



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-NINTH LEGISLATURE

Bill 71

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

Introduction

**Introduced by
Mr. Pierre Arcand
Minister of Sustainable Development, Environment and
Parks**

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EXPLANATORY NOTES

This bill 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, protect or enhance a wetland, a body of water or a piece of land.

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.** The Minister of Sustainable Development, Environment and Parks must, on or before (*insert the date that occurs two years after the date of assent to this Act*), report to the Government on the application of section 2.
- 5.** Sections 1 and 2 have effect from (*insert the date of introduction of this bill*).
- 6.** This Act comes into force on (*insert the date of assent to this Act*).

