

EC2003-107

**ENVIRONMENTAL PROTECTION ACT
WATER WELL REGULATIONS
AMENDMENT**

Pursuant to section 25 of the *Environmental Protection Act* R.S.P.E.I. 1988, Cap. E-9, Council made the following regulations:

1. Section 1 of the *Environmental Protection Act* Water Well Regulations (EC188/90) is revoked and the following substituted:

- | 1. In these regulations | Definitions |
|---|--|
| (a) "Act" means the <i>Environmental Protection Act</i> R.S.P.E.I. 1988, Cap. E-9; | Act |
| (b) "annular space" means the space between the outside of a well casing and the earthen side walls of a well bore; | annular space |
| (c) "applicant" means an applicant for a license or a permit issued under these regulations; | applicant |
| (d) "casing" means a continuous, watertight length of pipe that is used to seal and support the upper portion of a well; | casing |
| (e) "central supply well" means a well connected to a water supply system serving five or more households; | central supply well |
| (f) "commercial chemical storage facility" means a facility used for the storage and sale, resale, or wholesale storage or distribution of commercial quantities of | commercial
chemical storage
facility |
| (i) fertilizers and chemical products, or | |
| (ii) pesticides that are restricted under the <i>Pesticides Control Act</i> R.S.P.E.I. 1988, Cap. P-4; | |
| (g) "construct", in relation to a well, means | construct |
| (i) to create, repair, or reconstruct a well by drilling, boring, washing, or by any other method, or | |
| (ii) to complete a well in accordance with section 11; | |
| (h) "disposal field" means a disposal field as defined in the <i>Environmental Protection Act</i> Sewage Disposal Regulations (EC298/97); | disposal field |
| (i) "engineer" means an engineer licensed to practise engineering under the <i>Engineering Profession Act</i> R.S.P.E.I. 1988, Cap. E-8.1; | engineer |
| (j) "flowing well" means a well from which groundwater overflows periodically or year-round without the use of pumping equipment; | flowing well |
| (k) "groundwater" means water within the earth that supplies wells and springs; | groundwater |
| (l) "groundwater exploration permit" means a permit issued under subsection 6(2); | groundwater
exploration permit |
| (m) "groundwater extraction permit" means a permit issued under subsection 7(2); | groundwater
extraction permit |

- (n) “grout”, when used as a noun, means a stable, impervious bonding material that is capable of preventing the vertical movement of water along the outside of a well casing or, when used as a verb, means the act of applying such material; grout
- (o) “hydrogeologist” means an individual recognized by the Department as an expert in groundwater issues; hydrogeologist
- (p) “manure storage facility” means a structure, reservoir, catch basin, lagoon, cistern, gutter, tank or bermed area that contains agricultural waste and agricultural liquid waste prior to its use or disposal, but does not include a vehicle or mobile equipment used for the transportation and land application of livestock wastes; manure storage facility
- (q) “owner” means an owner of real property and includes a person who has a right to possession of the real property; owner
- (r) “petroleum storage tank system” means a petroleum storage tank system as defined in the *Environmental Protection Act Petroleum Storage Tanks Regulations (EC322/01)*; petroleum storage tank system
- (s) “pitless adapter” means an aboveground or underground discharge device designed for attachment to a well casing
 (i) to prevent the entrance of contaminants into the well,
 (ii) to conduct water from the well, and
 (iii) to provide access to the pumping equipment located partly within the well; pitless adapter
- (t) “pump” or “pumping equipment” means a pump or equipment or material used or intended for use in withdrawing groundwater for any purpose, and includes seals and tanks, together with fittings and controls; pump or pumping equipment
- (u) “pump test” means a test that is conducted to determine the characteristics of a well or an aquifer by pumping the well at a known discharge rate and measuring the amount of drawdown of the water level in the well; pump test
- (v) “pumping water level” means the depth to the water level in a well, measured under pumping conditions from the top of the casing; pumping water level
- (w) “restricted area” means a restricted area designated in Schedule A; restricted area
- (x) “rock pit” means an artificial opening constructed underground and used for the disposal of clear water wastes into the ground; rock pit
- (y) “septic tank” means a septic tank as defined in the *Environmental Protection Act Sewage Disposal Regulations*; septic tank
- (z) “sewer line” means a sewer line as defined in the *Environmental Protection Act Sewage Disposal Regulations*; sewer line
- (aa) “solid waste disposal site” means a solid waste disposal site as defined in the *Environmental Protection Act Waste Resource Management Regulations (EC691/00)*; solid waste disposal site
- (ab) “static water level” means the depth to the water level in a well, measured under non-pumping conditions from the top of the casing; static water level
- (ac) “unused well” means a well that is not in use; unused well
- (ad) “vermin-proof well cap” means a well cap manufactured and used to prevent the entry of vermin or nuisance organisms into a well; vermin-proof well cap
- (ae) “well contractor” means a person who holds a well contractor’s license; well contractor
- (af) “well contractor’s license” means a license issued under subsection 3(1); well contractor’s license
- (ag) “well driller” means a person who holds a well driller’s license; well driller
- (ah) “well driller’s license” means a license issued under subsection 2(1); well driller’s license

(ai) "well permit" means a well permit issued under subsection 5(2).

well permit

2. The heading before section 2 and section 2 of the regulations are revoked and the following substituted:

WELL DRILLER'S AND WELL CONTRACTOR'S LICENSES

2. (1) The Minister may, on application, issue a well driller's license to a person who is not less than 18 years of age and who, subject to subsection (3),

Well driller's license

(a) has at least 4,000 hours of work experience in operating a well-drilling machine, of which not less than 1,500 hours of work experience was obtained in the province;

(b) has successfully completed a written or oral test of competence in well drilling, approved by the Minister, and demonstrates a working knowledge of the Act and these regulations to the satisfaction of the Minister;

(c) has successfully completed a field test to demonstrate a practical knowledge of well construction, as the Minister considers necessary; and

(d) pays an application fee of \$20.

(2) An application for a well driller's license shall be made on a form approved by the Minister.

Application form

(3) The Minister may, under subsection (1), issue a well driller's license to a person who does not meet the requirements of clauses (1)(a), (b) and (c) if the person held a well driller's license on the day this section came into force.

Previous license holder

(4) An applicant who fails to meet the qualifications described in subsection (1) may re-apply, but the applicant shall meet the following requirements on re-application, in addition to the requirements of subsection (1):

Retesting

(a) demonstration of additional practical experience in well construction, as the Minister may require;

(b) proof that the applicant has obtained at least 1,000 additional hours of work experience in operating a well-drilling machine from the date of the last testing.

