

# Royal Gazette

## Part II Regulations under the Regulations Act

---

Printed by the Queen's Printer

Halifax, Nova Scotia

Vol. 30, No. 17

September 15, 2006

### Contents

Act	Reg. No.	Page
<b>Correctional Services Act</b>		
Designation of the Cape Breton Youth Detention Facility .....	172/2006	609
<b>Environment Act</b>		
James River Watershed Protected Water Area Designation .....	168/2006	594
James River Watershed Protected Water Area Regulations .....	169/2006	600
<b>Natural Products Act</b>		
Nova Scotia Egg Producers Levy Order .....	170/2006	605
<b>Petroleum Products Pricing Act</b>		
Prescribed Petroleum Products Prices .....	167/2006	591
Prescribed Petroleum Products Prices .....	171/2006	607

**In force date of regulations:** As of March 4, 2005\*, the date a regulation comes into force is determined by subsection 3(6) of the *Regulations Act*. The date a regulation is made, the date a regulation is approved, the date a regulation is filed and any date specified in a regulation are important to determine when the regulation is in force.

\*Date that subsections 3(6) and (7) and Sections 11 and 13 of the *Regulations Act* and amendments to the *Regulations Act* made by Chapter 46 of the Acts of 2004 were proclaimed in force.

**Correction:** The *Tusket River Ecological Site Designation*, N.S. Reg. 142/2006, as printed in the Royal Gazette, Part II, Vol. 30, No. 15 (August 18, 2006) contains several printing errors as follows:

- 1) The heading to Appendix A of N.S. Reg. 142/2006 as filed reads as follows:

**Appendix A**  
**Addition to Tusket River Ecological Site**  
**(originally designated under O.I.C. 89-587)**

2) The final 2 sentences of Appendix A of N.S. Reg. 142/2006 as filed read as follows:

**All** bearings refer to Magnetic North for the year 1972.

**Containing** a total area of 40 acres more or less.

**N.S. Reg. 167/2006**

Made: August 23, 2006

Filed: August 24, 2006

Prescribed Petroleum Products Prices

Order dated August 23, 2006

Regulations made by the Minister of Service Nova Scotia and Municipal Relations pursuant to Section 14 of the *Petroleum Products Pricing Act* and Sections 14 to 18 of the *Petroleum Products Pricing Regulations*

**In the Matter of Section 14 of Chapter 11 of the Acts of 2005  
the *Petroleum Products Pricing Act***

- and -

**In the Matter of Sections 14 to 18 of the *Petroleum Products Pricing Regulations*  
made by the Governor in Council  
pursuant to Section 14 of the *Petroleum Products Pricing Act***

- and -

**In the Matter of an Order Prescribing Prices for Petroleum Products  
made by the Minister of Service Nova Scotia and Municipal Relations  
pursuant to Section 14 of the *Petroleum Products Pricing Act* and  
Sections 14 to 18 of the *Petroleum Products Pricing Regulations***

**Order**

I, Jamie Muir, Minister of Service Nova Scotia and Municipal Relations for the Province of Nova Scotia, pursuant to Section 14 of Chapter 11 of the Acts of 2005, the *Petroleum Products Pricing Act*, and Sections 14 to 18 of the *Petroleum Products Pricing Regulations*, hereby

- (a) repeal the Order dated August 14, 2006, which prescribed prices for petroleum products in the Province effective on and after 12:01 a.m. on August 15, 2006; and
- (b) prescribe prices for petroleum products in the Province as set forth in the tables in Schedule "A".

This Order is effective on and after 12:01 a.m. on August 24, 2006.

Made at Halifax, in the Halifax Regional Municipality, Nova Scotia, on August 23, 2006.

Sgd.: *Jamie Muir*  
Honourable Jamie Muir  
Minister of Service Nova Scotia and Municipal Relations

**Schedule "A"**  
**Prices Prescribed for Petroleum Products**  
**under the *Petroleum Products Pricing Act* and the**  
***Petroleum Products Pricing Regulations***  
**effective on and after 12:01 a.m. on July 27, 2006**

<b>Table 1: Benchmark Prices for Regulated Petroleum Products (cents/litre)</b>	
Regular unleaded gasoline	58.1
Mid-grade unleaded gasoline	61.1
Premium unleaded gasoline	64.1
Low sulfur diesel oil	65.0
Ultra low sulfur diesel oil	N/A

<b>Table 2: Wholesale Margins, Fixed Wholesale Prices, Retail Mark-ups and Retail Prices for Regulated Petroleum Products (cents/litre)</b>										
			Retail Mark-up				Retail Price (includes all taxes)			
			Self-Service		Full-Service		Self-Service		Full-Service	
	Wholesale Margin (excludes GST)	Fixed Wholesale Price (excludes GST)	Min	Max	Min	Max	Min	Max	Min	Max
<b>Zone 1</b>										
Regular Unleaded	6.3	89.9	4.0	5.5	4.0	7.5	107.0	108.8	107.0	111.0
Mid-Grade Unleaded	9.3	92.9	4.0	5.5	4.0	7.5	110.5	112.2	110.5	114.5
Premium Unleaded	12.3	95.9	4.0	5.5	4.0	7.5	113.9	115.6	113.9	117.9
Low-Sulfur Diesel	6.3	90.7	4.0	5.5	4.0	7.5	108.0	109.7	108.0	111.9
Ultra Low-Sulfur Diesel	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
<b>Zone 2</b>										
Regular Unleaded	6.7	90.3	4.0	5.5	4.0	7.5	107.5	109.2	107.5	111.5
Mid-Grade Unleaded	9.7	93.3	4.0	5.5	4.0	7.5	110.9	112.6	110.9	114.9
Premium Unleaded	12.7	96.3	4.0	5.5	4.0	7.5	114.3	116.1	114.3	118.3
Low-Sulfur Diesel	6.7	91.1	4.0	5.5	4.0	7.5	108.4	110.1	108.4	112.4
Ultra Low-Sulfur Diesel	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
<b>Zone 3</b>										
Regular Unleaded	7.2	90.8	4.0	5.5	4.0	7.5	108.1	109.8	108.1	112.1
Mid-Grade Unleaded	10.2	93.8	4.0	5.5	4.0	7.5	111.5	113.2	111.5	115.5
Premium Unleaded	13.2	96.8	4.0	5.5	4.0	7.5	114.9	116.6	114.9	118.9
Low-Sulfur Diesel	7.2	91.6	4.0	5.5	4.0	7.5	109.0	110.7	109.0	113.0
Ultra Low-Sulfur Diesel	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

