Oakland Lake Watershed Protected Water Area Designation
made under Section 106 of the
Environment Act
S.N.S. 1994-95, c. 1
N.S. Reg. 344/2007 (July 18, 2007)

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 Oakland Lake, Lunenburg County, as a Protected Water Area, to be known as the “Oakland Lake Watershed Protected Water Area”

Designation of the Oakland Lake Watershed Protected Water Area and
the Making of Regulations with Respect Thereto

Whereas the Oakland Lake Protected Water Area Designation, N.S. Reg. 245/2007, made by the Nova Scotia Water Authority by order dated August 30, 1963, and published in the Royal Gazette Part II on May 25, 2007, defined and prescribed an area surrounding Oakland Lake, Lunenburg County, as the source of public water supply for the Town of Mahone Bay;

And Whereas subsection 106(1) 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 subsection 106(6) of the Act provides for the making of regulations 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 the water in the protected water area;

And Whereas subsections 106(4), (5), (5A) and (5B) of the Environment Act provide as follows:

(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.

(5A) Any area surrounding a source of public water supply defined and prescribed pursuant to Section 16 of Chapter 42 of the Acts of 1963, An Act to Amend the Water Act, is deemed to be a protected water area designated pursuant to the Water Act and remains so designated.

(5B) Any designation of a protected water area and any regulations regulating an activity in a designated protected water area that is referenced in subsection (5A) or were in effect on April 1, 1977, are deemed to have been filed pursuant to subsection 24(1) of the Regulations Act before April 1, 1978.
And Whereas the Town of Mahone Bay Water Utility, operator of the Oakland Lake Water Treatment Plant, has requested that the Minister of Environment and Labour cancel the Oakland Lake Protected Water Area Designation, N.S. Reg. 245/2007;

And Whereas the Town of Mahone Bay Water Utility has requested that the Minister of Environment and Labour designate the Oakland Lake watershed as a protected water area in order to protect the quality of the surface water and groundwater resource as a public water supply;

And Whereas the Town of Mahone Bay Water Utility has provided opportunities for public consultation, including public meetings and the establishment of the Oakland Lake Watershed Advisory Committee, an advisory committee comprising representatives of the Province of Nova Scotia, the Town of Mahone Bay, the Municipality of the District of Lunenburg, members of 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 Environment and Labour, hereby

(a) cancels the Oakland Lake Protected Water Area Designation, N.S. Reg. 245/2007;

(b) designates the area comprising the topographic drainage area surrounding Oakland Lake more fully described in Schedule “A” as a protected water area, to be known as the “Oakland Lake Watershed Protected Water Area”; and

(c) makes regulations respecting activities in the Oakland Lake Watershed Protected Water Area, in the form set forth in Schedule “B”.

Schedule “A”
Oakland Lake Watershed Protected Water Area Boundary Description

All and singular that certain lot, piece, parcel or tract of land and land covered by water located at or near Oakland and Mahone Bay, Lunenburg County, in the Municipality of the District of Lunenburg, Province of Nova Scotia, shown outlined in red on the attached Map “A” - Oakland Lake Watershed Protected Water Area, prepared March 2007 by the Municipality of the District of Chester Planning Department and filed with the office of the Chief Administrative Officer of the Town of Mahone Bay.