(5) A well driller's license

Term of license

(a) is effective for a period of 24 months from the date it is issued, unless it is sooner revoked under section 28 of the Act; and

(b) may be renewed on application and payment of a renewal fee of \$20.

3. The heading before section 3 and section 3 of the regulations are revoked and the following substituted:

3. (1) The Minister may, on application, issue a well contractor's license to an applicant who

Well contractor's license

(a) either

(i) is a well driller, if the applicant is an individual, or

(ii) employs a well driller, if the applicant is not an individual;

(b) is in possession of well construction equipment that is capable of constructing wells to the standards prescribed by these regulations; and

(c) pays an application fee of \$200.

(2) An application for a well contractor's license shall be made on a form approved by the Minister.

Application form

(3) A well contractor's license

Term of license

(a) is effective for a period of 24 months from the date it is issued, unless it is sooner revoked under section 28 of the Act; and

(b) may be renewed on application and payment of a renewal fee of \$200.

(4) No person shall construct, or attempt to construct, a well unless the construction of the well is supervised by a well driller.

Supervision required

4. Section 4 of the regulations is revoked and the following substituted:

4. A well contractor shall, after constructing a well, Well construction report
- (a) complete a well construction report on a form approved by the Minister;
 - (b) as soon as is reasonably practicable, provide a copy of the well construction report to the owner; and
 - (c) forward a copy of the report to the Department within 60 days of the well's completion.

5. Section 5 of the regulations is amended by the addition of the following after subsection (4):

- (5) A well permit is not required for the construction of a well for which a groundwater exploration permit is required. Exception

6. Section 6 of the regulations is amended

(a) by the revocation of subsection (1) and the substitution of the following:

6. (1) No person shall construct a well Groundwater exploration permit required
- (a) intended or required to be pumped at a rate of 4 litres per second or greater; or
 - (b) intended to be used to provide water to a central water supply system,
- unless the person holds a groundwater exploration permit issued under subsection (2).

(b) in subsection (2), by the addition of the words "to a well contractor, engineer or hydrogeologist" after the word "permit"; and

(c) in subsection (3), by the addition of the words " , unless it is sooner revoked under section 28 of the Act" after the words "date of issuance".

7. The heading before section 7 and section 7 of the regulations are revoked and the following substituted:

GROUNDWATER EXTRACTION PERMITS

7. (1) No person shall withdraw groundwater, or cause it to be withdrawn, from a well Prohibition on drawing water
- (a) at a rate of 4 litres per second or greater; or
 - (b) for use by a water supply system,
- unless the person holds a groundwater extraction permit.
- (2) The Minister may issue a groundwater extraction permit to an owner Groundwater extraction permit
- (a) if the Minister is satisfied, based on testing and assessments conducted as conditions of a groundwater exploration permit, that the operation of a well at the location identified in the permit will not have an unacceptable impact on the environment; and
 - (b) subject to such conditions as the Minister considers necessary.
- (3) The holder of a groundwater extraction permit is liable for all adverse effects to any person resulting from the withdrawal of water from the well for which the permit was issued. Permit holder liable
- (4) A groundwater extraction permit expires on the date specified in the permit by the Minister, unless it is sooner revoked under section 28 of the Act. Term of permit
- (5) A groundwater allocation issued by the Minister before this section comes into force is deemed to be a groundwater extraction permit. Groundwater allocation

8. Subsection 8(2) of the Act is revoked and the following substituted:

(2) No person shall use, or permit the use of, in the construction of a well, Standards

- (a) pitless adapters;
- (b) well seals;
- (c) pipings and fittings;
- (d) pumping equipment; or
- (e) other equipment, materials or devices,

unless the person uses, or requires the use of, equipment, materials or devices that conform to the standards prescribed by the organizations listed in Schedule B.

9. Section 9 of the regulations is revoked and the following substituted:

9.(1) Subject to section 5, no well contractor or well driller shall construct a well at a location Placement of wells

- (a) where the centre line of the well, extended vertically, does not clear a projection from any building by at least 3 metres;
- (b) inside a foundation or structure; or
- (c) in a location where surface water other than rainwater will pass over the top of the well.

(2) No well contractor or well driller shall construct a well at a location that is within Distance from
contaminant
sources

- (a) 3 metres of a sewer line;
- (b) 6 metres of a sewer collection main;
- (c) 100 metres of a wastewater treatment system;
- (d) 15 metres of a septic tank;
- (e) 15 metres of a sewage disposal field;
- (f) 15 metres of a rock pit;
- (g) 90 metres of a manure storage facility;
- (h) 150 metres of a solid waste disposal site;
- (i) 5 metres of a petroleum storage tank system 1,200 litres or less in size;
- (j) 15 metres of a petroleum storage tank system greater than 1,200 litres in size;
- (k) 45 metres of a commercial chemical storage facility; or
- (l) 6 metres of an existing or abandoned well.

(3) No person shall construct, or permit to be constructed, any contaminant source listed in subsection (2) at a location within a distance from a well that would, under subsection (2), preclude the construction of the well, unless the well is abandoned in accordance with section 12. Idem

(4) No well contractor or well driller shall construct a well at a location that is within Distance from other
features

- (a) 1.5 metres of any property boundary;
- (b) 1.5 metres of underground electrical cables, except for underground electrical cables that supply power to pumping equipment.

(5) Where

- (a) a building permit for a property has been issued under the *Planning Act* R.S.P.E.I. 1988, Cap P-8 or the relevant legislation of an incorporated municipality; and
 - (b) the building permit includes a plan indicating the location of a water well that is to be constructed in the property,
- a well contractor, or a well driller, shall not construct a well in a location other than that shown on the plan. Place well
according to plan

10. Section 10 of the regulations is amended

(a) by the revocation of subsections (2) and (3);

(b) in subsection (4),

- (i) by the deletion of the words “Subject to section 5” and the substitution of the words “Subject to subsection (5)”, and**
- (ii) by the deletion of the word “20” and the substitution of the word “30”; and**

(c) by the revocation of subsections (6) and (7) and the substitution of the following:

(6) No person shall install casing in a well unless Installation of casing
 (a) the width of the annular space is not less than 3.8 cm; and
 (b) the annular space is filled with grout from the bottom of the casing to the pitless adapter.

(7) Notwithstanding subsection (6) and subject to subsection (8), Exception
 where the casing to be installed in a well is more than 12 metres long and the well is not a central supply well, the person installing the casing may fill the lower 12 metres of the annular space with grout and fill the remaining annular space with clean fill.

