

Environment in Québec

In Canada, environmental protection is a shared responsibility rather than the sole responsibility of any one level of government. It reflects the division of powers between the federal government and the provinces, each acting within its constitutionally assigned spheres of activity.

Québec's Environmental Framework

Generally, the federal government intervenes when issues fall outside provincial jurisdiction or involve matters of national interest. This includes, for example:

- › toxic substances
- › protection of endangered species
- › impact assessments for certain major projects or projects located on federal lands
- › activities related to interprovincial or international transportation

At the provincial level, the Québec government has jurisdiction over:

- › land use planning
- › most industrial and commercial activities
- › natural resource management

In most cases, development, construction and operation of projects in Québec fall primarily under provincial regulations, even if some may also have to meet specific federal requirements. The two regulatory frameworks are not mutually exclusive; instead, they are designed to operate in a complementary manner, each within its respective area of authority. This coordination is expected to be further strengthened. In July 2026, Quebec and Canada released a proposed agreement aimed at implementing the principle of “one project, one assessment, one decision,” in order to reduce duplication in the environmental assessment process for major projects.

For businesses, the challenge is therefore less about the multiplicity of regulations and more about identifying at the outset the relevant authorities and applicable processes. There is no single or automated tool for this analysis: instead, it requires the application of regulatory criteria,

including the categories of activities provided for under the Québec regime and, where applicable, the list of projects likely to be subject to a [federal impact assessment](#). An upfront analysis generally makes it possible to determine whether a project is subject only to the Québec regime or also has a federal dimension. This can then be properly integrated into the project schedule.

The Core of Québec's Regulatory Framework

The **Environmental Quality Act** (EQA) is the cornerstone of Québec's environmental regime. It governs activities that may impact the environment, including air emissions, soil and waste management, discharges to water and sewer systems, and adverse effects on the natural environment.

This general framework is supplemented by several sector-specific laws that give effect to government policy directions on sustainable development, land conservation and energy transition. Together, these texts form a relatively stable, accessible and documented regulatory environment in which corporate responsibilities are clearly defined.

A Risk-based Permitting Regime

A distinguishing feature of the Québec system is its tiered approach based on environmental risk. The **Regulation respecting the regulatory scheme applying to activities on the basis of their environmental impact** (REAFIE) classifies activities according to their potential impact, which in turn determines the applicable level of regulation.

In certain cases, such as small-scale or routine activities, either no authorization is required or a simple declaration of compliance is sufficient, provided all regulatory criteria are met. Projects with a higher risk profile are subject to ministerial approval, while the most sensitive projects require a full environmental impact assessment.

Impact Assessments: Supporting Project Certainty

When a project is subject to an environmental impact assessment, the process aims to analyze its potential effects on the natural and human environments, identify appropriate mitigation measures, and promote social acceptability. The **Bureau d'audiences publiques sur l'environnement** (BAPE) may be required to hold public consultations, depending on the nature of the project.

Promoters consider this mechanism a risk management tool, as it helps them document issues from the outset, structure dialogue with stakeholders, and reduce legal and reputational uncertainty over the long term.



Important

Certain northern regions (defined under sec. 133 and 168 EQA) are subject to special assessment procedures; this must be verified at the site selection stage, as timelines and the authorities involved differ.

Particular Concerns: Soil, Natural Environments and Technical Compliance

In addition to authorizations, companies must comply with various technical obligations, including those related to industrial discharges, the storage of hazardous materials, and the management of contaminated soil. Since 2021, the traceability of excavated contaminated soil has been ensured through the government's Traces Québec system, which aims to prevent the spread of contaminants and to ensure effective management of construction sites.

Projects located in wetlands, bodies of water or near protected areas are also subject to specific requirements. In this context, the 2030 Nature Plan, which aims to improve conservation across Québec, must be taken into account from the earliest stages of planning.

A Regulatory Environment Supporting Responsible Investment

The Québec environmental framework is founded on predictability, transparency and shared responsibility and aims to integrate environmental considerations from the earliest stages of decision-making. Recent efforts to harmonize the provincial and federal regimes reflect the same approach, with the aim of reducing approval timelines for project proponents. In practice, the application of this framework may vary depending on the administrative contexts and available resources, which may lead to certain delays or areas of uncertainty. However, the environment is not treated as a one-off constraint but as a structuring factor in project planning, on par with financial, operational and commercial considerations. Integrating these factors early in a company's strategy is an effective way to enhance risk management, credibility and long-term performance.

Fasken supports businesses at every stage of their projects in Québec, whether determining regulatory requirements, developing an authorization strategy, managing an impact assessment or addressing specific issues related to soil, natural environments or technical compliance. Our team helps decision-makers effectively navigate Québec's environmental framework and move their projects forward with confidence.

If you have any questions or would like to assess how these rules apply to your specific situation, please do not hesitate to contact our [Environmental team](#) for assistance.

Contact



**Marie-Pierre
BOUDREAU**

Associate | Environment

Montréal

T. +1 514 397 5120

mboudreau@fasken.com