

chapter Q-2, r. 14

Regulation respecting the declaration of water withdrawals

Environment Quality Act
(chapter Q-2, ss. 46 and 124.1).

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

O.C. 875-2009; S.Q. 2022, c. 8, s. 1.

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TITLE I

GENERAL

O.C. 685-2011, s. 1.

CHAPTER I

PURPOSE, DEFINITIONS AND SCOPE

1. The purpose of this Regulation is to ensure a better knowledge and a better protection of the environment by allowing the Government to assess, through the declaration of water withdrawal activities and volumes withdrawn, the impact of the withdrawals on water resources and ecosystems, and to allow the Government to establish measures to prevent conflicting uses of water resources.

In addition, this Regulation, with a view to ensuring a better protection of the St. Lawrence River Basin water resources, provides for the implementation in Québec of the Great Lakes-St. Lawrence River Basin Sustainable Water Resources Agreement, referred to in section 31.88 of the Environment Quality Act (chapter Q-2).

This Regulation also seeks to achieve more responsible water use through withdrawal accountability mechanisms by making the largest water withdrawers in Québec more acutely aware of

(1) the intrinsic value of water resources; and

(2) the responsibility each person has to preserve the quality of water and sufficient quantity of it to meet the needs of current and future generations.

O.C. 875-2009, s. 1; O.C. 685-2011, s. 2; O.C. 474-2025, s. 1.

2. Unless indicated otherwise in the provisions of Title II of this Regulation, the following definitions apply to all the provisions of this Regulation:

“aquaculture site” means an aquaculture site within the meaning of section 3 of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact (chapter Q-2, r. 17.1); (*site aquacole*)

“existing withdrawal” means a withdrawal that was authorized on or before 1 September 2011 or, if not authorized, was lawfully commenced on or before that date; (*prélèvement existant*)

“fishing pond site” means a fishing pond site within the meaning of section 3 of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact; (*site d’étang de pêche*)

“measuring equipment” means a water meter or other device designed to measure and record a volume of water; (*équipement de mesure*)

“Minister” means the Minister of Sustainable Development, Environment and Parks;

“Ministère” means the Ministère du Développement durable, de l’Environnement et des Parcs;

“new withdrawal” means a withdrawal that was authorized after 1 September 2011; (*nouveau prélèvement*)

“professional” means a professional within the meaning of section 1 of the Professional Code (chapter C-26) whose professional order governs the exercise of a professional activity referred to in this Regulation. This definition also includes any person legally authorized to practise that activity in Québec; (*professionnel*)

“rated capacity” means the maximum effective capacity, according to the specifications of the builder or manufacturer of the withdrawal works, facility or equipment or, where the water is withdrawn using a pond, a basin or other naturally-fed retaining works, the rated volume of the pond, basin or other works; (*capacité nominale*)

“sewer system” means a sewer system within the meaning of section 3 of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact; (*système d’égout*)

“St. Lawrence River Basin” means the drainage basin whose territory is described in section 31.89 of the Environment Quality Act (chapter Q-2); (*bassin du fleuve Saint-Laurent*)

“storm water management system” means a storm water management system within the meaning of section 3 of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact; (*système de gestion des eaux pluviales*)

“temporary industrial camp” means a group of facilities and their dependencies, that an employer temporarily sets up to simultaneously house, for not more than 6 months during the 12-month period following the setting-up, not more than 80 of the employer’s employees who carry out forest management, mining exploration, mining operation, transport infrastructure and water retaining work or any other work;

“transfer” means the transporting of bulk water from the St. Lawrence River Basin to another basin by any means, including a waterworks system, a pipeline, a conduit or any other main, and any type of tank truck. Diverting the direction of a watercourse flow is deemed to be a transfer. Packaging water for commercial purposes in containers having a capacity exceeding 20 litres is also deemed to be a transfer; (*transfert*)

“water withdrawal” or “withdrawal” means the taking of surface water or groundwater by any means;; (*prélèvement d’eau*) (*prélèvement*)

“waterworks system” means a waterworks system within the meaning of section 3 of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact; (*système d’aqueduc*)

“withdrawal site” means a water withdrawal site within the meaning of section 3 of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact; (*site de prélèvement*)

“withdrawer” means a person or municipality, within the meaning of section 1 of the Environment Quality Act, that operates a withdrawal site. (*préleveur*)

O.C. 875-2009, s. 2; O.C. 685-2011, s. 3; O.C. 1680-2023, s. 1; O.C. 474-2025, s. 2.