(8) No person shall use fewer than six 22 kilogram bags of bentonite in the grouting of a well. Grout

(9) No person shall install casing in a central supply well unless the entire length of annular space is filled with grout that is placed using a grout pump. Grout for central supply well

11. Section 11 of the regulations is amended

(a) by the revocation of subsection (1) and the substitution of the following:

11. (1) A person who constructs a well shall, immediately after construction, Completion requirements

- (a) remove all earthen material and drill cuttings from the well;
- (b) determine whether sufficient yield is available for the intended use of the well by first recording the static water level, conducting a pump test for a minimum of 30 minutes, and recording on the water well report at the conclusion of the test, the static water level, the pumping rate and the pumping water level;
- (c) record on the well construction report a recommended pump capacity and pump depth, based on the drawdown characteristics of the well;
- (d) disinfect the well by a method described in Schedule D; and
- (e) secure an approved, vermin-proof, vented, pitless well cap, with a proper expansion joint, to the top of the well casing.

(b) by the revocation of subsection (3).

12. Section 12 of the regulations is revoked and the following substituted:

12. (1) An owner that has an unused well on his or her property shall have the well filled by a well contractor in accordance with subsection (2) within 30 days of surrendering the use of the well or of discovering the unused well. Unused well

(2) No person shall fill an unused well unless the person Well filled by well contractor
 (a) is a well contractor; and
 (b) fills the well using a method described in Schedule E.

(3) The Minister may declare a well to be an unused well and give notice to the owner to have it filled. Declaring well to be unused

(4) An owner who receives a notice pursuant to subsection (3) shall have the well filled in accordance with subsection (2). Owner's responsibility

13. Section 13 of the regulations is amended

(a) by the revocation of subsection (1) and the substitution of the following:

13. (1) A person who installs pumping equipment in a well shall install it in a manner consistent with the recommendations set out in the well construction report respecting the characteristics of the well and the pumping rate for the well. Installation of pumping equipment

(b) by the addition of the following after subsection (5):

(5.1) No person shall create an opening through the wall of the casing below the ground surface, except to install a pitless adapter on the pumping equipment. No opening in well casing

(c) by the addition of the following after subsection (7):

(8) No person shall install or repair pumping equipment in a well intended for the production of water for human consumption without immediately thereafter Cleaning and disinfecting

- (a) removing all debris from, in and around the well; and
- (b) disinfecting the well using a method outlined in Schedule D.

14. (1) Schedules A, B, D and E of the regulations are revoked and Schedules A, B, D and E as set out in the Schedule to these regulations are substituted.

(2) Schedule C of the regulations is revoked.

15. These regulations come into force on March 22, 2003.

SCHEDULE

SCHEDULE A

RESTRICTED AREAS

Pursuant to section 5 of these regulations, the following areas are restricted for well construction purposes. In each description of a restricted area in this Schedule,

- (a) all reference points are taken from Prince Edward Island Department of Fisheries, Aquaculture and Environment Restricted Well Construction Layer, in P.E.I. Double Stereographic Projection System, referenced to NAD83 (CSRS); and
- (b) all azimuths and coordinates are derived from the P.E.I. Double Stereographic Projection System, referenced to NAD83 (CSRS), the coordinates being expressed in metres.

PRINCE COUNTY

1. NEW ANNAN

The restricted area is enclosed by the following description of boundaries:

COMMENCING at a point defined by the P.E.I. Double Stereographic Projection System, NAD83 (CSRS) with coordinates at 346955 metres East and 708001 metres North;

THENCE Easterly along a line approximately 1,550 metres to a point defined as 348509 metres East and 708006 metres North, or until it intersects the southwest shore of the Barbara Weit River;

THENCE Northwesterly and Southwesterly following the various courses of the said shore of the Barbara Weit River, to the point of intersection of the said shore of the Barbara Weit River or tributary of the Barbara Weit River with the power transmission line, just north of the Rails-to-Trails trail (former CNR Railway Corridor), or to a point defined as 346671 metres East and 708587 metres North;

THENCE Southeasterly by a straight line for approximately 650 metres to the point at the place of commencement.

2. KENSINGTON

The restricted area is enclosed by the following description of boundaries:

COMMENCING at a point defined by the P.E.I. Double Stereographic Projection System, NAD83 (CSRS) with coordinates at 350536 metres East and 709414 metres North;

THENCE Easterly along a line approximately 892 metres to a point defined as 351431 metres East and 709396 metres North;

THENCE Northerly along a line approximately 1,100 metres to a point defined as 351450 metres East and 710496 metres North;

THENCE Westerly along a line approximately 456 metres to a point defined as 350992 metres East and 710506 metres North;

THENCE due South along a line approximately 296 metres to a point defined as 350992 metres East and 710209 metres North;

THENCE Southwesterly along a line approximately 470 metres to a point defined as 350537 metres East and 710087 metres North;

THENCE Southerly by a straight line for 674 metres or to the point at the place of commencement.

3. O'LEARY

The restricted area is enclosed by the following description of boundaries:

COMMENCING at a point defined by the P.E.I. Double Stereographic Projection System, NAD83 (CSRS) with coordinates at 306319 metres East and 740204 metres North;

THENCE Southeasterly along a line approximately 533 metres to a point defined as 306838 metres East and 740076 metres North;

THENCE Northerly along a line approximately 809 metres to a point defined as 306658 metres East and 740864 metres North;

THENCE Southwesterly along a line approximately 477 metres to a point defined as 306192 metres East and 740756 metres North;

THENCE Southerly by a straight line for 566 metres or to the point at the place of commencement.

4. MIMINEGASH

The restricted area is enclosed by the following description of boundaries:

COMMENCING at a point defined by the P.E.I. Double Stereographic Projection System, NAD83 (CSRS) at the high water mark of the Western shore of the Northumberland Strait with coordinates at 305900 metres East and 759277 metres North;

THENCE Easterly along a line approximately 1,122 metres to a point defined as 307025 metres East and 759261 metres North;

THENCE Northerly along a line approximately 1,023 metres to a point defined as 307032 metres East and 760284 metres North;

THENCE Westerly along a line approximately 505 metres to a point defined as 306526 metres East and 760288 metres North, or until it intersects the shore of the Northumberland Strait;

THENCE Southwesterly following the various courses of the shore of the Northumberland Strait, including the Miminegash Run, to the point at the place of commencement.

