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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.

N.S. Reg. 110/2006

Made: July 14, 2006

Filed: July 14, 2006

Revenue Act Regulations

Order in Council 2006-328 dated July 14, 2006
Amendment to regulations made by the Governor in Council
pursuant to Section 92 of the *Revenue Act*

The Governor in Council on the report and recommendation of the Minister of Finance dated June 23, 2006, and pursuant to Section 92 of Chapter 17 of the Acts of 1995-96, the *Revenue Act*, is pleased to amend the *Revenue Act Regulations*, N.S. Reg. 63/96, made by the Governor in Council by Order in Council 96-230 dated March 29, 1996, to allow the Commissioner to cancel, suspend, refuse to issue or refuse to renew fuel and tobacco permits if an applicant or permit holder is not dealing at arm's length with a person whose permit is suspended or cancelled or who has been refused a permit,

- (a) in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after July 14, 2006; and
- (b) in the manner set forth in Schedule "B" attached to and forming part of the report and recommendation, effective on and after June 16, 2006.

Schedule "A"

**Amendment to the *Revenue Act Regulations*
made by the Governor in Council pursuant to
Section 92 of Chapter 17 of the Acts of 1995-96, the *Revenue Act***

- 1 Section 10 of the *Revenue Act Regulations*, N.S. Reg 63/96, made by the Governor in Council by Order in Council 96-230 dated March 29, 1996, is amended by adding the following clause immediately after subsection (2):
 - (2A) The Commissioner may refuse to issue a permit mentioned in subsection (1) to an applicant or may cancel, suspend or refuse to renew a permit mentioned in subsection (1) if the applicant or permit holder is not dealing at arm's length within the meaning of Section 251 of the *Income Tax Act* (Canada) with any person whose permit is cancelled or suspended or who is refused a permit under this Section.
- 2 Section 73 of the regulations is amended by adding the following subsection immediately after subsection (3):
 - (3A) The Commissioner may refuse to issue a retail vendor's permit to an applicant or may cancel, suspend or refuse to renew a retail vendor's permit if the applicant or permit holder is not dealing at arm's length within the meaning of Section 251 of the *Income Tax Act* (Canada) with any person whose retail vendor's permit is cancelled or suspended or who is refused a retail vendor's permit.
- 3 Section 74 of the regulations is amended by adding the following subsections after subsection (3):
 - (3A) The Commissioner may refuse to issue a wholesale vendor's permit to an applicant or may cancel, suspend or refuse to renew a wholesale vendor's permit if the applicant or the permit holder is not dealing at arm's length within the meaning of Section 251 of the *Income Tax Act* (Canada) with any

person whose wholesale vendor's permit is cancelled or suspended or who is refused a wholesale vendor's permit.

Schedule "B"

**Amendment to the *Revenue Act Regulations*
made by the Governor in Council pursuant to
Section 92 of Chapter 17 of the Acts of 1995-96, the *Revenue Act***

- 1 Section 76B of the *Revenue Act Regulations*, N.S. Reg 63/96, made by the Governor in Council by Order in Council 96-230 dated March 29, 1996, as amended by N.S. Reg. 225/2005, made by the Governor in Council by Order in Council 2005-557 dated December 15, 2005, is amended by
 - (a) striking out the period at the end of clause (f) and substituting a semi-colon; and
 - (b) adding the following clause immediately after clause (f):
 - (g) the applicant is not dealing at arm's length within the meaning of Section 251 of the *Income Tax Act* (Canada) with any person whose tear tape manufacturer's permit is cancelled or suspended or who is refused a tear tape manufacturer's permit.
- 2 Section 76C of the regulations is amended by
 - (a) striking out the period at the end of clause (e) and substituting a semi-colon; and
 - (b) adding the following clause immediately after clause (e):
 - (f) the tear tape manufacturer is not dealing at arm's length within the meaning of Section 251 of the *Income Tax Act* (Canada) with any person whose tear tape manufacturer's permit is cancelled or suspended or who is refused a tear tape manufacturer's permit.