2.1. Where a provision of this Regulation requires that the volumes of water to be recorded or declared be expressed in litres, they may also be expressed in cubic metres.

O.C. 685-2011, s. 3.

3. This Regulation applies to any water withdrawal. Unless indicated otherwise, it immediately applies to existing withdrawals and to new withdrawals.

This Regulation does not apply to

- (1) withdrawals whose maximum daily volume is less than 50,000 litres per day, every day in a calendar year;
- (2) withdrawals intended for domestic use, namely withdrawals using a personal well or a surface water intake for the use of one household only;
- (3) withdrawals to supply vehicles, such as vessels and aircraft, either for the needs of the persons or animals being transported or for ballast, or to meet other needs incidental to the operation of those vehicles;
- (4) withdrawals exclusively for firefighting purposes, in particular to supply an aircraft or tank vehicle;
- (5) withdrawals from a waterworks system;
- (6) withdrawals for the purposes of a temporary industrial camp located in one of the following territories:

— the territory not organized into a local municipality, including the unorganized territory amalgamated with one of the municipalities of Rouyn-Noranda, La Tuque or Senneterre, as it was delimited the day before the amalgamation;

— the James Bay territory as described in the schedule to the James Bay Region Development and Municipal Organization Act (chapter D-8.2);

— the territory situated north of the 55th parallel;

— the territories of the municipalities of Blanc-Sablon, Bonne-Espérance, Côte-Nord-du-Golfe-du-Saint-Laurent, Gros-Mécatina and Saint-Augustin and the territory of any other municipality constituted under the Act respecting the municipal reorganization of the territory of Municipalité de Côte-Nord-du-Golfe-du-Saint-Laurent (1988, chapter 55; 1996, chapter 2);

— the territories that are not accessible at all times by road vehicles;

(7) withdrawals used for the production of hydroelectric power by means of run-of-river works or facilities directly connected to the watercourse;

(8) withdrawals by means of works used for the impounding of water, such as a dam, or a pond or a basin having no hydraulic interconnection with groundwater and not supplied by means of a drainage system, unless they are intended to produce hydroelectric power, whether they are intended to transport water to a site where the water is used or made for mining, quarrying and oil and gas extraction (NAICS 21);

(9) withdrawals using a drain or a drainage ditch that is not connected to an active pumping system, that are not intended to transport water to a site where the water is used, that are not used to fill a water supply reservoir for subsequent use or that are not made for mining, quarrying and oil and gas extraction (NAICS 21);

(10) withdrawals referred to in paragraphs 3 to 6 of section 173 of the Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact (chapter Q-2, r. 17.1);

(11) *(subparagraph replaced)*.

In addition, this Regulation does not apply to the following withdrawals insofar as they are wholly made outside the St. Lawrence River Basin:

(1) subject to section 18.7, withdrawals intended for agricultural purposes or for the operation of a fishing pond site or an aquaculture site;

(2) withdrawals intended to produce hydroelectric power.

Despite subparagraph 1 of the second paragraph and subparagraphs 1 and 2 of the third paragraph, a withdrawer that makes a withdrawal referred to in one of those subparagraphs becomes subject to this Regulation as soon as the withdrawer transfers water out of the St. Lawrence River Basin or is required, under Title II, to make a declaration on the basis of the withdrawal rated capacity of the works or facilities used for water withdrawals.

O.C. 875-2009, s. 3; O.C. 685-2011, s. 4; S.Q. 2016, c. 35, s. 265; O.C. 1680-2023, s. 2; O.C. 474-2025, s. 3.

3.1. *(Revoked)*.

O.C. 685-2011, s. 4; O.C. 474-2025, s. 4.

4. This Regulation applies in a reserved area and an agricultural zone established under the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1).

O.C. 875-2009, s. 4.

CHAPTER II

DETERMINATION OF VOLUMES OF WATER WITHDRAWN

4.1. To determine if the maximum daily volume of withdrawal reaches the volume from which the withdrawer is required, under a provision of this Regulation, to declare the withdrawal activities, all the volumes of water withdrawn from withdrawal sites connected to a single establishment or waterworks system must be added up. Establishments whose activities are related or complementary to one another and are under the responsibility of one withdrawer are deemed to be part of the same establishment.

O.C. 474-2025, s. 5.

5. For the purposes of the declaration provided for in section 9, every withdrawer is required to determine the volumes of water withdrawn for each withdrawal site by direct measurement taken by measuring equipment that belongs to the withdrawer.