5. TIGNISH

The restricted area is enclosed by the following description of boundaries:

COMMENCING at a point defined by the P.E.I. Double Stereographic Projection System, NAD83 (CSRS) with coordinates at 320893 metres East and 766928 metres North;

THENCE Easterly along a line approximately 548 metres to a point defined as 321443 metres East and 766926 metres North;

THENCE Northerly along a line approximately 869 metres to a point defined as 321445 metres East and 767795 metres North;

THENCE Westerly along a line approximately 548 metres to a point defined as 320895 metres East and 767796 metres North;

THENCE Southerly along a line approximately 868 metres to the point at the place of commencement.

6. SUMMERSIDE ISTHMUS

The restricted area is enclosed by the following description of boundaries:

COMMENCING at a point defined by the P.E.I. Double Stereographic Projection System, NAD83 (CSRS) at the intersection of the high water mark of the North shore of the Wilmot River and the western boundary of Highway 1A, with coordinates at 343055 metres East and 704825 metres North;

THENCE Northerly along a line approximately 1,667 metres to a point defined as 343055 metres East and 706491 metres North;

THENCE Easterly along a line approximately 1,193 metres to a point defined as 344251 metres East and 706498 metres North;

THENCE due North along a line approximately 1,400 metres to the intersection with the southern boundary of Highway 2 to a point defined as 344231 metres East and 707898 metres North;

THENCE Westerly along the Southern boundary of Highway 2 to the intersection of the Southern boundary of Highway 2 and 336050 metres East, or to a point defined as 336050 metres East and 708752 metres North;

THENCE due South along a line approximately 3,923 metres to a point defined as 336050 metres East and 704830 North or until it intersects the Northern shore of Summerside Harbour;

THENCE Easterly along the various courses of the said shore of the Summerside Harbour and the North shore of the Wilmot River to the point at the place of commencement.

7. BEDEQUE

The restricted area is enclosed by the following description of boundaries:

COMMENCING at a point defined by the P.E.I. Double Stereographic Projection System, NAD83 (CSRS) with coordinates at 344148 metres East and 698647 metres North;

THENCE Easterly along a line approximately 199 metres to a point defined as 344341 metres East and 698698 metres North;

THENCE Northerly along a line approximately 510 metres to a point defined as 344203 metres East and 699189 metres North;

THENCE due West to the intersection of the southeastern shore of an unnamed tributary that feeds into the Bradshaw River above Woodside Shore, or to a point defined as 344120 metres East and 699189 metres North;

THENCE Southeast along the various courses of the southeastern boundary of the said unnamed tributary to a point defined as 344032 metres East and 699077 metres North;

THENCE Southerly along a line approximately 450 metres to the point at the place of commencement.

8. CAPE WOLFE

The restricted area is enclosed by the following description of boundaries:

COMMENCING at a point defined by the P.E.I. Double Stereographic Projection System, NAD83 (CSRS) with coordinates at 293811 metres East and 742445 metres North;

THENCE Easterly along a line approximately 400 metres to a point defined as 294211 metres East and 742445 metres North;

THENCE Northerly along a line approximately 290 metres to a point defined as 294209 metres East and 742738 metres North;

THENCE Westerly along a line approximately 400 metres to a point defined as 293810 metres East and 742738 metres North;

THENCE Southerly along a line approximately 290 metres to the point at the place of commencement.

9. MISCOUCHE

The restricted area is enclosed by the following description of boundaries:

COMMENCING at a point defined by the P.E.I. Double Stereographic Projection System, NAD83 (CSRS) with coordinates at 333057 metres East and 709476 metres North;

THENCE Easterly along a line approximately 477 metres to a point defined as 333535 metres East and 709448 metres North;

THENCE Northerly along a line approximately 200 metres to a point defined as 333548 metres East and 709648 metres North;

THENCE Westerly along a line approximately 478 metres to a point defined as 333069 metres East and 709673 metres North;

THENCE Southerly along a line approximately 197 metres to the point at the place of commencement.

10. MOUNT PLEASANT

The restricted area is enclosed by the following description of boundaries:

COMMENCING at a point defined by the P.E.I. Double Stereographic Projection System, NAD83 (CSRS) with coordinates at 322635 metres East and 725496 metres North;

THENCE Easterly along a line approximately 377 metres to a point defined as 323002 metres East and 725586 metres North;

THENCE Northerly along a line approximately 300 metres to a point defined as 322930 metres East and 725875 metres North;

THENCE Westerly along a line approximately 377 metres to a point defined as 322562 metres East and 725790 metres North;

THENCE Southerly along a line approximately 303 metres to the point at the place of commencement.

11. MONT CARMEL

The restricted area is enclosed by the following description of boundaries:

COMMENCING at a point defined by the P.E.I. Double Stereographic Projection System, NAD83 (CSRS) with coordinates at 320250 metres East and 705979 metres North;

THENCE Northeasterly along a line approximately 324 metres to a point defined as 320496 metres East and 706191 metres North;

THENCE Northwesterly along a line approximately 400 metres to a point defined as 320236 metres East and 706495 metres North;

THENCE Southwesterly along a line approximately 320 metres to a point defined as 319989 metres East and 706285 metres North;

THENCE Southeasterly along a line approximately 400 metres to the point at the place of commencement.

12. BORDEN-CARLETON

The restricted area is enclosed by the following description of boundaries:

COMMENCING at a point defined by the P.E.I. Double Stereographic Projection System, NAD83 (CSRS) with coordinates at 347854 metres East and 689941 metres North;

THENCE Northeasterly along a line approximately 750 metres to a point defined as 348460 metres East and 690383 metres North;

THENCE Northwesterly along a line approximately 460 metres to a point defined as 348239 metres East and 690786 metres North;

THENCE Westerly along a line approximately 820 metres to a point defined as 347478 metres East and 690465 metres North;

THENCE Southeasterly along a line approximately 640 metres to the point at the place of commencement.

QUEENS COUNTY

13. CORNWALL (FORMERLY NORTH RIVER)

The restricted area is enclosed by the following description of boundaries:

COMMENCING at a point defined by the P.E.I. Double Stereographic Projection System, NAD83 (CSRS) with coordinates at 384156 metres East and 688948 metres North;

THENCE Easterly along a line approximately 1,630 metres to a point defined as 385713 metres East and 689448 metres North, or until it intersects the western shore of the North River;

THENCE North and Northwesterly following the various courses of the said western shore of the North River to a point defined as 385017 metres East and 690074 metres North or to the point of intersection of the western shore of the North River and the southeastern shore of an unnamed tributary that empties into the North River;

THENCE Southwesterly following the various courses of the Southeastern shore of the unnamed tributary to a point defined as 384785 East and 689717 North;

THENCE Southerly along a straight line approximately 140 metres to the Southern boundary of the Kingston Road to a point defined as 384825 metres East and 689581 metres North;

THENCE Westerly along the Southern boundary of the Kingston Road, approximately 820 metres to a point defined as 384037 metres East and 689335 metres North;

THENCE Southerly along a line approximately 400 metres to the point at the place of commencement.