N.S. Reg. 111/2006

Made: June 29, 2006

Approved: July 11, 2006

Filed: July 17, 2006

Bulk Haulage Regulations

Order dated July 11, 2006
made by the Dairy Farmers of Nova Scotia and approved by the Natural Products Marketing Council
pursuant to clause 15(1)(b) of the *Dairy Industry Act*

Dairy Farmers of Nova Scotia

The Dairy Farmers of Nova Scotia, pursuant to clause 15(1)(b) of Chapter 24 of the Acts of 2000, the *Dairy Industry Act*, at a meeting held on June 29, 2006, amended the *Bulk Haulage Regulations* in the manner set out in the form attached to this certificate as Schedule "A", effective on and after August 1, 2006.

Dated and signed at Truro, Nova Scotia _____, 2006.

Sgd.: Brian Cameron
Brian Cameron
General Manager
Dairy Farmers of Nova Scotia

Approved by the Natural Products Marketing Council at Truro, Nova Scotia, July 11, 2006.

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

Schedule "A"

**Amendments to the *Bulk Haulage Regulations*
made by the Dairy Farmers of Nova Scotia
pursuant to clause 15(1)(b) of Chapter 24 of the Acts of 2000,
the *Dairy Industry Act***

Clause 7(a) of the *Bulk Haulage Regulations* made by the Dairy Farmers of Nova Scotia and approved by the Natural Products Marketing Council on August 13, 2002, is amended by

- (a) striking out "\$2.24" directly opposite "Bedford Transport Limited" and substituting "\$2.32";
- (b) striking out "\$2.87" directly opposite "Scotsburn Co-operative Services Limited" and substituting "\$3.03";
- (c) striking out "\$1.74" directly opposite "Fisher Transport Limited" and substituting "\$1.78";
- (d) striking out "\$2.57" directly opposite "Winterthur Farm - Rudolph Burghardt" and substituting "\$2.60";
- (e) striking out "\$1.83" directly opposite "Cook's Dairy Farm Limited" and substituting "\$1.84".

N.S. Reg. 112/2006 to 113/2006

Made: July 13, 2006

Filed: July 18, 2006

Hebb, Milipsigate and Minamkeak Lake Watershed Protected Water Area Designation and
Hebb, Milipsigate and Minamkeak Lake Watershed Protected Water Area Regulations

Order dated July 13, 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 Hebb Lake, Lunenburg County, as a Protected Water Area, to be known as the “Hebb, Milipsigate, and Minamkeak Lake Watershed Protected Water Area”

Designation of the Hebb, Milipsigate and Minamkeak Lake Watershed Protected Water Area and the Making of Regulations with Respect Thereto

Whereas by order dated June 17, 1964, and published in the Royal Gazette (Part I) on June 17, 1964, the Nova Scotia Water Authority defined and prescribed an area surrounding Hebb Lake and Milipsigate Lake as the public water supply for the Town of Bridgewater;

And whereas by order dated April 22, 1981, and published in the Royal Gazette (Part 1) on May 13, 1981, the Minister of the Environment designated an area surrounding Minamkeak Lake, Lunenburg County, as a Protected Water Area;

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 Public Service Commission of Bridgewater, operator of the water utility, has requested that the Minister of Environment and Labour cancel the June 17, 1964, and April 22, 1981, designations;

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 Public Service Commission of Bridgewater, operator of the water utility, has requested that the Minister of Environment and Labour designate the Hebb, Milipsigate, and Minamkeak Lake watershed as a Protected Water Area in order to protect the quality of the surface water and the groundwater supply;

And whereas the Public Service Commission of Bridgewater has provided opportunities for public consultation, including public meetings and the establishment of the Petite Riviere Watershed Advisory Group,

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 June 17, 1964, and the April 22, 1981, designations;
- (b) designates an area surrounding Hebb Lake, Milipsigate Lake, and Minamkeak Lake more fully described in Schedule "A" as a protected water area, to be known as the "Hebb, Milipsigate, and Minamkeak Lake Watershed Protected Water Area" and;
- (c) makes regulations respecting activities in the Hebb, Milipsigate, and Minamkeak Lake 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
July 13, 2006

N.S. Reg. 112/2006

Hebb, Milipsigate and Minamkeak Lake Watershed Protected Water Area Designation

Schedule "A"
Hebb, Milipsigate and Minamkeak Lake Watershed Protected Water Area
Boundary Description