Despite the foregoing, if the withdrawer does not make a water withdrawal referred to in the third paragraph, or if the withdrawer's authorisation provides for it, a withdrawer that does not have measuring equipment may determine the volumes of water withdrawn by one of the following means:

- (1) direct measurement taken by measuring equipment that belongs to a third party;
- (2) estimates based on a generally recognized method;

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(3) in the case of withdrawals intended for agricultural purposes or for the operation of a fishing pond site or an aquaculture site, the use of the estimation tool available online on the website of the Minister's department.

A withdrawer that intends to make a water withdrawal as part of a project that requires an authorisation to be issued, amended or renewed under the Environment Quality Act (chapter Q-2) and involves establishing or altering a withdrawal site must, before making that withdrawal, instal on the site measuring equipment that belongs to the withdrawer and meets the requirements of Chapter IV, unless the withdrawer's authorization allows the use of one of the means referred to in the second paragraph.

O.C. 875-2009, s. 5; O.C. 685-2011, s. 5; O.C. 474-2025, s. 6.

5.1. For the purposes of section 5, where a withdrawal is intended for a transfer of water out of the St. Lawrence River Basin and one of the time limits referred to in the second paragraph of section 5 occurs, the appropriate measuring equipment must be installed at the points where water is transferred and, where applicable, returned to the Basin, in addition to the points where water is withdrawn.

O.C. 685-2011, s. 6; O.C. 474-2025, s. 6.

6. A withdrawer who uses direct measurements taken by measuring equipment must comply with the provisions of Chapter IV.

A withdrawer that uses estimates based on a generally recognized method must comply with the provisions of Chapter V.

O.C. 875-2009, s. 6; O.C. 474-2025, s. 7.

7. *(Revoked).*

O.C. 875-2009, s. 7; O.C. 685-2011, s. 7; O.C. 474-2025, s. 8.

8. *(Revoked).*

O.C. 875-2009, s. 8; O.C. 662-2013, s. 1; O.C. 474-2025, s. 8.

CHAPTER III

ANNUAL DECLARATION OF WITHDRAWAL ACTIVITIES AND VOLUMES WITHDRAWN AND KEEPING OF A REGISTER

O.C. 875-2009, c. III; O.C. 685-2011, s. 8.

9. Every withdrawer whose daily volume of water withdrawals is equal to or greater than 50,000 litres, at least 1 day in a calendar year, is required to send to the Minister, for that year and any subsequent year in which the withdrawer withdraws water, regardless of the volume, an annual declaration describing the withdrawal activities by specifying the volumes of water withdrawn, including withdrawals less than 50,000 litres per day.

The declaration must be transmitted electronically, using the form available online on the Ministère's website. All the sections relevant to the information that the withdrawer is required to declare must be filled out. Where at least 2 of sections 9, 18.4 and 18.5 of this Regulation apply to the withdrawer, only one declaration containing all the information prescribed by those sections must be transmitted.

Where a withdrawer is a natural person, or a legal person in bankruptcy, dissolved or liquidated, or that has its seat in the territory of a local municipality or in a territory not organized as a municipality where no Internet service provider offers access to the Internet, the data to be transmitted to the Minister pursuant to section 9, 18.4 or 18.5 may be transmitted, despite those provisions, using the form provided by the Minister on a medium other than a technology-based medium. In such case, the declaration must be dated and signed by the person who wrote it and specify the reason justifying the use of that medium.

The withdrawer must ensure that the declaration is received by the Minister on or before 31 March of the year following the calendar year covered by the declaration or, if the withdrawer ceases to withdraw water, within 60 days after the date on which the withdrawals cease.

The declaration must contain

(1) the withdrawer's name, address, telephone number, email address and, where applicable, Québec business number (NEQ) and the addresses of the withdrawer's representative and establishments;

(2) the withdrawal sites involved, identified by georeferenced data; and

(3) for each of the withdrawal sites,

(a) where applicable, the name the lake or watercourse from which water is withdrawn;

(b) the number of days on which water was withdrawn;

(c) the origin of the water withdrawn, either surface water or groundwater;

(d) whether or not measuring equipment is used and the type of equipment, where applicable;

(e) if the volumes of water withdrawn are not measured using measuring equipment, estimates of the monthly and yearly volumes of water withdrawn, expressed in litres;

(e.1) if the volumes of water withdrawn are determined using the estimates referred to in subparagraph 2 of the second paragraph of section 5, the name of the professional who certified the estimates of the volumes of water withdrawn and his or her profession and a description of the estimation method used;