14. CORNWALL

The restricted area is enclosed by the following description of boundaries:

COMMENCING at a point defined by the P.E.I. Double Stereographic Projection System, NAD83 (CSRS) with coordinates at 382836 metres East and 685250 metres North;

THENCE due East along a line approximately 440 metres to a point defined as 383278 metres East and 685250 metres North, or until it intersects the Western shore of the Mill Creek;

THENCE Northeasterly following the various courses of the said shore of the Mill Creek to a point defined as 383388 metres East and 685476 metres North;

THENCE Northerly along a line approximately 190 metres to a point defined as 383356 metres East and 685666 metres North;

THENCE Northerly along a line approximately 70 metres to a point defined as 383354 metres East and 685741 metres North;

THENCE Northerly along a line approximately 190 metres to a point defined as 383392 metres East and 685937 metres North, or until it intersects the shore of Hydes Pond on the Mill Creek;

THENCE Northerly following the various courses of the shore of Hydes Pond and Mill Creek to the intersection of the said shore with the centre line of Highway 1 (Trans-Canada Highway) to a point defined as 383619 metres East and 687066 metres North;

THENCE Northeasterly along the centre line of Highway 1 (Trans-Canada Highway) approximately 350 metres to a point defined as 383886 metres East and 687293 metres North;

THENCE Northerly along a line approximately 190 metres to a point defined as 383830 metres East and 687477 metres North;

THENCE Westerly along a line approximately 580 metres to a point defined as 383282 metres East and 687291 metres North, or until it intersects the centre line of Cornwall Drive;

THENCE Southerly along the centre line of Cornwall Drive to a point defined as 383245 metres East and 686448 metres North, or until it intersects the centre line of Highway 1 (Trans-Canada Highway);

THENCE Westerly along the centre line of Highway 1 (Trans-Canada Highway) to a point defined as 383027 metres East and 686357 metres North;

THENCE Southerly along a line approximately 1,120 metres to the point at the place of commencement.

15. CHARLOTTETOWN (FORMERLY WINSLOE)

The restricted area is enclosed by the following description of boundaries:

COMMENCING at a point defined by the P.E.I. Double Stereographic Projection System, NAD83 (CSRS) with coordinates at 386832 metres East and 693032 metres North;

THENCE Northeasterly along a line approximately 323 metres to a point defined as 387052 metres East and 693268 metres North;

THENCE Northwesterly along a line approximately 608 metres to a point defined as 386605 metres East and 693682 metres North;

THENCE Southwesterly along a line approximately 165 metres to a point defined as 386489 metres East and 693564 metres North;

THENCE Southerly along a line approximately 218 metres to a point defined as 386487 metres East and 693346 metres North;

THENCE Southeasterly along a line approximately 465 metres to the point at the place of commencement.

16. WINTER RIVER BASIN (BRACKLEY WELLFIELD)

The restricted area is enclosed by the following description of boundaries:

COMMENCING at a point defined by the P.E.I. Double Stereographic Projection System, NAD83 (CSRS) with coordinates at 388501 metres East and 695484 metres North;

THENCE Easterly along a line approximately 731 metres to a point defined as 389206 metres East and 695683 metres North;

THENCE Northerly along a line approximately 1052 metres to a point defined as 388877 metres East and 696682 metres North;

THENCE Westerly along a line approximately 631 metres to a point defined as 388266 metres East and 696517 metres North;

THENCE Northerly along a line approximately 13 metres to a point defined as 388259 metres East and 696537 metres North;

THENCE Westerly along a line approximately 97 metres to a point defined as 388166 metres East and 696511 metres North;

THENCE Southerly along a line approximately 1,080 metres to the point at the place of commencement.

17. WINTER RIVER BASIN (UNION WELLFIELD)

The restricted area is enclosed by the following description of boundaries:

COMMENCING at a point defined by the P.E.I. Double Stereographic Projection System, NAD83 (CSRS) with coordinates at 390270 metres East and 695620 metres North;

THENCE Easterly along a line approximately 899 metres to a point defined as 391140 metres East and 695855 metres North;

THENCE Northerly along a line approximately 543 metres to a point defined as 390998 metres East and 696379 metres North;

THENCE Westerly along a line approximately 904 metres to a point defined as 390126 metres East and 696133 metres North;

THENCE Southerly along a line approximately 532 metres to the point at the place of commencement.

18. WINTER RIVER BASIN (SUFFOLK WELLFIELD)

The restricted area is enclosed by the following description of boundaries:

COMMENCING at a point defined by the P.E.I. Double Stereographic Projection System, NAD83 (CSRS) with coordinates at 394675 metres East and 696554 metres North;

THENCE Easterly along a line approximately 1,000 metres to a point defined as 395636 metres East and 696831 metres North;

THENCE Northerly along the western boundary of Highway 222 (Suffolk Road) to a point defined as 395010 metres East and 698019 metres North;

THENCE Westerly along a line approximately 1,460 metres to a point defined as 393602 metres East and 697618 metres North;

THENCE Southerly along a line approximately 782 metres to a point defined as 393814 metres East and 696865 metres North;

THENCE Easterly along a line approximately 741 metres to a point defined as 394529 metres East and 697067 metres North;

THENCE Southeasterly along a line approximately 533 metres to the point at the place of commencement.

19. WEST COVEHEAD

The restricted area is enclosed by the following description of boundaries:

COMMENCING at a point defined by the P.E.I. Double Stereographic Projection System, NAD83 (CSRS) with coordinates at 390208 metres East and 703743 metres North;

THENCE Easterly along a line approximately 423 metres to a point defined as 390633 metres East and 703741 metres North;

THENCE Northerly along a line approximately 397 metres to a point defined as 390635 metres East and 704138 metres North;

THENCE Westerly along a line approximately 420 metres to a point defined as 390214 metres East and 704138 metres North;

THENCE Southeasterly along a line approximately 395 metres to the point at the place of commencement.

20. MARSHFIELD

The restricted area is enclosed by the following description of boundaries:

COMMENCING at a point defined by the P.E.I. Double Stereographic Projection System, NAD83 (CSRS) with coordinates at 393046 metres East and 692939 metres North;

THENCE Easterly along a line approximately 530 metres to a point defined as 393580 metres East and 692937 metres North;

THENCE Northerly along a line approximately 790 metres to a point defined as 393584 metres East and 693731 metres North;

THENCE Westerly along a line approximately 530 metres to a point defined as 393049 metres East and 693732 metres North;

THENCE Southerly along a line approximately 790 metres to the point at the place of commencement.

