

Draft Regulation

Environment Quality Act
(chapter Q-2)

Regulatory measures for activities under the responsibility of municipalities carried out in bodies of water and on flood protection works — 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 Regulation respecting regulatory measures for activities under the responsibility of municipalities carried out in bodies of water and on flood protection works, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation proposes definitions for “aquatic weed cutting” and “retaining wall” that correspond to those proposed by the Regulation to amend the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact, published as a draft Regulation in the current *Gazette officielle du Québec*.

The draft Regulation also limits the use of explosives when work is carried out in wetlands and bodies of water exclusively in the cases where there are no other possible means of carrying out such work.

In addition, the draft Regulation specifies that, when restoration is required, revegetation of wetlands and bodies of water or any flood protection works must also be carried out in dewatered zones and the survival rate of sphagnum, if applicable, must be 80% in the third year following revegetation.

Lastly, the draft Regulation makes clarifications and corrections, in particular with respect to the work carried out in connection with buildings situated in a littoral zone.

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, 675, boulevard René-Lévesque Est, 29^e étage, boîte 14, Québec (Québec) G1R 5V7; email: 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

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

Regulation to amend the Regulation respecting regulatory measures for activities under the responsibility of municipalities carried out in bodies of water and on flood protection works

Environment Quality Act
(chapter Q-2, s. 46.0.22, pars. 10, 11, 12 and 15).

1. The Regulation respecting regulatory measures for activities under the responsibility of municipalities carried out in bodies of water and on flood protection works, made by Order in Council 719-2025 dated 11 June 2025, is amended by inserting the following definitions in alphabetical order in the first paragraph of section 5:

““aquatic weed cutting” means an action consisting in cutting aquatic vegetation in ponds, lakes and water-courses using a machine mounted on a boat;

“retaining wall” means a vertical or subvertical works set in place to hold back soil at an angle steeper than the natural slope angle, regardless of the material with which it is built;”

2. Section 18 is amended by striking out paragraph 3.

3. The heading of subdivision 4 of Division II of Chapter II is amended by inserting “, buildings” after “works”.

4. The heading of subdivision 5 of Division II of Chapter II is revoked.

5. Section 24 is amended by inserting “, other than damage” after “damage” in paragraph 2.

6. Section 45 is amended by replacing “or a works associated with a bridge” in the portion before subparagraph 1 of the first paragraph by “, a works associated with a bridge referred to in subparagraph 1 of the first paragraph of section 331 of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact (chapter Q-2, r. 17.1).”

7. Section 46 is amended in the first paragraph

(1) by replacing “or storm water management system” in the portion before subparagraph 1 of the first paragraph by “, storm water management system or any other type of wastewater disposal pipe”;

(2) by replacing “or” in the portion before subparagraph *a* of subparagraph 1 of the first paragraph by “and the other types of pipes as well as”;

(3) by replacing “if the system has” in subparagraph 4 of the first paragraph by “in the case of”.

8. Section 58 is amended by adding the following at the end:

“This section applies to any body of water present in a flood zone or a channel migration zone, as applicable.”.

9. Section 60 is amended by adding the following at the end:

“(3) explosives may be used only when the work requires it and there are no other means of carrying out the work.”.

10. Section 61 is amended by striking out “in the dewatered zone,” in subparagraph *b* of subparagraph 4 of the first paragraph.**11.** Section 63 is amended by inserting “, or in the third year in the case of sphagnum” after “revegetation” in paragraph 2.**12.** Section 83 of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact (chapter Q-2, r. 17.1) is amended

(1) by inserting “and its accessory works and buildings” after “building” in the portion before paragraph 1;

(2) by inserting “or works” after “building” in paragraph 2;

(3) by adding the following at the end:

“(3) if the work involves a residential building’s accessory works or buildings,

(*a*) the total encroachment area in the littoral zone of the accessory works or buildings, including existing works and buildings, must not exceed 30 m² or is of an

area equal to that of the initial encroachment area of the accessory works or building if that area was 30 m² or less; and

(*b*) the work does not require backfilling or excavation, other than minor ground leveling.”.

13. Section 85 is amended by striking out “of a residential building” in subparagraph 3 of the first paragraph.**14.** Section 98 is amended by striking out “of a residual building” in subparagraph 2 of the first paragraph.**15.** Section 119 is amended by striking out “in the dewatered zone,” in subparagraph *b* of paragraph 3.**16.** Section 121 is amended by inserting “, or in the third year in the case of sphagnum” after “revegetation” in paragraph 2.**17.** 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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