All that certain lot of land situate in the vicinity of Hebbville, Hebbs Cross and Lapland, County of Lunenburg, Province of Nova Scotia, comprising the watershed area of Hebb Lake and Minamkeak Lake, the watershed area for the Public Service Commission of the Town of Bridgewater, said area being partially shown on Plan Number E-10-17A recorded in the Provincial Crown Lands Record Centre, Department of Natural Resources, Halifax and being more particularly described as follows:

Beginning at point "1" as shown on said Plan Number E-10-17A, said point being on the southerly boundary of a power line right of way, 603.504 m distant from the westerly boundary of Highway No. 3 leading from Bridgewater to Liverpool, said point being further marked by a survey marker, an iron bar with an identification cap, being located North 23 degrees 50 minutes 12 seconds East 6821.688 metres from Nova Scotia Co-ordinate Monument No. 213786;

Thence North 89 degrees 27 minutes 53 seconds East following the Southern boundary of a power line right-of-way as shown on a plan prepared by the Nova Scotia Power Commission dated December 4, 1931, and having Plan No. A-107-6-1-84, 311.810 m more or less to a point located Westerly 301.752 metres more or less from the centre of Public Highway No. 3;

Thence North 30 degrees 39 minutes 01 second East 2274.270 metres to the intersection of the Eastern boundary of Weagle Road, a Public Highway having Authority Number 1010 (formerly known as the Walter Hebb Road, Authority No. 625), with the Northeast margin of the Hydro Power Outlet, Hebb Lake, Lunenburg County, said point being marked by a survey marker;

Thence in a Northerly direction along the Eastern boundary of the former Walter Hebb Road, now the Eastern boundary of the Weagle Road and the Eastern boundary of Century Drive, a Public Highway having Authority

No. 625, 663.8 metres more or less to its intersection with the Northern margin of the Spillway Outlet on original stream out of Hebb Lake;

Thence Westerly crossing Century Drive to the Western boundary thereof;

Thence Northerly following the Western boundary of Century Drive and the Southwestern boundary of Dean Road, a Public Highway having Authority No. 980, 2376 metres more or less to its intersection with the Western boundary of the power line easement as shown on plan A10T-233-1-14 by the Nova Scotia Power Commission dated March 21, 1968, said point being marked by a survey marker and being further located South 53 degrees 34 minutes 22 seconds East 2523.837 metres from Nova Scotia Co-ordinate Monument No. 16229;

Thence following the power line in a Northerly direction 897 metres more or less to an angle thereof, said point being marked by a survey marker, a tie line from the last mentioned survey marker to this survey marker being North 09 degrees 04 minutes 45 seconds West 897.388 metres;

Thence North 74 degrees 33 minutes 55 seconds West 2132.381 metres to the Northern boundary of Public Highway No. 325, said point being further located South 74 degrees 51 minutes 53 seconds West 172.350 metres from Nova Scotia Co-ordinate Monument No. 16229;

Thence following the Northwest boundary of the Highway 325 and the Western boundary of the Lapland Road, a Public Highway having Authority No. 598, to the Eastern boundary of the road to Waterloo, the Aldebert Wile Road, a Public Highway having Authority No. 602;

Thence Southerly crossing the Lapland Road to its Southern boundary, said point being marked by a survey marker and being further located South 45 degrees 28 minutes 56 seconds West 8520.117 metres from Nova Scotia Co-ordinate Monument No. 16228;

Thence Westerly following a curve to the right having a radius of 246.629 metres an arc distance of 60.350 metres along the Southern boundary of the Lapland Road, to a point, a tie line between the last two points being South 57 degrees 15 minutes 56 seconds West and 60.200 metres;

Thence South 01 degrees 32 minutes 27 seconds West 35.983 metres to the South boundary of the power line easement as shown on Plan by the Nova Scotia Power Commission dated April 30, 1932, having their Plan Number A 107-6-1-71;

Thence in a Westerly direction following the Southerly boundary of the aforementioned Power line easement to the Eastern boundary of another power line easement as shown on plan A12-T2-L1-35 by the Nova Scotia Power Commission dated June 11, 1964, said point being shown as Point "2" on the aforementioned Plan Number E-10-17A, said point being marked by a survey marker;

Thence South 01 degree 32 minutes 27 seconds West 2827.926 metres to the Northern boundary of the Camperdown Road, a Public Highway having Authority No. 631;