<b>Zone 4</b>										
Regular Unleaded	7.2	90.8	4.0	5.5	4.0	7.5	108.1	109.8	108.1	112.1
Mid-Grade Unleaded	10.2	93.8	4.0	5.5	4.0	7.5	111.5	113.2	111.5	115.5
Premium Unleaded	13.2	96.8	4.0	5.5	4.0	7.5	114.9	116.6	114.9	118.9
Low-Sulfur Diesel	7.2	91.6	4.0	5.5	4.0	7.5	109.0	110.7	109.0	113.0
Ultra Low-Sulfur Diesel	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
<b>Zone 5</b>										
Regular Unleaded	7.2	90.8	4.0	5.5	4.0	7.5	108.1	109.8	108.1	112.1
Mid-Grade Unleaded	10.2	93.8	4.0	5.5	4.0	7.5	111.5	113.2	111.5	115.5
Premium Unleaded	13.2	96.8	4.0	5.5	4.0	7.5	114.9	116.6	114.9	118.9
Low-Sulfur Diesel	7.2	91.6	4.0	5.5	4.0	7.5	109.0	110.7	109.0	113.0
Ultra Low-Sulfur Diesel	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
<b>Zone 6</b>										
Regular Unleaded	8.0	91.6	4.0	5.5	4.0	7.5	109.0	110.7	109.0	113.0
Mid-Grade Unleaded	11.0	94.6	4.0	5.5	4.0	7.5	112.4	114.1	112.4	116.4
Premium Unleaded	14.0	97.6	4.0	5.5	4.0	7.5	115.8	117.5	115.8	119.8
Low-Sulfur Diesel	8.0	92.4	4.0	5.5	4.0	7.5	109.9	111.6	109.9	113.9
Ultra Low-Sulfur Diesel	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

**N.S. Reg. 168/2006 to 169/2006**

Made: August 25, 2006

Filed: August 28, 2006

James River Watershed Protected Water Area Designation and  
James River Watershed Protected Water Area Regulations

Order dated August 25, 2006  
made by the Minister of Environment and Labour  
pursuant to Section 106 of the *Environment Act*

**Canada****Province of Nova Scotia**

**In The Matter of:** the *Environment Act*, S.N.S. 1994-95, c. 1, S. 106

**In The Matter of:** the designation of an area surrounding James River, Antigonish County, as a Protected Water Area, to be known as the "James River Watershed Protected Water Area"

**Designation of the James River Watershed Protected  
Water Area and the Making of Regulations with Respect Thereto**

**Whereas** the James River Watershed Protected Water Area Designation and Regulations, N.S. Reg. 218/88, were made by the Minister of the Environment by Order dated October 25, 1988 which defined and prescribed an area surrounding James River as the public water supply for the Town of Antigonish;

**And whereas** subsections 106(4) and (5) of the *Environment Act* provide:

- (4) When requested by an operator of a water works or proposed water works, the Minister may cancel a designation made pursuant to this Section, in whole or in part.
- (5) Any protected water area designated pursuant to the *Water Act*, prior to the coming into force of this *Act* remains so designated;

**And whereas** the Town of Antigonish, operator of the water utility, has requested that the Minister of Environment and Labour cancel the James River Watershed Protected Water Area Designation and Regulations, N.S. Reg. 218/88;

**And whereas** Section 106 of Chapter 1 of the Acts of 1994-95, the *Environment Act*, provides for the designation by the Minister of Environment and Labour of a protected water area and the making of regulations under subsection (6) to prohibit, regulate or require the doing of any act or acts in a protected water area that may impair or prevent the impairment, as the case may be, of the quality of water in the Protected Water Area;

**And whereas** the Town of Antigonish, operator of the water utility, has requested that the Minister of Environment and Labour designate the James River watershed as a Protected Water Area in order to protect the quality of the surface water and the groundwater supply;

**And whereas** the boundaries of the James River Watershed Protected Water Area are to remain the same as the designation made pursuant to N.S. Reg. 218/88, October 25, 1988;

**And whereas** the Town of Antigonish has provided opportunities for public consultation, including public meetings and the establishment of the James River Watershed Stewardship Board, an advisory committee comprising a number of different representatives including the general public and landowners;

**Therefore** pursuant to Section 106 of Chapter 1 of the Acts of 1994-95, the *Environment Act*, the undersigned, Mark Parent, Minister of the Environment and Labour hereby

- (a) cancels the James River Watershed Protected Water Area Designation and Regulations, N.S. Reg. 218/88;
- (b) designates an area surrounding James River more fully described in Schedule "A" as a protected water area, to be known as the "James River Watershed Protected Water Area" and;
- (c) makes regulations respecting activities in the James River Watershed Protected Water Area, in the form set forth in Schedule "B".

Sgd.: *Mark Parent*  
Honourable Mark Parent  
Minister of Environment and Labour

Halifax, Nova Scotia  
Aug. 25, 2006

### **N.S. Reg. 168/2006**

James River Watershed Protected Water Area Designation

#### **Schedule "A"** **James River Watershed Protected Water Area Boundary Description**

All and singular that certain lot, piece or parcel of land situate, lying and being in the Brown's Mountain area, Counties of Antigonish and Pictou, Province of Nova Scotia, and as shown on a plan signed by Hugh J. Sullivan, Nova Scotia Land Surveyor, said plan titled "Town of Antigonish - Proposed Water Shed Boundary". Said plan having his file No. 79-30A, dated November 19, 1979 and revised to the 8th day of April, 1988. Said parcel of land being more particularly described as follows:

All directions refer to the grid meridian and were determined from Nova Scotia Control Monuments # 24008, 24009, 24012 and 24013 as shown on aforementioned plan.

**Beginning** at a point marked by survey marker # 38 on the southern boundary of the Brown's Mountain Road so called, near the Maritime Telephone and Telegraph Tower. Said point being north forty-five degrees fifty-two minutes forty seconds west (N 45-52-40 W) a distance of five hundred and seventy-five decimal zero two (575.02') feet from said Nova Scotia Control Monument # 24012.

