

DIRECTIVE

Mining Mineral Substances in Lakes and Watercourses

This directive has been in effect since July 15, 2004. It renders all previous directives on the same subject null and void. The directive is adopted under the provision of section 100 of the Mining Act (R.S.Q., c. M-13.1), which stipulates, among other things that:

Any person who plans to mine mineral substances (with the exception of surface mineral substances) for commercial or industrial purposes must first obtain a mining lease from the Minister of Natural Resources and Wildlife.

This requirement also applies for any exploitation in a watercourse or a lake or its shore. Dredging using a hydraulic concentrator and panning for gold within the scope of a tourist operation are considered as mining mineral substances for commercial purposes.

Any part of a watercourse where the natural power is equal to or greater than 225 kilowatts, as well as a strip of land 20 metres wide on either side of this watercourse are excluded from the lease. However, the Minister may authorize, under certain conditions, the mining of mineral substances on such lands.

Any person who plans to impact or carry out work in a lake, watercourse, pond, marsh, swamp or bog must obtain a certificate of authorization from the Minister of Sustainable Development, Environment and Parks before said work begins, in accordance with section 22 of the Environment Quality Act (R.S.Q., c. Q-2). This also applies in the case of panning for gold and dredging using a hydraulic concentrator. Furthermore, measures must be taken, during the work, to avoid releasing fine particles into the watercourse.