(f) if the volumes of water are measured using measuring equipment, the monthly and yearly volumes of water withdrawn, expressed in litres;

(g) if measuring equipment is used, a description of any malfunction, breakdown, abnormality or other defect that affected the operation of the equipment, including the number of days on which the volume data could not be measured by the equipment in a reliable and accurate manner;

(h) the activities for which the withdrawals are made, identified by their North American Industry Classification System (NAICS) codes;

(i) where the withdrawals are for multiple activities, the volumes of water, in percentage or litres, broken down per activity;

(j) a statement specifying that the withdrawals are authorized pursuant to the Environment Quality Act (chapter Q-2) or, in the absence of such authorization, a statement specifying the first year in which the withdrawals totalled a daily volume equal to or greater than 75,000 litres for at least 1 day in the year, or a statement indicating that the withdrawals never reached that threshold, as the case may be.

The person who writes a declaration provided for in this section must attest the accuracy of the information contained therein.

Documents in support of the declaration, including, where applicable, the estimates provided for in subparagraph 2 of the second paragraph of section 5 and the verification reports on reading accuracy provided for in section 12 must be kept at the operation site for 5 years and be sent to the Minister within 20 days after a request to that effect.

The information on withdrawal activities and the volumes of water withdrawn referred to in the fifth paragraph, except the information referred to in subparagraphs *d*, *e.1* and *g* of paragraph 3 and personal information, is public and the Minister publishes the information on the Ministère's website, in keeping with the principle of transparency stated in section 7 of the Act to affirm the collective nature of water resources and to promote better governance of water and associated environments (chapter C-6.2).

O.C. 875-2009, s. 9; O.C. 685-2011, s. 9; O.C. 662-2013, s. 2; O.C. 1680-2023, s. 3; O.C. 474-2025, s. 9.

9.1. Despite subparagraph 1 of the second paragraph of section 3, and unless the water is withdrawn exclusively for the purposes of human consumption for an establishment, a facility or a waterworks system supplying 20 persons or less, or is withdrawn out of the St. Lawrence River Basin for agricultural purposes or for the operation of a fishing pond site or an aquaculture site, a withdrawer whose water withdrawal does not reach the daily volume provided for in section 9 must record in a register and keep up to date the following information:

- (1) a description of the means used to withdraw the water;
- (2) the nature of the needs to fulfil;
- (3) the maximum daily volume of water withdrawn;
- (4) where applicable, the use for that water.

The information must be kept at the operation site for a period of 5 years and be sent to the Minister within 20 days after a request to that effect.

O.C. 1680-2023, s. 4.

- 10.** Every withdrawer must keep a register containing the following information for each withdrawal site:
- (1) a description of the withdrawal site;
 - (2) a description of the measuring equipment, where applicable;
 - (3) a description of the estimation method, where applicable;
 - (4) the results expressed in litres and dates of the measurement of the volumes of water withdrawn where measuring equipment is used;
 - (5) the results, their units and the dates of the measurement of the volumes of water withdrawn where the estimates referred to in subparagraph 2 of the second paragraph of section 5 are used;
 - (6) where applicable, a description and the date of malfunctions, breakdowns, abnormalities or other defects that affected the measuring equipment;
 - (7) where applicable, the dates and nature of repairs, adjustments and other modifications to the measuring equipment;
 - (8) the dates and names of the persons who tested the measuring equipment for accuracy and good working order, and maintained the equipment, where applicable; and
 - (9) a description and the date of any other event that may have an impact on measurement accuracy.

The register is to be kept by the withdrawer at the operation site and made available to the Minister for 5 years after the date of the last entry.

O.C. 875-2009, s. 10; O.C. 685-2011, s. 10; O.C. 474-2025, s. 10.

CHAPTER IV

MEASURING EQUIPMENT

10.1. The provisions of this Chapter apply to a withdrawer that uses direct measurements taken by measuring equipment.

O.C. 474-2025, s. 11.

11. Unless an authorization or a permit issued by the Government or the Minister, as the case may be, for water withdrawal allows otherwise, measuring equipment must

- (1) be installed as close as possible to a withdrawal site or, where the withdrawal is intended for the operation of an aquaculture site or a fishing pond site or is for lowering or diverting water that is immediately returned to the hydrographic network in the original watershed, as close as possible to each discharge point for the water into the environment, a sewer system or a storm water management system;
- (2) be installed so that no other equipment, device or conduit affects or alters the measuring or is installed between the withdrawal site and the measuring equipment;
- (3) be installed in an accessible location so as to facilitate to the extent feasible its operation, maintenance, repair, replacement, monitoring or control by any person who needs to have access to the equipment to perform work;
- (4) be installed to avoid any danger of damage or distortion of the mechanisms by freezing, fire, vandalism or other acts and incidents; and

(5) be installed in compliance with the manufacturer's installation instructions.