**Thence** south seventeen degrees zero zero minutes thirty seconds east (S 17-00-30 E) a distance of eighteen hundred and forty-three decimal five two (1843.52') feet to a point marked by survey marker # 38A on the eastern boundary of a wood road.

**Thence** continuing in the same direction south seventeen degrees zero zero minutes thirty seconds east (S 17-00-30 E) a distance of fourteen hundred and eight decimal five two (1408.52') feet to a point marked by survey marker # 39 on the northern boundary line of lands now or formerly of Sophie Ann MacLellan.

**Thence** south forty degrees fifteen minutes zero zero seconds east (S 40-15-00 E) a distance of twelve hundred and sixty-six decimal two three (1266.23') feet to a point marked by survey marker # 40.

**Thence** south fourteen degrees fourteen minutes fifty seconds west (S 14-14-50 W) a distance of six thousand seven hundred and fifty-eight decimal zero eight (6758.08') feet to a point marked by survey marker # 41 on the northern boundary line of lands now or formerly of Peter MacDonald.

**Thence** south thirty-four degrees zero zero minutes fifty seconds east (S 34-00-50 E) a distance of six hundred and fourteen decimal one nine (614.19') feet to a point marked by survey marker # 42.

**Thence** south forty-six degrees zero three minutes ten seconds west (S 46-03-10 W) crossing the James River a distance of one thousand and sixty decimal five four (1060.54') feet to a point marked by survey marker # 1.

**Thence** south sixteen degrees twelve minutes ten seconds west (S 16-12-10 W) a distance of eight hundred and sixty-seven decimal four six (867.46') feet to a point marked by survey marker # 2.

**Thence** north forty-three degrees fifty-six minutes fifteen seconds west (N 43-56-15 W) a distance of eleven hundred and six decimal three nine (1106.39') feet to a point marked by survey marker # 3.

**Thence** north seventy-four degrees fifty minutes fifty seconds west (N 74-50-50 W) a distance of fifteen hundred and fifty decimal nine zero (1550.90') feet to a point marked by survey marker # 4. Said point is also marked by Crown Post # 3115.

**Thence** north seventeen degrees zero nine minutes thirty-five seconds west (N 17-09-35 W) a distance of fifteen hundred and eighty-three decimal seven six (1583.76') feet to a point marked by survey marker # 5.

**Thence** north seventy-one degrees eleven minutes forty seconds west (N 71-11-40 W) a distance of sixteen hundred and ninety-nine decimal two four (1699.24') feet to a point marked by survey marker # 5A.

**Thence** south eighty-two degrees forty-three minutes forty seconds west (S 82-43-40 W) a distance of thirteen hundred and eleven decimal eight two (1311.82') feet to a point marked by survey marker # 6.

**Thence** south twenty-five degrees twenty minutes fifty seconds west (S 25-20-50 W) a distance of twenty-seven hundred and thirty-nine decimal five two (2739.52') feet to a point marked by survey marker # 7. Said point is also marked by Crown Post # 3110.

**Thence** south seventy degrees fifteen minutes thirty seconds west (S 70-15-30 W) along the northern boundary line of lands now or formerly of William Brothers Limited a distance of twenty-seven hundred and forty-eight decimal two seven (2748.27') feet to a point marked by survey marker # 8. Said survey marker being on the western boundary of a wood road as shown on aforementioned plan.

**Thence** south seventy degrees nineteen minutes forty-five seconds west (S 70-19-45 W) a distance of fourteen hundred and sixty-four decimal eight six (1464.86') feet to a point marked by survey marker # 9.

**Thence** north sixty-three degrees fifty-four minutes fifty-five seconds west (N 63-54-55 W) a distance of eighteen hundred and forty-nine decimal six zero (1849.60') feet to a point marked by survey marker # 10.

**Thence** north zero four degrees zero five minutes twenty seconds east (N 04-05-20 E) a distance of twenty-two hundred and eighty-nine decimal seven zero (2289.70') feet to a point marked by survey marker # 11. Said survey marker being on the northern boundary of a wood road.

**Thence** continuing in the same direction north zero four degrees zero five minutes twenty seconds east (N 04-05-20 E) a distance of five hundred and thirty-one decimal six seven (531.67') feet to a point marked by survey marker # 12.

**Thence** north forty-eight degrees fifty minutes ten seconds west (N 48-50-10 W) a distance of seven hundred and forty-six decimal one five (746.15') feet to a point marked by survey marker # 13.

**Thence** north fifteen degrees zero eight minutes zero zero seconds west (N 15-08-00 W) a distance of eight hundred and eighty decimal eight eight (880.88') feet to a point marked by survey marker # 14 on the northern boundary of a public road which leads from Marshy Hope to Brown's Mountain.

**Thence** continuing in the same direction north fifteen degrees zero eight minutes zero zero seconds west (N 15-08-00 W) a distance of three hundred and eighty-three decimal two six (383.26') feet to a point marked by survey marker # 15.

**Thence** north fifty-three degrees fifty minutes thirty seconds west (N 53-50-30 W) a distance of sixteen hundred and eighty decimal six eight (1680.68') feet to a point marked by survey marker # 16.

**Thence** north twenty-one degrees forty-four minutes twenty seconds west (N 21-44-20 W) a distance of twenty-one hundred and three decimal four five (2103.45') feet to a point marked by survey marker # 17.

**Thence** north sixty-six degrees thirty-four minutes thirty-five seconds west (N 66-34-35 W) a distance of fourteen hundred and forty-six decimal zero five (1446.05') feet to a point marked by survey marker # 18. Said survey marker being on the eastern boundary of a wood road called the Farm Road as shown on aforementioned plan.

**Thence** north twenty-two degrees twenty-one minutes twenty seconds west (N 22-21-20 W) along the eastern boundary of said wood road a distance of thirteen hundred and sixty-one decimal five three (1361.53') feet to a point marked by survey marker # 19.

**Thence** north thirty-eight degrees forty-two minutes forty-six seconds west (N 38-42-46 W) along the eastern boundary of a wood road a distance of fourteen hundred and eighty-two decimal zero one (1482.01') feet to a point marked by survey marker # 20.

**Thence** north twenty-eight degrees twenty-six minutes fifty seconds west (N 28-26-50 W) along the eastern boundary of said wood road a distance of two thousand and ninety-six decimal six seven (2096.67') feet to a point marked by survey marker # 21.