21. JOHNSTONS RIVER

The restricted area is enclosed by the following description of boundaries:

COMMENCING at a point defined by the P.E.I. Double Stereographic Projection System, NAD83 (CSRS) with coordinates at 398446 metres East and 690779 metres North;

THENCE Easterly along a line approximately 600 metres to a point defined as 399049 metres East and 690777 metres North;

THENCE Northerly along a line approximately 640 metres to a point defined as 399050 metres East and 691420 metres North;

THENCE Westerly along a line approximately 600 metres to a point defined as 398448 metres East and 691422 metres North;

THENCE Southerly along a line approximately 640 metres to the point at the place of commencement.

22. VICTORIA

The restricted area is enclosed by the following description of boundaries:

COMMENCING at a point defined by the P.E.I. Double Stereographic Projection System, NAD83 (CSRS) with coordinates at 361616 metres East and 685155 metres North;

THENCE Easterly along a line approximately 436 metres to a point defined as 362053 metres East and 685153 metres North;

THENCE Northerly along a line approximately 318 metres to a point defined as 362054 metres East and 685471 metres North;

THENCE Westerly along a line approximately 437 metres to a point defined as 361616 metres East and 685469 metres North;

THENCE Southerly along a line approximately 314 metres to the point at the place of commencement.

23. NORTH RUSTICO

The restricted area is enclosed by the following description of boundaries:

COMMENCING at a point defined by the P.E.I. Double Stereographic Projection System, NAD83 (CSRS) with coordinates at 374633 metres East and 711151 metres North;

THENCE Easterly along a line approximately 940 metres to a point defined as 375573 metres East and 711182 metres North;

THENCE Northeasterly along a line approximately 430 metres to a point defined as 375783 metres East and 711555 metres North;

THENCE Northwesterly along a line approximately 1,170 metres to a point defined as 374987 metres East and 712421 metres North;

THENCE Westerly along a line approximately 670 metres to a point defined as 374347 metres East and 712227 metres North;

THENCE Southerly along a line approximately 1,110 metres to the point at the place of commencement.

KINGS COUNTY

24. STRATFORD (CABLE HEIGHTS SUBDIVISION)

The restricted area is enclosed by the following description of boundaries:

COMMENCING at a point defined by the P.E.I. Double Stereographic Projection System, NAD83 (CSRS) with coordinates at 393352 metres East and 684394 metres North;

THENCE Easterly along a line approximately 210 metres to a point defined as 393553 metres East and 684448 metres North;

THENCE Northeasterly along a line approximately 300 metres to a point defined as 393750 metres East and 684674 metres North;

THENCE Northerly along a line approximately 500 metres to a point defined as 393775 metres East and 685174 metres North;

THENCE Westerly along a line approximately 460 metres to a point defined as 393314 metres East and 685223 metres North;

THENCE Southerly along a line approximately 500 metres to a point defined as 393260 metres East and 684727 metres North;

THENCE Southerly along a line approximately 350 metres to the point at the place of commencement.

25. MONTAGUE (NORTH SIDE)

The restricted area is enclosed by the following description of boundaries:

COMMENCING at a point defined by the P.E.I. Double Stereographic Projection System, NAD83 (CSRS) with coordinates at 426142 metres East and 680158 metres North;

THENCE Easterly along a line approximately 1,200 metres to a point defined as 427342 metres East and 680158 metres North;

THENCE Northerly along a line approximately 644 metres to a point defined as 427343 metres East and 680802 metres North;

THENCE Westerly along a line approximately 1,195 metres to a point defined as 426145 metres East and 680808 metres North;

THENCE Southerly along a line approximately 650 metres to the point at the place of commencement.

26. MONTAGUE (SOUTH SIDE)

The restricted area is enclosed by the following description of boundaries:

COMMENCING at a point defined by the P.E.I. Double Stereographic Projection System, NAD83 (CSRS) with coordinates at 427052 metres East and 678485 metres North;

THENCE Easterly along a line approximately 540 metres to a point defined as 427591 metres East and 678486 metres North;

THENCE Northerly along a line approximately 900 metres to a point defined as 427589 metres East and 679385 metres North, or until it intersects the Southern shore of the Montague River;

THENCE Westerly following the various courses of the said shore of the Montague River to a point defined as 427433 metres East and 679432 metres North;

THENCE Easterly along a line approximately 48 metres to a point defined as 427478 metres East and 679449 metres North;

THENCE Northerly along a line approximately 66 metres to a point defined as 427455 metres East and 679510 metres North;

THENCE Westerly along a line approximately 125 metres to a point defined as 427334 metres East and 679476 metres North;

THENCE Southwesterly along a line approximately 93 metres to a point defined as 427272 metres East and 679407 metres North;

THENCE Southeasterly along a line approximately 7.5 metres to a point defined as 427277 metres East and 679401 metres North, or until it intersects the southern shore of the Montague River;

THENCE Southwesterly along the said shore of the Montague River to a point defined as 427050 metres East and 679191 metres North;

THENCE Southerly along a line approximately 706 metres to the point at the place of commencement.

27. FORTUNE

The restricted area is enclosed by the following description of boundaries:

COMMENCING at a point defined by the P.E.I. Double Stereographic Projection System, NAD83 (CSRS) with coordinates at 446859 metres East and 699948 metres North;

THENCE Easterly along a line approximately 500 metres to a point defined as 447358 metres East and 699951 metres North;

THENCE Northerly along a line approximately 440 metres to a point defined as 447354 metres East and 700389 metres North;

THENCE Westerly along a line approximately 500 metres to a point defined as 446856 metres East and 700387 metres North;

THENCE Southerly along a line approximately 440 metres to the point at the place of commencement.

28. SOURIS

The restricted area is enclosed by the following description of boundaries:

COMMENCING at a point defined by the P.E.I. Double Stereographic Projection System, NAD83 (CSRS) at the Northern Boundary of Highway 2 with coordinates at 457612 metres East and 700720 metres North;

THENCE Easterly along the Northern boundary of Highway 2 to a point defined as 458901 metres East and 700482 metres North;

THENCE Northerly along a line approximately 1,576 metres to a point defined as 459083 metres East and 702047 metres North, or until it intersects the Southern boundary of Highway 335;

THENCE Southwesterly along the Southern boundary of Highway 335 to a point defined as 458006 metres East and 701736 metres North or to a point where it intersects the Southeastern boundary of Highway 305;

THENCE Southwesterly along the Southeastern boundary of Highway 305 to a point defined as 457611 metres East and 701387 metres North;

THENCE Southerly along a line approximately 667 metres to the point at the place of commencement.