Thence in a generally southeasterly direction following the various courses of the said northerly boundary of the Camperdown Road, until it meets the high water line of Minamkeak Lake;

Thence continuing in a generally southeasterly direction along the high water line of Minamkeak Lake to point "4" as shown on said Plan Number E-10-17A, said point "4" being located North 71 degrees 15 minutes 08 seconds West 3734.349 metres from Nova Scotia Co-ordinate Monument No. 21376;

Thence South 84 degrees 17 minutes 21 seconds East 33.997 metres to point "5" as shown on said Plan Number E-10-17A;

Thence North 86 degrees 47 minutes 10 seconds East 224.906 metres to point “6” as shown on said Plan Number E-10-17A;

Thence North 69 degrees 25 minutes 27 seconds East 111.447 metres to point “7” as shown on said Plan Number E-10-17A;

Thence North 69 degrees 25 minutes 27 seconds East 108.073 metres to point “8” as shown on said Plan Number E-10-17A;

Thence South 57 degrees 25 minutes 45 seconds East 680.570 metres to point “9” as shown on said Plan Number E-10-17A;

Thence South 40 degrees 58 minutes 57 seconds East 174.413 metres to point “10” as shown on said Plan Number E-10-17A;

Thence South 45 degrees 53 minutes 51 seconds West 33.595 metres to point “11” as shown on said Plan Number E-10-17A;

Thence South 48 degrees 57 minutes 59 seconds East 177.028 metres to point “12” as shown on said Plan Number E-10-17A;

Thence South 41 degrees 02 minutes 01 second West 5.230 metres to point “13” as shown on said Plan Number E-10-17A;

Thence South 48 degrees 22 minutes 27 seconds East 218.066 metres to point “14” as shown on said Plan Number E-10-17A;

Thence North 85 degrees 43 minutes 12 seconds East 32.589 metres to point “15” as shown on said Plan Number E-10-17A;

Thence South 70 degrees 59 minutes 50 seconds East 124.297 metres to point “16” as shown on said Plan Number E-10-17A;

Thence South 68 degrees 44 minutes 57 seconds East 286.664 metres to point “17” as shown on said Plan Number E-10-17A;

Thence North 29 degrees 10 minutes 51 seconds East 149.065 metres to point “18” as shown on said Plan Number E-10-17A;

Thence South 30 degrees 14 minutes 09 seconds East 163.550 metres to point “19” as shown on said Plan Number E-10-17A;

Thence North 74 degrees 57 minutes 51 seconds East 185.075 metres to point “20” as shown on said Plan Number E-10-17A;

Thence South 68 degrees 52 minutes 03 seconds East 25.951 metres to point “21” as shown on said Plan Number E-10-17A;

Thence North 55 degrees 43 minutes 33 seconds East 46.470 metres to point “22” as shown on said Plan Number E-10-17A;

Thence North 45 degrees 43 minutes 27 seconds East 167.573 metres to point “23” as shown on said Plan Number E-10-17A;

Thence North 23 degrees 12 minutes 33 seconds West 69.202 metres to point “24” as shown on said Plan Number E-10-17A;

Thence North 65 degrees 01 minutes 33 seconds East 212.433 metres to point “25” as shown on said Plan Number E-10-17A;

Thence South 60 degrees 48 minutes 27 seconds East 90.526 metres to point “26” as shown on said Plan Number E-10-17A;

Thence South 28 degrees 43 minutes 33 seconds West 49.286 metres to point “27” as shown on said Plan Number E-10-17A;

Thence South 30 degrees 57 minutes 51 seconds East 54.919 metres to point “28” as shown on said Plan Number E-10-17A;

Thence South 40 degrees 26 minutes 51 seconds East 151.480 metres to point “29” as shown on said Plan Number E-10-17A;

Thence South 70 degrees 26 minutes 21 seconds West 9.053 metres to point “30” as shown on said Plan Number E-10-17A;

Thence South 44 degrees 25 minutes 45 seconds East 205.191 metres to point “31” as shown on said Plan Number E-10-17A;

Thence North 80 degrees 28 minutes 55 seconds East 135.386 metres to point “32” as shown on said Plan Number E-10-17A;

Thence North 80 degrees 44 minutes 15 seconds East 159.124 metres to point “33” as shown on said Plan Number E-10-17A;

Thence North 80 degrees 44 minutes 15 seconds East 43.452 metres to point “34” as shown on said Plan Number E-10-17A;

Thence North 45 degrees 49 minutes 15 seconds East 392.592 metres to point “35” as shown on said Plan Number E-10-17A, said point “35” being further located North 07 degrees 52 minutes 33 seconds West 617.272 metres from Nova Scotia Co-ordinate Monument No. 21376;

Thence North 26 degrees 46 minutes 46 seconds East 6304.465 metres to the place of beginning.