O.C. 875-2009, s. 11; O.C. 685-2011, s. 11; O.C. 1680-2023, s. 5; O.C. 474-2025, s. 12.

12. To ensure the accuracy of measured data, the withdrawer must

(1) maintain all measuring equipment in good working order;

(2) verify, or cause to be verified, the accuracy of the readings of all measuring equipment, at least once every 3 years, by comparing the readings with the results obtained using an estimation method referred to in subparagraph 2 of the second paragraph of section 5; and

(3) modify or replace the measuring equipment that belongs to the withdrawer where no longer suited to the situation or where its precision is no longer within the margin of error set in the second paragraph.

The difference between the volume measured by the measuring equipment and the volume determined using an estimation method referred to in subparagraph 2 of the second paragraph of section 5 may not exceed 10%.

O.C. 875-2009, s. 12; O.C. 1680-2023, s. 6; O.C. 474-2025, s. 13.

13. The measuring equipment must give a reading that shows the volume of water withdrawn.

If the measuring equipment has a remote reader and the data displayed by the receiver is different from those displayed by the measuring equipment, only the data from the measuring equipment is to be considered.

O.C. 875-2009, s. 13.

14. If more than one measuring equipment unit is present for withdrawals by the same withdrawer, the total volume withdrawn is the sum of the data obtained in the year from all units.

For the purpose of calculating withdrawals, the withdrawer responsible for the withdrawals is required to take the reading of volume data from the measuring equipment at least once a month.

O.C. 875-2009, s. 14.

15. If the measuring equipment ceases to function or malfunctions, or a discrepancy in a reading is detected in comparison with an earlier reading, the withdrawer must indicate, as the volumes of water withdrawn in the period concerned, the volumes of water withdrawn during the corresponding period in the previous year as declared pursuant to section 9, 18.4 or 18.5. If no water was withdrawn during the latter period, or if the volumes of water withdrawn were lower than the declaration threshold provided for in section 9, the withdrawer must have the volumes of water withdrawn in the period concerned estimated by a professional, in accordance with the provisions of Chapter V.

Where 3 months, each comprising at least one withdrawal day, have elapsed and the measuring equipment has not been restored to proper working order or replaced, the withdrawer must, for each following month comprising at least one withdrawal day, and for as long as the measuring equipment does not function or malfunctions, cause the volumes of water withdrawn to be estimated, in accordance with the provisions of Chapter V.

O.C. 875-2009, s. 15; O.C. 685-2011, s. 12; O.C. 474-2025, s. 14.

CHAPTER V

ESTIMATE OF VOLUMES OF WATER

O.C. 875-2009, c. V; O.C. 474-2025, s. 15.

16. The provisions of this Chapter apply to a withdrawer that, pursuant to subparagraph 2 of the second paragraph of section 5 or the fourth paragraph of section 5, uses estimates based on a generally recognized method.

O.C. 875-2009, s. 16; O.C. 685-2011, s. 13; O.C. 474-2025, s. 16.

16.1. Every estimate of the volumes of water must rely on measurements taken on site.

O.C. 474-2025, s. 16.

16.2. A withdrawer that uses estimates based on a generally recognized method must, for each month, calculate or cause to be calculated all the estimated volumes of water withdrawn, as well as the margin of error in percentage of the evaluation made according to the estimation method used.

That estimate must be certified by a professional.

O.C. 474-2025, s. 16.

17. Measurements must be taken at intervals that take into account the variability of the volume withdrawn during the current day or month.

O.C. 875-2009, s. 17.

18. The margin of error between the monthly volume and the actual volume withdrawn may not exceed 15%.

If the margin of error is exceeded, the withdrawer must replace or modify the estimation method or use measuring equipment for the withdrawal site in accordance with the provisions of Chapter IV.

O.C. 875-2009, s. 18; O.C. 474-2025, s. 17.

TITLE II

SPECIAL PROVISIONS APPLICABLE TO WATER WITHDRAWALS FROM THE ST. LAWRENCE RIVER BASIN

O.C. 685-2011, s. 14.