29. GEORGETOWN

The restricted area is enclosed by the following description of boundaries:

COMMENCING at a point defined by the P.E.I. Double Stereographic Projection System, NAD83 (CSRS) with coordinates at 435022 metres East and 682726 metres North;

THENCE Southeasterly along a line approximately 2,340 metres to a point defined as 437086 metres East and 681611 metres North;

THENCE Northeasterly along a line approximately 516 metres to a point defined as 437334 metres East and 682064 metres North;

THENCE Northwesterly along a line approximately 2,340 metres to a point defined as 435267 metres East and 683173 metres North;

THENCE Southerly along a line approximately 510 metres to the point at the place of commencement.

SCHEDULE B

STANDARDS FOR WELL CONSTRUCTION EQUIPMENT, MATERIALS AND DEVICES

The following organizations' standards are prescribed for the purposes of subsection 8(2):

American Society of Testing Materials - ASTM

American Water Works Association - AWWA

Canadian Standards Association - CSA

National Sanitation Foundation - NSF

SCHEDULE D

METHODS FOR DISINFECTING WATER WELLS

A well driller shall clean and disinfect all drilling tools before drilling a well to prevent the spread of contamination from previous jobs or from the ground surface at the new well site.

Pursuant to clause 13(8)(b) of the regulations, a well must be thoroughly disinfected before it is placed into operation. The most commonly used methods involve chlorine, either in liquid or tablet form. The approved methods are indicated by the case descriptions below. Chlorine should always be used in a well-ventilated place, because breathing the fumes can be hazardous to a person's health.

CASE A - WELL HOOKED UP TO A PLUMBING SYSTEM

1. Mix 1 litre of liquid laundry bleach or chlorine with approximately 45.5 litres (10 gallons) of water. Pour the solution directly into the well by removing the well seal or the well cap.
2. Open all faucets in the system and let the water run until the chlorine odour or taste is detected. Turn water off and repeat step #1 with a second chlorine solution.

3. Let the system sit for a minimum of 8 hours, and preferably overnight.
4. Discharge water from all outlets until the chlorine odour and taste has disappeared. Faucets or fixtures discharging to septic tank systems should be temporarily diverted to an outside discharge point to avoid overloading the disposal system.

CASE B - AFTER WELL COMPLETION

1. Mix 1 litre of liquid laundry bleach or chlorine with approximately 45.5 litres (10 gallons) of water.
2. Pour the solution into the well, secure the well with an approved well cap and let the system sit for a minimum of 8 hours, and preferably overnight.
3. Depending on the length of time between pouring the solution in the well and the installation of the pumping equipment, the chlorine will either move on with groundwater flow or be removed when the pump is hooked up to clean the well.

SCHEDULE E

METHODS FOR FILLING ABANDONED WELLS

Abandoned water wells, if left open or if insufficiently covered or filled, can be a potential source of groundwater contamination. In addition, wells dug by hand pose a potential safety hazard to the public, livestock and wildlife. The methods described below are methods approved by the Department for the abandonment of water wells as required by section 12 of the regulations. Drilled wells must be abandoned by a licensed well contractor.

Drilled wells

All obstructions in the well must be removed prior to filling the well. The well should then be filled with alternating layers of bentonite or cement and clean fill (clay till or sand). The bottom 3 m (10 feet) of the bore hole must be filled with the bentonite or cement. The thickness of the individual layers of bentonite shall be not less than 0.3 m (1 foot) thick. The thickness of clean fill layers shall not exceed 1.5 m (5 feet).

This plugging procedure is intended to prevent the vertical movement of contamination down the well bore hole. In addition, if the portion of the casing which is above ground becomes an eyesore or a safety concern, it can be cut off below the ground surface.

Dug wells

Any obstructions in the well (piping, pump, wooden material, etc.) must be removed prior to the plugging of the well.

The well shall be filled to within 1 m (3 feet) of the ground surface with a mixture of sandstone and clean fill material. A minimum 0.15 m (6 inches) thick layer of a low permeability material such as bentonite or compacted clay must be installed within 1 m (3 feet) of the ground surface to prevent the entry of surface water to the water table.

The surface area of the top of the well must be covered with topsoil and graded in a manner that will allow drainage away from the well.

EXPLANATORY NOTES

SECTION 1 revises some definitions and adds new ones.

SECTION 2 changes a heading, specifies the requirements for a well driller to obtain a license, and increases the term of a license from one to two years.

SECTION 3 removes the heading of and provisions for a Water Well Advisory Board and adds provisions respecting a well contractor's license.

SECTION 4 deals with a well construction report.

SECTION 5 provides that a well permit is not required for an area where a groundwater exploration permit is required.

SECTION 6 deals with the requirements for a groundwater exploration permit.

SECTION 7 changes a heading and deals with a groundwater extraction permit.

SECTION 8 deals with the standards of equipment and materials used in constructing a well.

SECTION 9 deals with setback distances for a well and adds a requirement that contaminant sources must not be constructed or located nearer than the setback distances.

SECTION 10 deals with the installation of well casing and grout.

SECTION 11 deals with well completion requirements.

SECTION 12 deals with abandonment of a well.

SECTION 13 deals with pump installation and clean-up.

SECTION 14 amends the Schedules.

SECTION 15 provides for the commencement of these regulations.

EC2003-108

OIL AND NATURAL GAS ACT
 MINISTER OF DEVELOPMENT AND TECHNOLOGY
 AUTHORITY TO ENTER INTO AN AGREEMENT
 WITH
 RALLY ENERGY CORPORATION

Pursuant to section 5 of the *Oil and Natural Gas Act* Royalties Order (EC537/85) made under authority of subsection 62(1) of the *Oil and Natural Gas Act*, R.S.P.E.I. 1988, Cap. O-5 Council authorized the Minister of Development and Technology to enter into an agreement with Rally Energy Corporation of Calgary, Alberta to provide a five (5) year exemption from royalty payments on commercial production of natural gas, to a maximum of ten (10) billion cubic feet of natural gas at the Irishtown #2 and Seaview #1 Wells in Prince Edward Island, provided the project meets all requirements of section 9 of the *Environmental Protection Act* R.S.P.E.I. 1988, Cap. E-9, such as more particularly described in the draft agreement.