**Thence** north sixty-two degrees forty-one minutes forty-five seconds west (N 62-41-45 W) crossing the wood road a distance of nineteen hundred and ninety-eight decimal two three (1998.23') feet to a point marked by survey marker # 22. Said survey marker being south eleven degrees forty minutes thirty-five seconds west (S 11-40-35 W) a distance of thirteen hundred and seven decimal four eight (1307.48') feet from said Nova Scotia Control Monument # 24009.

**Thence** north fifteen degrees twenty-five minutes forty-five seconds west (N 15-25-45 W) a distance of six thousand two hundred and seventeen decimal one seven (6217.17') feet to a point marked by survey marker # 23.

**Thence** north seventy-two degrees thirty-two minutes zero zero seconds east (N 72-32-00 E) a distance of twenty-three hundred and seventy-five decimal one four (2375.14') feet to a point marked by survey marker # 24.

**Thence** north sixteen degrees twenty-seven minutes thirty seconds west (N 16-27-30 W) a distance of seventeen hundred and seventeen decimal five two (1717.52') feet to a point marked by survey marker # 25.

**Thence** north seventy degrees twenty-two minutes twenty seconds east (N 70-22-20 E) along the southern boundary of lands of Scott Paper International Inc. a distance of three thousand four hundred and fifty-eight decimal one three (3458.13') feet to a point marked by survey marker # 25A.

**Thence** north twenty degrees fifty-four minutes zero five seconds east (N 20-54-05 E) along the eastern boundary of lands of Scott Paper International Inc. a distance of one thousand and thirty-five decimal three nine (1035.39') feet to a point marked by survey marker # 25B on the Southern boundary of lands of the Catholic Episcopal Corporation of Antigonish.

**Thence** north seventy degrees twenty-five minutes twenty seconds east (N 70-25-20 E) along the southern boundary of lands of said Catholic Episcopal Corporation of Antigonish a distance of two thousand four hundred and fifty-nine decimal seven three (2459.73') feet to a point marked by survey marker # 26 on the western boundary of the public road which leads from Brown's Mountain to Dunmaglass.

**Thence** south twenty-one degrees thirty-six minutes forty seconds east (S 21-36-40 E) along the western boundary of said public road a distance of fifteen hundred and eighty-eight decimal eight nine (1588.89') feet to a point marked by survey marker # 27.

**Thence** north sixty-seven degrees twelve minutes twenty-five seconds east (N 67-12-25 E) along the southern boundary of lands of Scott Maritimes Limited a distance of forty-three hundred and thirteen decimal five nine (4313.59') feet to a point marked by survey marker # 28.

**Thence** south nineteen degrees forty-eight minutes zero zero seconds east (S 19-48-00 E) along the western boundary of Scott Maritimes Limited a distance of nine hundred and eighty-nine decimal five one (989.51') feet to a point marked by survey marker # 29. Said point also marked by Crown Post # 3228.

**Thence** south eighteen degrees twenty-five minutes ten seconds east (S18-25-10 E) along the western boundary of Crown lands a distance of one thousand and sixty-three decimal zero four (1063.04') feet to a point marked by survey marker # 30. Said point also being marked by Crown Post # 3229.

**Thence** south eighty-seven degrees zero six minutes thirty seconds east (S 87-06-30 E) a distance of three thousand six hundred and ninety-six decimal nine five (3696.95') feet to a point marked by survey marker # 31.

**Thence** south fifty-five degrees eleven minutes fifty seconds east (S 55-11-50 E) a distance of four thousand and thirty-six decimal nine two (4036.92') feet to a point marked by survey marker # 32.

**Thence** north fifty-six degrees twenty-eight minutes fifteen seconds east (N 56-28-15 E) a distance of nineteen hundred and twenty-nine decimal three one (1929.31') feet to a point marked by survey marker # 33.

**Thence** south fifty-six degrees thirty-four minutes forty seconds east (S 56-34-40 E) a distance of twenty-seven hundred and ninety-three decimal seven eight (2793.78') feet to a point marked by survey marker # 34.

**Thence** south twenty-seven degrees thirty minutes fifty seconds east (S 27-30-50 E) a distance of twenty-six hundred and thirty-two decimal six two (2632.62') feet to a point marked by survey marker # 35.

**Thence** south zero one degrees zero five minutes fifty seconds east (S 01-05-50 E) a distance of three thousand fifty-three decimal zero three (3053.03') feet to a point marked by survey marker # 36. Thence south eighty-four degrees fourteen minutes fifty-five seconds west (S 84-14-55 W) a distance of twenty one hundred and sixty-one decimal five zero (2161.50') feet to a point marked by survey marker # 37.

**Thence** south zero zero degrees zero one minutes fifty seconds west (S 00-01-50 W) a distance of seven hundred and eighty-eight decimal nine one (788.91') feet to a point on the northern boundary of the Maritime Telegraph and Telephone Co. Ltd. property.

**Thence** north eighty-one degrees twenty-eight minutes twenty seconds west (N 81-28-20 W) a distance of ninety-six decimal nine nine (96.99') feet to a point marked by Crown Post # 329.