18.1. For the purposes of this Title,

“level 1 drainage basin” means a territory whose waters converge toward a watercourse that flows directly into the St. Lawrence River or James Bay; (*bassin versant de niveau 1*)

“consumptive use” means consumptive use within the meaning of section 31.89 of the Environment Quality Act (chapter Q-2). (*consommation*)

O.C. 685-2011, s. 14; O.C. 1680-2023, s. 7; O.C. 474-2025, s. 19.

18.2. The provisions of this Title apply to water withdrawals in the St. Lawrence River Basin.

O.C. 685-2011, s. 14; O.C. 474-2025, s. 20.

18.3. Where a provision of this Title prescribes that a water withdrawer is required to make a declaration on the basis of the withdrawal rated capacity of the works or facilities used for water withdrawals and it

appears that the withdrawal capacity of those works or facilities exceeds the withdrawal volume that the withdrawer was authorized to withdraw, under the provisions of the Environment Quality Act (chapter Q-2) or a regulation thereunder, the authorized withdrawal volume must be considered to be the threshold beyond which declaration is required.

O.C. 685-2011, s. 14.

18.4. A withdrawer that withdraws water from the St. Lawrence River Basin from a withdrawal site whose works or facilities have a withdrawal rated capacity equal to or greater than 379,000 litres per day is required to annually declare to the Minister, in addition to the information that must be declared, where applicable, pursuant to sections 9 and 18.5,

- (1) the volumes of water consumed every month in the Basin;
- (2) for each site of use of the water withdrawn, the georeferenced data of their location, the volumes of water consumed and the activities for which the withdrawals are made, identified by their North American Industry Classification System (NAICS) codes;
- (3) where the volumes are determined using the estimates referred to in subparagraph 2 of the second paragraph of section 5, the name of the professional who certified the estimates of the volumes of water consumed and his or her profession and a description of the estimation method used.

For the purposes of the first paragraph, and despite section 5, where the water is withdrawn for the following purposes, the person making the declaration may, without needing to provide a justification, indicate a consumptive use equal to

- (1) 15% of the volumes of water withdrawn where the withdrawals are intended to supply a waterworks system serving all or part of the population of a municipality;
- (2) 80% of the volumes of water withdrawn where the withdrawals are intended for livestock raising purposes;
- (3) 90% of the volumes of water withdrawn where the withdrawals are intended for watering purposes.

To determine if the withdrawal rated capacity reaches the volume from which the withdrawer is required, under this section, to declare the volumes of water it consumes or may consume, all the rated capacities of the works or facilities of withdrawal sites that are in the St. Lawrence River Basin and are connected to a single establishment or waterworks system must be added up. Establishments whose activities are related or complementary to one another and are under the responsibility of one withdrawer are deemed to be part of the same establishment.

Where the volumes of water consumed are calculated using the direct measurement taken by measuring equipment, no supply of water from outside the withdrawal site may affect or distort the calculation.

The information on the volumes of water consumed referred to in subparagraphs 1 and 2 of the first paragraph is public and the Minister publishes the information on the Ministère's website.

O.C. 685-2011, s. 14; O.C. 474-2025, s. 21.

18.5. A withdrawer that transfers water out of the St. Lawrence River Basin is required, whatever the volume, to annually declare to the Minister, in addition to the information that the withdrawer must declare, where applicable, pursuant to sections 9 and 18.4,

- (1) the volumes of water transferred out of the St. Lawrence River Basin, expressed in litres, indicating for each withdrawal site concerned, the georeferenced data of the sites where the water so transferred is used. Where the water transferred out of the Basin is intended to supply a waterworks system serving all or part of the population of a municipality, the level 1 drainage basins covered by the waterworks system must be

indicated, and the name of the watercourse into which the water of the territory flows must be specified, as that name was officialized by the Commission de toponymie du Québec;

(2) the volumes of water discharged into the St. Lawrence River Basin, expressed in litres, specifying the georeferenced data of the discharge points for the water.

O.C. 685-2011, s. 14; O.C. 474-2025, s. 21.

18.6. Sections 5 and 5.1 apply, with the necessary modifications, to the determination of the volumes of water referred to in sections 18.4 and 18.5, including the determination of the volumes of water transferred out of the St. Lawrence River Basin, the volumes of water discharged or returned to the Basin and, subject to the second paragraph of section 18.4, the volumes of water consumed.

The second, third, fourth, sixth and seventh paragraphs of section 9 also apply to the declarations provided for in sections 18.4 and 18.5.

