

Comparaison Québec et Ontario – Nouvelle loi 132

Loi sur la qualité de l'environnement date de 1972, article 22 deals with authorizations to intervene in the environment. Major projects go through the Bureau des audiences publiques (BAPE) for public hearings. Anyone person or group can ask for hearings. In Ontario law adopted in 1990, does not require authorizations in such a systematic way

loi 132 – Is for the Protection of Hydric, Wetland and Riparian environments. Water is a common good a common resource according to the 2009 law on Water.

The objective of 132 is to stop the loss – **no net loss**. The principle is also to make gains («Afin de freiner la perte de milieux humides et hydriques au Québec et de viser des gains nets en la matière, le principe d'aucune perte nette est placé au cœur de la Loi.»)

The provisions of the Law aim to protect the environment as well as all living species who live there. They also aim to reduce greenhouse gas emissions and leave room for the evolution of knowledge and technologies linked to climate change, the protection public health and the territorial realities and community particularities. *és qui les habitent.*

This law affirms the collective character et public interest of the environment, which includes inseparable ecological, social and economical dimensions. The fundamental objectives make it so, that improvement, enhancement and management of the environment are in the general interest.

It respects the fundamental principles of sustainable development, as defined in the Law on sustainable Development (Chapter D-8- 1.1) and takes into account cumulative impacts. It facilitates the implementation of the Agreement on the sustainable waters of the Great Lakes and St-Lawrence River, approved by the National Assembly on the 30th of November 2006.

In Quebec all wetlands fall under this law except for road ditches (so vernal and intermittent ponds count). There is no such thing as a significant wetland as in Ontario. MRCs (regional governments) and to produce for major cities which have the same status will have to produce a Wetland Protection Plan which will be included in the Land Management Plans which have a law (if an MRC or municipality within, derogates they face a municipal tribunal or Ministry of Municipal Affairs. These plans are subject to public participation at different stages.

All wetlands are considered there is no such thing as a significant wetland. There are 4 kinds, marshes, swamps, ponds, étangs, bogs tourbières.

Villes et MRC doivent faire un Plan de protection des terres humides et intégré dans le schéma d'aménagement et de développement.

Before any work you need a certificate of authorization from MDDELCC; mitigation maybe compensation are possible but it could be refused. There was a loser way to compensate before but now you pay. There is a formula to calculate how much. Outaouais, Saguenay & the rest of St-Lawrence Valley is multiplied by 1,5 and Southshore and Northshore of Montreal

x 2. The process will be quicker in order to avoid oops I did not know

In its land management plan Gatineau had identified wetlands and areas that could be restored but now it will pay 675 000\$ for the Guertin arena construction in a small wetland. It is unfortunately a very political dossier.