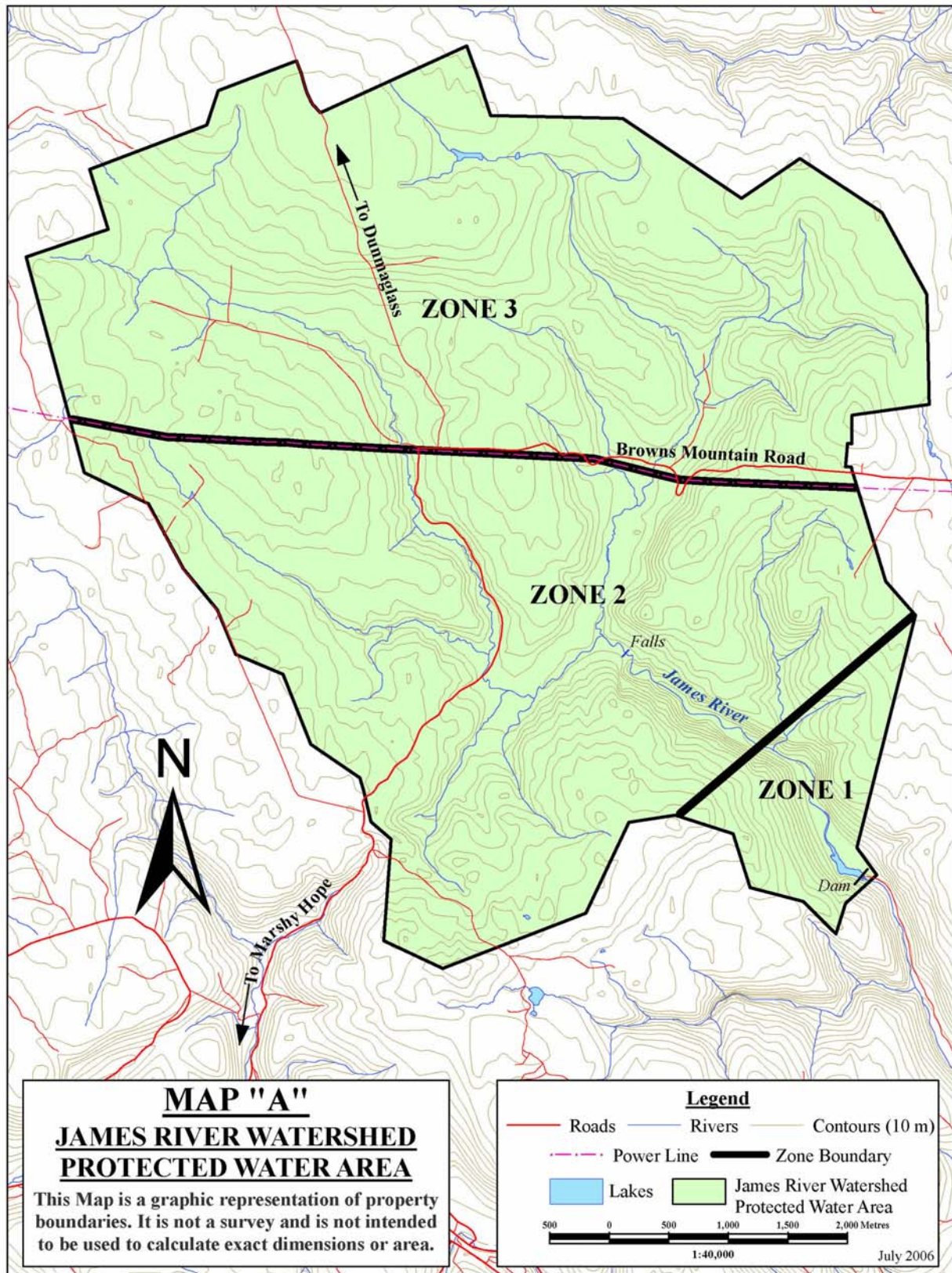
**Thence** south zero eight degrees thirty-one minutes forty seconds west (S 08-31-40 W) a distance of six hundred and fifty-nine decimal five four (659.54') feet to a point marked by Crown Post # 326.

**Thence** south eighty-one degrees twenty-eight minutes zero zero seconds east (S 81-28-00 E) along the northern boundary of the Brown's Mountain Road a distance of one hundred and ninety-five decimal five three (195.53') feet to a point on the southern boundary of the Maritime Telegraph and Telephone Co. Ltd. property.

**Thence** south zero zero degrees zero one minutes fifty seconds west (S 00-01-50 W) a distance of sixty-six decimal seven three (66.73') feet to the place of beginning.

Containing nine thousand six hundred and seventy-five decimal six (9675.6) acres more or less.

The boundaries set out above are approximated on the map attached hereto as Map "A".



**N.S. Reg. 169/2006**

James River Watershed Protected Water Area Regulations

**Schedule "B"**

**Regulations Respecting Activities  
In the James River Watershed Protected Water Area  
Made by the Minister of Environment and Labour  
Pursuant to Subsection 106(6) of the Acts of 1994-5  
The *Environment Act***

**Citation**

1 These regulations may be cited as the *James River Watershed Protected Water Area Regulations*.

**Interpretation**

2 In these regulations,

- (a) "Act" means the *Environment Act*;
- (b) "biocide" means a substance capable of killing living organisms that is not registered as a pest control product and includes a toxic chemical;
- (c) "Board" means the James River Watershed Stewardship Board or its successor;
- (d) "Department" means the Department of Environment and Labour;
- (e) "developer" means a person who develops or proposes to develop land and includes any agent or contractor who works for the developer;
- (f) "development" means any disturbance of land for purposes of constructing roadways, residential dwellings, commercial establishments, recreation areas and parkland;
- (g) "forestry operation" means any activity related to the use of a forest for producing timber, wood fiber or Christmas trees, including but not limited to the following activities:
  - (i) forest management planning,
  - (ii) silviculture,
  - (iii) harvesting,
  - (iv) watershed protection,
  - (v) road construction,
  - (vi) operation, storage and use of equipment and supplies used in any aspect of the activity;
- (h) "grab sample" means a sample collected at a time and a place which represents only the composition of the source at that particular time and place;
- (i) "Minister" means the Minister of Environment and Labour;

- (j) “pesticide” or “pest control product” has the same meaning as set out in clause 2(q) of the *Pesticide Regulations* made under the Act;
- (k) “Protected Water Area” means the land and water designated by the Minister pursuant to subsection 106(1) of the Act as the James River Watershed Protected Water Area, as described in Schedule “A” to the designation;
- (l) “release” means to spill, discharge, dispose of, spray, inject, inoculate, abandon, deposit, leak, seep, pour, emit, empty, throw, dump, place, drain, pump or exhaust;
- (m) “residential dwelling” means a permanent structure, used for human habitation;
- (n) “vegetation” means any living plant or tree growth;
- (o) “Water Works Operator” means the Town of Antigonish, any designate, or successor or operator of the James River Water Utility;
- (p) “wetland” has the same meaning as set out in clause 2(y) of the *Environmental Assessment Regulations* made under the Act;
- (q) “Zone 1” means the area of the James River Watershed as outlined approximately as Zone 1 on Map “A” attached to the designation;
- (r) “Zone 2” means the area of the James River Watershed between Zone 1 and the southern edge of the Power Line as outlined approximately as Zone 2 on Map “A” attached to the designation;
- (s) “Zone 3” means the area of the James River Watershed north of Zone 2 as outlined approximately as Zone 3 on Map “A” attached to the designation.