O.C. 685-2011, s. 14; O.C. 474-2025, s. 21.

TITLE II.1

SPECIAL PROVISIONS APPLICABLE TO WITHDRAWALS INTENDED FOR AGRICULTURAL PURPOSES OR FOR THE OPERATION OF A FISHING POND SITE OR AN AQUACULTURE SITE LOCATED OUTSIDE THE ST. LAWRENCE RIVER BASIN

O.C. 474-2025, s. 21.

18.7. A withdrawer that, at least 1 day in the year 2026, withdraws a daily volume of water equal to or greater than 75,000 litres, wholly outside the St. Lawrence River Basin and for agricultural purposes or for the operation of a fishing pond site or an aquaculture site, must, in the case of a withdrawal referred to in sections 33 and 34 of the Act to affirm the collective nature of water resources and to promote better governance of water and associated environments (chapter C-6.2), send to the Minister, not later than 31 March 2027, a declaration on the withdrawals made in the year 2026 that contains the information referred to in the fifth paragraph of section 9.

For the purposes of the declaration provided for in the first paragraph, the volumes of water withdrawn must be determined using one of the means referred to in the first or second paragraph of section 5.

Section 4.1, the second, third, sixth and eighth paragraphs of section 9 and, where applicable, Chapters IV and V of Title I apply for the purposes of the declaration provided for in this section, with the necessary modifications.

This section ceases to apply to a withdrawer referred to in the first paragraph where an authorization for the withdrawal is issued, amended or renewed under the Environment Quality Act (chapter Q-2).

O.C. 685-2011, s. 14; O.C. 662-2013, s. 3; O.C. 474-2025, s. 21.

TITLE III

PENALTIES AND MISCELLANEOUS

O.C. 685-2011, s. 14; O.C. 662-2013, s. 4.

CHAPTER I

MONETARY ADMINISTRATIVE PENALTIES

O.C. 875-2009, c. VI; O.C. 685-2011, s. 15; O.C. 662-2013, s. 5.

18.7.1. A monetary administrative penalty of \$250 in the case of a natural person or \$1,000 in other cases may be imposed on any person who fails to record, update, keep or send to the Minister the information prescribed by section 9.1, on the conditions provided for in that section.

O.C. 1680-2023, s. 8.

18.8. A monetary administrative penalty of \$350 in the case of a natural person or \$1,500 in other cases may be imposed on any person who fails

(1) to comply with the conditions fixed in the second or third paragraph of section 9 for sending the declarations referred to in sections 9, 18.4, 18.5 and 18.7 to the Minister;

(2) to ensure that the declarations referred to in sections 9, 18.4 and 18.5 were received by the Minister within the time limit provided for in the fourth paragraph of section 9;

(3) to keep or send to the Minister, within the prescribed time limit, the documents in support of the declarations referred to in sections 9, 18.4 and 18.5, in accordance with the seventh paragraph of section 9;

(4) to update, keep or make available to the Minister the register prescribed by section 10 during the period and on the conditions provided for in that section;

(5) to attest the accuracy of the information contained in the declarations referred to in sections 9, 18.4, 18.5 and 18.7, in accordance with the sixth paragraph of section 9.

O.C. 662-2013, s. 6; O.C. 474-2025, s. 22.

18.9. A monetary administrative penalty of \$500 in the case of a natural person or \$2,500 in other cases may be imposed on any person who fails

(1) to determine the volumes of water withdrawn, in accordance with section 4.1 and the first and second paragraphs of section 5;

(2) to fit a withdrawal site with measuring equipment in the cases and on the conditions provided for in the third paragraph of section 5;

(3) to install appropriate measuring equipment in the cases and on the conditions provided for in section 5.1;

(4) to send to the Minister the declaration referred to in section 9 in accordance with the first or fifth paragraph of that section;

(5) to comply with the conditions provided for in sections 11 and 12 relating to the installation, good working order, verification, accuracy, modification or replacement of measuring equipment;

(6) to comply with section 13 for the reading of measuring equipment;

(7) to take the reading of volume data from measuring equipment at least once a month in accordance with the second paragraph of section 14;

(8) to comply with the indications provided for in section 15 or to cause the volumes of water withdrawn to be estimated in accordance with that section;

(9) to comply with the conditions provided for in section 16.1 or 17 regarding an estimate of volumes of water withdrawn or the intervals of the measurements;

(10) to make the calculations or cause to be made the calculations prescribed by section 16.2 in accordance with the conditions provided for therein or to have the estimates certified by a professional in accordance with the second paragraph of that section;

(11) to replace or modify the estimation method or use conforming measuring equipment if the margin of error established under the first paragraph of section 18 is exceeded in accordance with that section;

(12) to send to the Minister the declaration referred to in section 18.4 in accordance with the first and second paragraphs of that section;

(13) to determine the withdrawal rated capacity in accordance with the third paragraph of section 18.4;

(14) to calculate the volumes of water consumed in accordance with the fourth paragraph of section 18.4;

(15) to send to the Minister the declaration referred to in section 18.5 in accordance with that section;

(16) to send to the Minister the declaration referred to in section 18.7 in accordance with the first paragraph of that section.