The above described bearings are Nova Scotia Grid Bearings.

The above described area of land contains an area of 5574.6 Hectares more or less and includes land and land covered by water.

The above description was compiled from field surveys conducted between November 7, 2005 and March 21, 2006 by Turner Surveys and from previous descriptions. The above described watershed boundary can also be seen on the attached Drawing S15A by the Town of Bridgewater dated March 22, 2006, Showing Public Service Commission of Bridgewater Protected Water Area Boundaries.

N.S. Reg. 113/2006

Hebb, Milipsigate and Minamkeak Lake Watershed Protection Water Area Regulations

Schedule "B"**Regulations Respecting Activities in the Hebb,
Milipsigate and Minamkeak Lake Watershed Protected Water Area
made by the Minister of Environment and Labour pursuant to subsection 106(6)
of Chapter 1 of the Acts of 1994-5, the *Environment Act*****Citation**

1 These regulations may be cited as the *Hebb, Milipsigate and Minamkeak Lake Watershed Protected Water Area Regulations*.

Interpretation

2 In these regulations,

- (a) "Act" means the *Environment Act*;
- (b) "agricultural operation" means a farming unit that
 - (i) houses livestock or where livestock graze or are pastured,
 - (ii) has greater than 5 ha of land in forage production,
 - (iii) has greater than 5 ha of land in annual crop production, or
 - (iv) to which any combination of subclauses (i) to (iii) applies;
- (c) "chemical separation" means a chemical process that isolates metals and minerals from their ore and includes solvent extraction, leaching, smelting, refining, electrowinning and palletizing or briquetting,
 - (i) solvent extraction means the separation of one or more substances from a mixture by treating an aqueous solution of the mixture with a solvent that will extract the required substances, leaving the other undesirable materials behind,
 - (ii) leaching means the extraction of soluble metals or salts from an ore by means of slowly percolating solutions,
 - (iii) smelting means the chemical reduction of a metal from its ore by a process usually involving fusion, so that earthly and other impurities separate as lighter and more fusible slags and can readily be removed from the reduced metal,
 - (iv) refining means an electrolytic or chemical process that produces a pure metal,
 - (v) electrowinning means an electrochemical process in which a metal dissolved within an electrolyte is plated onto an electrode resulting in a pure metal,
 - (vi) pelletizing or briquetting means a process by which any pulverized mineral is bound together under pressure, with or without a binding agent such as asphalt;
- (d) "Committee" means the Petite Riviere Watershed Advisory Group;

- (e) “Department” means the Department of Environment and Labour;
- (f) “developer” means a person who develops or proposes to develop land and includes any agent or contractor who works for the developer;
- (g) “development” means any general disturbance of earth or landscape for purposes of construction, and includes construction of the following:
 - (i) roadways,
 - (ii) residential dwellings,
 - (iii) commercial establishments,
 - (iv) recreation areas,
 - (v) campgrounds,
 - (vi) trailer parks,
 - (vii) parkland;
- (h) “forestry operation” means any activity related to the use of a forest for producing timber, wood fiber or Christmas trees, including any of the following activities:
 - (i) forest management,
 - (ii) silviculture,
 - (iii) wood harvesting,
 - (iv) forest access road construction,
 - (v) operation, storage and use of equipment and supplies used in any aspect of the activity;
- (i) “mining” is the process or business of extracting valuable or useful solid materials, such as minerals, metals, and coal from the earth;
- (j) “Minister” means the Minister of Environment and Labour;
- (k) “motorized vehicle” means any type of vehicle with an internal combustion engine powered by petroleum;
- (l) “physical separation” means those processes associated with mining where valued substances are separated from undesired substances based on the physical properties of the materials and includes flotation, dewatering, settling, filtering, flocculation, screening and magnetic separation,
 - (i) flotation means mineral separation, in which a variety of reagents are added to an agitated and aerated mixture of liquids and solids,
 - (ii) dewatering means the separation of solid materials from water in which it is dispersed,
 - (iii) settling means a reduction of the proportion of water in a material by means of sedimentation or elutriation,