### Restricted activities

- 3** (1) No person is permitted to swim, bathe, wash, or cut ice at any time in James River or any other watercourse within the Protected Water Area.
- (2) No person is permitted to fish from the shoreline of, or in James River between the dam in Zone 1 and the falls in Zone 2.
- (3) No person is permitted to wash a vehicle in any watercourse or within 60 m of the shoreline or bank of any watercourse within the Protected Water Area.
- (4) No person is permitted to operate a motorized vehicle of any kind in Zone 1 or 2, unless
- (a) the motorized vehicle is being operated
    - (i) on a public road,
    - (ii) on a road built under an accepted forest management plan, or
    - (iii) on an access road to private land holdings; and
  - (b) unless the operation of the motorized vehicle is authorized by the Water Works Operator.

- (5) No person is permitted to operate a vessel of any kind, on, through or over James River or any watercourse in Zones 1 and 2 of the Protected Water Area, unless authorized by the Water Works Operator.
- (6) No person is permitted to fill a gasoline tank or transfer any liquid fuel from tank to tank on or within 100 m of the shoreline or bank of James River or any watercourse within the Protected Water Area.

**Posting of signs**

- 4 (1) The Water Works Operator must post signs at road access points around the perimeter of the Protected Water Area to provide notice to the general public of the designation of the Protected Water Area.
- (2) The Water Works Operator must replace any signs posted under subsection (1) that have been damaged or removed.
- (3) The Water Works Operator must take reasonable measures to advertise and provide notice to the general public of these regulations.
- (4) No person is permitted to remove or alter any sign, notice or advertisement posted pursuant to this Section without approval of the Water Works Operator.

**Fire restrictions**

- 5 No person is permitted to set, start, maintain or be responsible for an open fire in the Protected Water Area except for an open fire in a barbecue or fireplace designed for cooking purposes at a residential dwelling.

**Forestry operations**

- 6 (1) No person is permitted to undertake a forestry operation
  - (a) in Zone 1;
  - (b) within 60 m of any watercourse in Zone 2; or
  - (c) within 30 m of any watercourse in Zone 3.
- (2) A forestry operation conducted within the Protected Water Area must be conducted pursuant to a forest management plan that
  - (a) is prepared by a professional forester in accordance with the *Watershed Management Plan* for the James River Watershed, approved by the Board dated October 2003, or its successor document, as amended from time to time;
  - (b) complies with all requirements of the Department of Natural Resources; and
  - (c) is approved by the Water Works Operator.

**Road construction and maintenance restrictions**

- 7 (1) No person is permitted to undertake any road construction or maintenance within the Protected Water Area unless
  - (a) written approval has been obtained in advance from the Water Works Operator; and

- (b) the road construction and maintenance is undertaken between June 1 and September 30, inclusive, in any year.
- (2) A person who is responsible for a road constructed under subsection (1) must maintain and repair the road.
- (3) No person is permitted to expose at any one time more than 1900 square metres of roadway subbase in the Protected Water Area.
- (4) No person is permitted to apply road salt on any roads or driveways within the Protected Water Area.

**Water course or wetland alteration**

- 8 (1) No person is permitted to construct a bridge or culvert or otherwise alter a watercourse or wetland within the Protected Water Area without first obtaining
- (a) written approval from the Water Works Operator; and
  - (b) an approval from the Department.
- (2) An owner, operator or person responsible for a bridge or culvert approved under subsection (1)
- (a) must maintain and repair the bridge or culvert; and
  - (b) is not permitted to remove the bridge or culvert without first obtaining an approval from the Department.

**Roads and stream crossings**

- 9 The construction of a forest access or wood lot road, stream crossing, culvert or other watercourse alteration within the Protected Water Area must be approved by the Water Works Operator.

**Pest control products**

- 10 No person is permitted to use a pest control product or biocide within the Protected Water Area unless the use is related to the operation of the James River Water Treatment Plant and carried out under the supervision of the Town Engineer.

**On-site sewage disposal systems**

- 11 (H) No person is permitted to install an on-site sewage disposal system within the Protected Water Area without the approval of the Water Works Operator and the Department.

**Prohibition on release of substance**

- 12 (1) No person is permitted to release or cause or permit the release of oil, petroleum products, soap, detergent, toxic chemicals, pest control product waste, garbage, litter, solid or liquid waste, sulphide bearing or acidic slate materials, or any other material that causes or may cause an adverse effect within the Protected Water Area.
- (2) A person who is using mechanical equipment or transporting gasoline or oil within the Protected Water Area is not permitted to release, and must take precautions to prevent the release of, a petroleum product onto the ground or into a watercourse or the runoff from the Protected Water Area.

**Prohibition on landfills**

13 No person is permitted to establish a dump, landfill, waste disposal site or disposal site for sulphide bearing or acidic slate materials within the Protected Water Area.

**Easement restriction**

14 No person is permitted to construct a road, pipeline, railway, telephone line, power line or other similar development or grant an easement on, over or across the Protected Water Area, without first obtaining the written approval of the Water Works Operator.

**Storm water management**

15 No developer is permitted to commence any development unless the development is conducted according to a Stormwater Control Plan that is

- (a) prepared by a professional engineer; and
- (b) approved in advance by the Water Works Operator in consultation with the Department.

**Erosion and sediment control**

16 (1) No person is permitted to authorize or commence an operation to extract peat, gravel, rock or minerals within the Protected Water Area without the approval of the Water Works Operator.

(2) No person is permitted to undertake an activity that causes or might cause soil erosion resulting in sedimentation of a watercourse located within the Protected Water Area.

(3) No owner, occupier, contractor or person responsible for a construction operation or an activity within the Protected Water Area requiring grubbing or earth moving that would expose more than 200 m<sup>2</sup> of subbase at any time is permitted to proceed without the approval of the Water Works Operator.

(4) No person is permitted to release water that has a suspended solid concentration greater than 25 mg/L in a grab sample from any area within the Protected Water Area.

17 If sedimentation occurs in a watercourse within the Protected Water Area, an operator or person responsible for the sedimentation must undertake immediate action to install erosion and sediment control measures, and immediately notify the Water Works Operator.

**Watercourse setbacks and buffers**

18 No person is permitted to erect a structure, excavate, fill or alter the grade of land within 100 m of James River or within 30 m of any watercourse or wetland located in the protected Water Area, unless such activity is

- (a) related to the operation of the James River Water Treatment System; and
- (b) approved in advance by the Water Works Operator.

