section 35.

A phosphorus report drawn up for an even-numbered year by an operator that complies with the conditions provided for in the first paragraph and sent in accordance with section 35.1 is deemed to have also been drawn up for the following year.”

**2.** Section 35.1 is amended

(1) by replacing the first paragraph by the following:

“Every operator of a raising site or spreading site referred to in section 35 must send the yearly phosphorus report to the Minister not later than 15 June of each year or, in the case referred to in section 35.0.1, 15 June of each even-numbered year.”;

(2) by inserting “, 35.0.1” after “20.1” in the second paragraph;

(3) by inserting “and, where applicable, section 35.0.1” at the end of subparagraph 1 of the fourth paragraph.

**3.** Section 56.3 is amended by replacing “of section 56.1 and” by “or the third paragraph of section 56.1 or”.

**4.** Section 56.4 is amended by inserting “storage or” before “spreading”.

**5.** Section 56.5 is replaced by the following:

“**56.5.** Every person who contravenes subparagraph 3 of the first paragraph or the third paragraph of section 56.1 or section 56.2 commits an offence and is liable to a fine of \$5,000 to \$500,000 in the case of a natural person or, despite article 231 of the Code of Penal Procedure (chapter C-25.1), to a maximum term of imprisonment of 18 months, or to both the fine and imprisonment, and \$15,000 to \$3,000,000 in any other case.”.

**6.** Section 56.6 is amended by inserting “storage or” before “spreading”.

**7.** The table of Schedule VI is amended by replacing the line for the category “Adult buffalo - male or female” in the part for the type of animal “Beef cattle” by the following:

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Buffalo or calf - male or female	10.8
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”.

**8.** The table of Schedule VII is amended by replacing the line for the category “Adult buffalo - male or female” in the part for the type of animal “Beef cattle” by the following:

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Buffalo or calf - male or female	9.0
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”.

**9.** Section 35.0.1 of the Agricultural Operations Regulation (chapter Q-2, r. 26), made by section 1 of this Regulation, applies to a phosphorus report drawn up for the year 2024 by an operator that complies with the conditions provided for in the first paragraph of that section and sent in accordance with section 35.1 of that Regulation.”.

**10.** 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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