- (iv) filtering means the separation of suspended solid particles from liquids, or fine dust from air,
- (v) flocculation means the selective agglomeration, or adhesion of material components to water or other liquids,
- (vi) screening means the uses of one or more screens or sieves to separate particles into defined sizes,
- (vii) magnetic separation means the uses of permanent or electromagnets to separate magnetic particles from other process streams;
- (m) “processing” means those methods employed in the mining industry to clean, separate, and prepare coal, metals, and non-metallic minerals from mined material;
- (n) “Protected Water Area” means the land and water designated by the Minister pursuant to subsection 106(1) of the Act as the Hebb, Milipsigate, and Minamkeak Lake Watershed Protected Water Area as described in Schedule “A” to the designation;
- (o) “release” means to spill, discharge, dispose of, spray, inject, inoculate, abandon, deposit, leak, seep, pour, emit, empty, throw, dump, place, drain, pump or exhaust;
- (p) “tailings” are the material that remains after all metals considered valuable or useful have been removed from ore during milling;
- (q) “Water Works Operator” means the Public Service Commission of Bridgewater, operator of the Hebb, Milipsigate, Minamkeak Lake water works.

Posting of signs

- 3** (1) The Water Works Operator must post signs around the perimeter of the Protected Water Area to provide notice to the general public of the designation of the Protected Water Area.
- (2) No person is permitted to remove or alter any sign, notice or advertisement posted under this Section.

Restricted activities

- 4** (1) No person shall at any time in the year operate a motorized vehicle of any kind on, through, or over Hebb Lake and Milipsigate Lake, without first obtaining the permission of the Water Works Operator.
- (2) No person is permitted to swim, bathe, or wash in Hebb Lake.
- (3) No person is permitted to release or cause or permit the release of any substance that impairs water quality, including any of the following:
- (i) oil;
 - (ii) petroleum products;
 - (iii) soap;
 - (iv) detergent;
 - (v) toxic chemicals;

- (vi) pest control product waste;
- (vii) garbage;
- (viii) litter;
- (ix) solid or liquid waste.

Prohibition on landfills

- 5** (1) No person is permitted to dispose of waste, establish a dump, landfill or waste disposal site within the Protected Water Area.
- (2) A person who contravenes subsection (1) must immediately cease the activity and rehabilitate the site in the proper manner as directed by the Water Works Operator.

On-site sewage disposal and discharge of domestic sanitary waste

- 6** (1) No person is permitted to install an on-site sewage disposal system within the Protected Water Area without first notifying the Water Works Operator 15 days prior to the commencement of the activity.
- (2) No person shall construct an on-site sewage disposal system, outhouse or privy, or any other type of equivalent structure serving the purpose of sanitary waste disposal, within 30 m of the shoreline of any watercourse within the Protected Water Area.
- (3) Any structure serving as an on-site sewage disposal system must have an approval from the Department, in accordance with the *On-site Sewage Disposal Systems Regulations*, made under the Act.

Forestry operations

- 7** All forestry operations within the Protected Water Area must be conducted in accordance with the *Wildlife Habitat and Watercourses Protection Regulations* made under the *Forests Act* and the “Forest/Wildlife Guidelines and Standards for Nova Scotia” issued by the Department of Natural Resources, or its successor document or code of practice, as amended from time to time.

Agriculture

- 8** (1) No person is permitted to conduct agricultural operations within 20 m of any watercourse within the Protected Water Area.
- (2) No person is permitted to stockpile or accumulate manure within 30 m of any lakeshore, watercourse or well within the Protected Water Area.

Pest control products

- 9** In this Section “commercial class” and “pesticide or pest control product” have the same meaning as they do in the *Pesticide Regulations* made under the Act.

No person is permitted to use a commercial class of pest control products within the Protected Water Area unless administered in accordance with the Act and regulation and they have notified the Water Works Operator in writing 15 days prior to proposed commencement of the activity.