**Consultation with the Board**

19 The Water Works Operator may consult with the Board before granting any authorization or approval required by these regulations.

**Watershed Management**

20 The Water Works Operator may conduct activities that are required to maintain, enhance, or protect the source water quality or quantity of the James River Watershed.



**N.S. Reg. 170/2006**

Made: August 9, 2006

Approved: August 22, 2006

Filed: August 28, 2006

Nova Scotia Egg Producers Levy Order

Order dated August 22, 2006  
made by the Egg Producers of Nova Scotia and approved by the Natural Products Marketing Council  
pursuant to clause 6(1)(g) of the *Natural Products Act*

**Egg Producers of Nova Scotia**

The Egg Producers of Nova Scotia, pursuant to clause 6[(1)](g) of the ~~*Egg Marketing Plan*~~ [*Natural Products Act*], at its meeting on August 9, 2006, carried a motion to amend the *Egg Levy Regulations* in the manner set forth in the attached, effective on and after July 16, 2006.

**Dated and signed** at Truro, Nova Scotia, on August 9, 2006.

Sgd.: *Patti Wyllie*  
Patti Wyllie  
Manager

-----  
**Approved by** the Natural Products Marketing Council at Truro, Nova Scotia, on August 22, 2006.

Sgd.: *E.A. Crouse*  
Elizabeth Crouse  
Acting General Manager  
Natural Products Marketing Council

**Nova Scotia Egg Producers Levy Order**  
**Number Thirty-six**  
**July 16, 2006**

**Whereas** pursuant to an Order in Council P.C. 3655-178 of the 7<sup>th</sup> day of December, 1978, the Minister of Agriculture for Canada executed an Agreement with the Ministers of Agriculture for each of the Provinces, ratified by the Egg Producers Marketing Board for each of the Provinces provided for cooperation in developing an integrated system of levies to be imposed by the Commodity Boards of the various Provinces and by the Canadian Egg Marketing Agency upon persons engaged in the marketing of eggs in intraprovincial and interprovincial and export trade;

**And whereas** the levy to be imposed by the Commodity Board on behalf of the Agency as of July 16, 2006 is \$0.310 per dozen eggs and the levy to be imposed by the Nova Scotia Egg Producers for administration and for the Provincial Industrial Product Removal Program is \$0.045 per dozen eggs, for a total of \$0.355 per dozen eggs;

The Nova Scotia Egg Producers hereby approves and adopts the following Order:

- 1 This Order may be cited as the *Nova Scotia Egg Producers Levy Order*.
- 2 In this Order,
  - (a) "Agency" means the Canadian Egg Marketing Agency;

- (b) “Commodity Board” means the Nova Scotia Egg Producers;
  - (c) “egg” means egg of a hen;
  - (d) “grading station operator” means any person who washes, grades, packs, offers for sale, sells, stores, transports or markets eggs and includes a Commodity Board, when applicable, and includes a producer-vendor;
  - (e) “hen” means a hen of any class of the domestic chicken belonging to the species *Gallus domesticus*;
  - (f) “Plan” means the *Nova Scotia Egg and Pullet Producers Marketing Plan*, and amendments thereto;
  - (g) “producer” means any person engaged in the production of eggs in the Province and includes a producer-vendor;
  - (h) “producer-vendor” means a producer who is a grading station operator in respect of all or any portion of eggs produced by that producer.
- 3 (1) A levy is imposed on every producer of \$0.355 per dozen of eggs marketed by the producer minus the number of dozens of eggs, if any, marketed by the producer in interprovincial and export trade.
- (2) The levy imposed by subsection (1) shall, where the eggs are sold or otherwise disposed of
- (a) to a person who is not a grading station operator, be paid by the producer directly to the Commodity Board; or
  - (b) to a grading station operator, be paid to the grading station operator to whom they are delivered, by the grading station operator deducting the amount of the levy from the monies payable by the grading station operator to the producer for the eggs and the grading station operator shall in turn pay the levies so collected to the Commodity Board.
- 4 As with previous levies, it is hereby confirmed that the total levy imposed on the producer with respect to eggs marketed by that producer in interprovincial and export trade shall, through the Levy Order set up and amended from time to time by the Agency, be identical to the total levy imposed hereunder for intraprovincial trade.
- 5 This Order shall come into force as of July 16, 2006.
- 6 Nova Scotia Egg Producers Levy Order Thirty-five is repealed effective upon the coming into force of this Levy Order.

By the Order of the Board, August 9, 2006.

Sgd.: *Patti Wyllie*  
Patricia Wyllie – Manager

#### Certificate

I hereby certify that the within and foregoing is a true and correct copy of an Order made by the Nova Scotia Egg Producers on August 9, 2006.

Sgd.: *Patti Wyllie*  
Patricia Wyllie – Manager

**N.S. Reg. 171/2006**

Made: August 30, 2006

Filed: September 1, 2006

Prescribed Petroleum Products Prices

Order dated August 30, 2006  
made by the Minister of Service Nova Scotia and Municipal Relations  
pursuant to Section 14 of the *Petroleum Products Pricing Act* and  
Sections 14 to 18 of the *Petroleum Products Pricing Regulations*

**In the Matter of Section 14 of Chapter 11 of the Acts of 2005  
the *Petroleum Products Pricing Act***

- and -

**In the Matter of Sections 14 to 18 of the *Petroleum Products Pricing Regulations*  
made by the Governor in Council  
pursuant to Section 14 of the *Petroleum Products Pricing Act***

- and -

**In the Matter of an Order Prescribing Prices for Petroleum Products  
made by the Minister of Service Nova Scotia and Municipal Relations  
pursuant to Section 14 of the *Petroleum Products Pricing Act* and  
Sections 14 to 18 of the *Petroleum Products Pricing Regulations***

**Order**

I, Jamie Muir, Minister of Service Nova Scotia and Municipal Relations for the Province of Nova Scotia, pursuant to Section 14 of Chapter 11 of the Acts of 2005, the *Petroleum Products Pricing Act*, and Sections 14 to 18 of the *Petroleum Products Pricing Regulations*, hereby

- (a) repeal the Order dated August 23, 2006, which prescribed prices for petroleum products in the Province effective on and after 12:01 a.m. on August 24, 2006; and
- (b) prescribe prices for petroleum products in the Province as set forth in the tables in Schedule "A".