O.C. 662-2013, s. 6; O.C. 474-2025, s. 22.

18.10. A monetary administrative penalty of \$1,000 in the case of a natural person or \$5,000 in other cases may be imposed on any person who tampers with the measuring equipment or diverts water or otherwise affects the direction, flow rate or streamflow of water, so as to alter the evaluation required under this Regulation of the volume of withdrawals.

O.C. 662-2013, s. 6; O.C. 1680-2023, s. 9.

CHAPTER I.1

PENAL SANCTIONS

O.C. 662-2013, s. 7.

18.11. Every person who fails to record, update, keep or send to the Minister the information prescribed by section 9.1, on the conditions provided for in that section commits an offence and is liable, in the case of a natural person, to a fine of \$1,000 to \$100,000 or, in other cases, to a fine of \$3,000 to \$600,000.

O.C. 1680-2023, s. 10.

19. Every person who contravenes the second, third, fourth, sixth or seventh paragraph of section 9 or section 10 commits an offence and is liable, in the case of a natural person, to a fine of \$2,000 to \$100,000 or, in other cases, to a fine of \$6,000 to \$600,000.

O.C. 875-2009, s. 19; O.C. 685-2011, s. 16; O.C. 662-2013, s. 8; O.C. 474-2025, s. 23.

19.1. Every person who contravenes section 4.1, 5 or 5.1, the first or fifth paragraph of section 9, section 11, 12 or 13, the second paragraph of section 14, section 15, 16.1, 16.2, 17, 18, 18.4 or 18.5 or the first

paragraph of section 18.7 commits an offence and is liable, in the case of a natural person, to a fine of \$2,500 to \$250,000 or, in other cases, to a fine of \$7,500 to \$1,500,000.

O.C. 662-2013, s. 8; O.C. 474-2025, s. 24.

19.2. *(Replaced).*

O.C. 662-2013, s. 8; O.C. 474-2025, s. 24.

19.3. Every person who contravenes any other requirement imposed by this Regulation also commits an offence and is liable, where no other penalty is provided for by this Chapter or the Environment Quality Act (chapter Q-2), to a fine of \$1,000 to \$100,000 in the case of a natural person or, in other cases, to a fine of \$3,000 to \$600,000.

O.C. 662-2013, s. 8.

CHAPTER II

MISCELLANEOUS PROVISIONS

O.C. 875-2009, c. VII; O.C. 685-2011, s. 17.

20. *(Omitted).*

O.C. 875-2009, s. 20.

21. For the year 2009, the information in subparagraphs 2 and 3 of the third paragraph of section 9 to be included in the declaration prescribed therein is limited to the information pertaining to the full months following 10 September 2009.

O.C. 875-2009, s. 21.

22. *(Revoked).*

O.C. 875-2009, s. 22; O.C. 685-2011, s. 18.

22.1. The provisions of this Regulation must be evaluated not later than every 5 years to ensure a better knowledge and a better protection of water resources.

O.C. 1680-2023, s. 11; I.N. 2024-01-01.

23. *(Omitted).*

O.C. 875-2009, s. 23.

TRANSITIONAL

2023

(O.C. 1680-2023) SECTION 12. Until 31 December 2024 and despite sections 3 and 9 of the Regulation, as amended by sections 2 and 3 of this Regulation, the daily volume of water applicable for the purposes of subparagraph 1 of the second paragraph of section 3 and the first paragraph of section 9 of the Regulation is established at 75,000 litres.

UPDATES

O.C. 875-2009, 2009 G.O. 2, 3147

O.C. 685-2011, 2011 G.O. 2, 1589

O.C. 662-2013, 2013 G.O. 2, 1754
S.Q. 2016, c. 35, s. 265
O.C. 1680-2023, 2023 G.O. 2, 3133
O.C. 474-2025, 2025 G.O. 2, 1229