Erosion and sediment control

- 10** (1) No person shall at any time undertake any activity that causes or might cause soil erosion resulting in sediment being deposited in a watercourse located within the Protected Water Area.
- (2) A person who contravenes subsection (1) must immediately cease the activity and take measures to control erosion and sediment as directed by the Water Works Operator.

- (3) No person is permitted to undertake any activity within the Protected Water Area requiring grubbing or earth moving that would expose an area of ground 0.40 hectares or greater in area, unless they have
 - (i) developed an erosion and sedimentation control plan as described in the “Erosion and Sedimentation Control Handbook for Construction Sites” published by the Department, or its successor document or code of practice, as amended from time to time; and
 - (ii) notified the Water Works Operator in writing 15 days prior to the commencement of the work.
- (4) Subsection (3) does not apply to an agricultural operation.

Pits and quarries

- 11 No person is permitted to commence, operate or use any pit or quarry for gravel, stone or other types of aggregate extraction, within the Protected Water Area without first
- (i) notifying the Water Works Operator; and
 - (ii) obtaining an approval from the Department if an approval is required under the Act and regulations.

Stormwater management

- 12 (1) No person is permitted to start any development unless the development is conducted according to a Stormwater Control Plan that is
- (i) prepared by a professional engineer; and
 - (ii) a copy is submitted to the Water Works Operator, prior to the commencement of the activity.
[sic]
- (2) Subsection (1) does not apply to the development of a subdivision of less than 5 residential dwelling units.

Mining activities

- 13 (1) No person is permitted to undertake mining activity within the Protected Water Area without first notifying the Water Works Operator in writing, no later than 21 days before starting any activity associated with the mining.
- (2) A written notification under subsection (1) must include expected dates for beginning the mining work and a map showing the geographical location and area affected by the proposed activities.
 - (3) No person is permitted to conduct any physical separations or chemical separations of minerals, or mineral processing associated with mining, within the boundaries of the Protected Water Area.
 - (4) No person is permitted to stockpile more than 100 tonnes of material resulting from any mining activity, within the Protected Water Area.
 - (5) The Water Works Operator can require any person in mining activity
 - (i) to install and maintain water quality monitoring stations, in locations identified by the Water Works Operator; and
 - (ii) to remediate any actions associated with mining that impair water quality within the Protected Water Area.

- (6) No person is permitted to conduct any mining activities within 100 m of all lakes and watercourses within the Protected Water Area.

Permits and approvals

- 14 For greater certainty all activities within the Protected Water Area must be conducted in accordance with the *Environment Act* and regulations, including any requests for approvals.

N.S. Reg. 114/2006

Made: July 17, 2006

Filed: July 19, 2006

Species at Risk List Regulations

Order dated July 17, 2006
made by the Species at Risk Working Group
pursuant to Sections 10 and 12 of the *Endangered Species Act*

Whereas the Species-At-Risk Working Group, on 12 August, 2002, assessed the status of *Catharus bicknelli* (Bicknell's Thrush) as vulnerable;

And whereas the listing was in error reported to the Minister as threatened;

The Species-At-Risk Working Group, pursuant to Sections 10 and 12 of Chapter 11 of the Acts of 1998, the *Endangered Species Act*, hereby amends the listing of species at risk in the Province of Nova Scotia, as listed in the *Species at Risk List Regulations*, to remove the following listing:

Bicknell's Thrush	<i>Catharus bicknelli</i>	Threatened
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and substitute the following:

Bicknell's Thrush	<i>Catharus bicknelli</i>	Vulnerable
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Whereas the Species-At-Risk Working Group, on September 23, 2003, listed *Alces alces* (Moose) as an endangered species;

And whereas the listing was intended to apply only to the mainland Nova Scotia populations of *Alces alces*;

The Species-At-Risk Working Group, pursuant to Sections 10 and 12 of Chapter 11 of the Acts of 1998, the *Endangered Species Act*, hereby amends the listing of species at risk in the Province of Nova Scotia, as listed in the *Species at Risk List Regulations*, to remove the following listing:

Moose	<i>Alces alces</i>	Endangered
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and substitute the following:

Moose (mainland Nova Scotia population)	<i>Alces alces</i>	Endangered
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Sgd.: *J. Sherman Boates*

Dr. J. Sherman Boates

Kentville, NS

17 July 2006

(Date)