This Order is effective on and after 12:01 a.m. on August 31, 2006.

Made at Halifax, in the Halifax Regional Municipality, Nova Scotia, on August 30, 2006.

Sgd.: *Jamie Muir*  
Honourable Jamie Muir  
Minister of Service Nova Scotia and Municipal Relations

## Schedule "A"

**Prices Prescribed for Petroleum Products  
under the *Petroleum Products Pricing Act* and the  
*Petroleum Products Pricing Regulations*  
effective on and after 12:01 a.m. on August 31, 2006**

<b>Table 1: Benchmark Prices for Regulated Petroleum Products</b> (cents/litre)	
Regular unleaded gasoline	51.6
Mid-grade unleaded gasoline	54.6
Premium unleaded gasoline	57.6
Low sulfur diesel oil	65
Ultra low sulfur diesel oil	N/A

<b>Table 2: Wholesale Margins, Fixed Wholesale Prices, Retail Mark-ups and Retail Prices for Regulated Petroleum Products</b> (cents/litre)										
			<b>Retail Mark-up</b>				<b>Retail Price</b> (includes all taxes)			
			Self-Service		Full-Service		Self-Service		Full-Service	
	<b>Wholesale Margin</b> (excludes GST)	<b>Fixed Wholesale Price</b> (excludes GST)	Min	Max	Min	Max	Min	Max	Min	Max
<b>Zone 1</b>										
Regular Unleaded	6.3	83.4	4.0	5.5	4.0	7.5	99.6	101.3	99.6	103.6
Mid-Grade Unleaded	9.3	86.4	4.0	5.5	4.0	7.5	103.1	104.8	103.1	107.0
Premium Unleaded	12.3	89.4	4.0	5.5	4.0	7.5	106.5	108.2	106.5	110.5
Low-Sulfur Diesel	6.3	90.7	4.0	5.5	4.0	7.5	108.0	109.7	108.0	111.9
Ultra Low-Sulfur Diesel	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
<b>Zone 2</b>										
Regular Unleaded	6.7	83.8	4.0	5.5	4.0	7.5	100.1	101.8	100.1	104.1
Mid-Grade Unleaded	9.7	86.8	4.0	5.5	4.0	7.5	103.5	105.2	103.5	107.5
Premium Unleaded	12.7	89.8	4.0	5.5	4.0	7.5	106.9	108.6	106.9	110.9
Low-Sulfur Diesel	6.7	91.1	4.0	5.5	4.0	7.5	108.4	110.1	108.4	112.4
Ultra Low-Sulfur Diesel	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
<b>Zone 3</b>										
Regular Unleaded	7.2	84.3	4.0	5.5	4.0	7.5	100.7	102.4	100.7	104.7
Mid-Grade Unleaded	10.2	87.3	4.0	5.5	4.0	7.5	104.1	105.8	104.1	108.1
Premium Unleaded	13.2	90.3	4.0	5.5	4.0	7.5	107.5	109.2	107.5	111.5
Low-Sulfur Diesel	7.2	91.6	4.0	5.5	4.0	7.5	109.0	110.7	109.0	113.0
Ultra Low-Sulfur Diesel	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

<b>Zone 4</b>										
Regular Unleaded	7.2	84.3	4.0	5.5	4.0	7.5	100.7	102.4	100.7	104.7
Mid-Grade Unleaded	10.2	87.3	4.0	5.5	4.0	7.5	104.1	105.8	104.1	108.1
Premium Unleaded	13.2	90.3	4.0	5.5	4.0	7.5	107.5	109.2	107.5	111.5
Low-Sulfur Diesel	7.2	91.6	4.0	5.5	4.0	7.5	109.0	110.7	109.0	113.0
Ultra Low-Sulfur Diesel	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
<b>Zone 5</b>										
Regular Unleaded	7.2	84.3	4.0	5.5	4.0	7.5	100.7	102.4	100.7	104.7
Mid-Grade Unleaded	10.2	87.3	4.0	5.5	4.0	7.5	104.1	105.8	104.1	108.1
Premium Unleaded	13.2	90.3	4.0	5.5	4.0	7.5	107.5	109.2	107.5	111.5
Low-Sulfur Diesel	7.2	91.6	4.0	5.5	4.0	7.5	109.0	110.7	109.0	113.0
Ultra Low-Sulfur Diesel	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
<b>Zone 6</b>										
Regular Unleaded	8.0	85.1	4.0	5.5	4.0	7.5	101.6	103.3	101.6	105.6
Mid-Grade Unleaded	11.0	88.1	4.0	5.5	4.0	7.5	105.0	106.7	105.0	109.0
Premium Unleaded	14.0	91.1	4.0	5.5	4.0	7.5	108.4	110.1	108.4	112.4
Low-Sulfur Diesel	8.0	92.4	4.0	5.5	4.0	7.5	109.9	111.6	109.9	113.9
Ultra Low-Sulfur Diesel	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

**N.S. Reg. 172/2006**

Made: August 30, 2006

Filed: September 1, 2006

Designation of the Cape Breton Youth Detention Facility

Order dated August 30, 2006  
made by the Minister of Justice and Attorney General  
pursuant to clauses 3(1)(b) and (d) of the *Correctional Services Act*

I, Murray Scott, M.B., Minister of Justice and Attorney General of Nova Scotia, do hereby, pursuant to clauses 3(1)(b) and (d), and in accordance with the definition in clause 2(g) of the *Correctional Services Act*, and in addition to the designations under the *Youth Criminal Justice Act*, made by Order-in-Council # 2006-368, dated August 17, 2006, designate the Cape Breton Youth Detention Facility, located at 136 Gardiner Road, Sydney, Nova Scotia as a correctional facility for the housing of male and female youth offenders in open custody, secure custody, and those remanded into custody.

All female youth offenders must be housed in accordance with Sections 41 and 42 of the *Act*, and Sections 74 to 77 of the *Correctional Services Regulations*.

This designation is effective on and from the 28<sup>th</sup> day of August 2006.

**Dated** 30 August, 2006 at Halifax, Nova Scotia.

Sgd.: *Murray Scott*  
Honourable Murray Scott, M.B.  
Minister of Justice and Attorney General of Nova Scotia