EC2003-109

EXECUTIVE COUNCIL ACT
 MINISTER OF EDUCATION
 AUTHORITY TO ENTER INTO AN AGREEMENT
 (2002-2004 SCHOOLNET GRASSROOTS INITIATIVE
 CONTRIBUTION AGREEMENT)
 WITH
 THE GOVERNMENT OF CANADA

Pursuant to clause 10(a) of the *Executive Council Act* R.S.P.E.I. 1988, Cap. E-12 Council authorized the Minister of Education to enter into an agreement with the Government of Canada, as represented by the Minister of Industry, to establish the terms and conditions for the delivery of the SchoolNet GrassRoots Initiative, such as more particularly described in the draft agreement.

EC2003-110

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 WILLIAM L. CROLLEY
 (APPROVAL)

Pursuant to section 4 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to William L. Crolley of Canton, Georgia to acquire an interest in a land holding of approximately five hundred and ninety-nine decimal nine one (599.91) acres of land in Lot 52, Kings County, Province of Prince Edward Island, being acquired from Mark A. Conner of Stockbridge, Georgia.

EC2003-111

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 WILLIAM L. CROLLEY
 (APPROVAL)

Pursuant to section 4 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5 Council granted permission to William L. Crolley of Canton, Georgia to acquire an interest in a land holding of approximately two hundred and ten decimal five (210.5) acres of land in Lot 52, Kings County, Province of Prince Edward Island, being acquired from Albert J. Conner of Stockbridge, Georgia.

EC2003-112

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 BARTOW BUSINESS PARTNERS, LLC
 (APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L 5 Council granted permission to Bartow Business Partners, LLC of Canton, Georgia to acquire a land holding of approximately five hundred and ninety-nine decimal nine one (599.91) acres of land in Lot 52, Kings County, Province of Prince Edward Island, being acquired from Mark A. Conner of Stockbridge, Georgia PROVIDED THAT the said Bartow Business Partners, LLC acknowledges the angling public's right to access the pond from the publicly owned dam site and will not restrict fishing by the public in and over Leards Pond.

Council noted that these lands are part of a Conservation Zone designated pursuant to the *Planning Act* R.S.P.E.I. 1988, Cap. P-8, and that the relevant provisions of the said Act and its Regulations apply.

Council further noted that the said lands, being Provincial Property Nos. 123752, 123778, 162529, 162602, 162701, 162776, 770651, 774687, 162750, 162768, were previously identified for non-development use in accordance with section 2 of the Land Identification Regulations (EC606/95) made under the said Act. Identification continues to apply.

EC2003-113

PRINCE EDWARD ISLAND
 LANDS PROTECTION ACT
 PETITION TO ACQUIRE A LAND HOLDING
 BARTOW BUSINESS PARTNERS, LLC
 (APPROVAL)

Pursuant to section 5 and section 9 of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L 5 Council granted permission to Bartow Business Partners, LLC of Canton, Georgia to acquire a land holding of approximately two hundred and ten decimal five (210.5) acres of land in Lot 52, Kings County,

Province of Prince Edward Island, being acquired from Albert J. Conner of Stockbridge, Georgia PROVIDED THAT the said Bartow Business Partners, LLC acknowledges the angling public's right to access the pond from the publicly owned dam site and will not restrict fishing by the public in and over Leards Pond.

Council noted with approval that in 2000 a twenty-five (25) foot wide easement along the bank of Provincial Property No. 162735 was granted to Her Majesty the Queen in right of Prince Edward Island for the purpose of allowing public access at no charge to the water and bank area of Leards Pond for recreational purposes. The easement is binding on all successors in title. Council further noted that the lands subject to the said easement are part of a Conservation Zone designated pursuant to the *Planning Act* R.S.P.E.I. 1988, Cap. P-8, and that the relevant provisions of the said Act and its Regulations apply.

Two of the properties in the land holding, Provincial Properties No. 162578 and No. 162735, were previously identified for non-development use in accordance with section 2 of the Land Identification Regulations (EC606/95) made under the said Act. Identification continues to apply.

EC2003-114

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PROPERTY NO. 873281, LOT 64, KINGS COUNTY
IDENTIFICATION FOR NON-DEVELOPMENT USE
CANCELLATION

Pursuant to subsection 9(2) of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5, Council cancelled the condition of non-development use made pursuant to section 2 of the Land Identification Regulations (EC606/95) in respect of approximately twenty-two (22) acres of land, being Provincial Property No. 873281 located in Lot 64, Kings County, Prince Edward Island and currently owned by Lori Gladys Brehaut-Chapman and Sandra Mary Strain, both of Murray Harbour, Prince Edward Island, and Paula L. MacLean of Naking, Ontario.

This Order-in-Council comes into force on March 11, 2003.

EC2003-115

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PROPERTY NO. 836874, LOT 18, PRINCE COUNTY
IDENTIFICATION FOR NON-DEVELOPMENT USE
AMENDMENT

Pursuant to subsection 9(2) of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5, Council amended the condition of non-development use made pursuant to section 2 of the Land Identification Regulations (EC606/95) in respect of approximately fifteen (15) acres of land, being Provincial Property No. 836874 located in Lot 18, Prince County, Prince Edward Island and currently owned by James Evans of Burlington, Prince Edward Island.

Council noted that this amendment will enable subdivision of a parcel of land of approximately four decimal eight nine (4.89) acres, and determined that following subdivision, identification for non-development use shall continue to apply to the remaining land.

This Order-in-Council comes into force on March 11, 2003.

EC2003-116

PRINCE EDWARD ISLAND
LANDS PROTECTION ACT
PROPERTY NO. 779330 AND 779348, LOT 66, KINGS COUNTY
IDENTIFICATION FOR NON-DEVELOPMENT USE
CANCELLATION

Pursuant to subsection 9(2) of the *Prince Edward Island Lands Protection Act* R.S.P.E.I. 1988, Cap. L-5, Council cancelled the condition of non-development use made pursuant to section 2 of the Land Identification Regulations (EC606/95) in respect of approximately forty-three (43) acres of land and nineteen decimal two five (19.25) acres of land, being Provincial Property Nos. 779330 and 779348 located in Lot 66, Kings County, Prince Edward Island and currently owned by Three Rivers Farms Ltd. of Brudenell, Prince Edward Island.

This Order-in-Council comes into force on 11 March 2003.

EC2003-117

MUNICIPALITIES ACT
EXPANSION OF SERVICES
COMMUNITY OF NORTHPORT

Having under consideration a recommendation from the Minister of Community and Cultural Affairs, and pursuant to subsection 33(3) of the *Municipalities Act* R.S.P.E.I. 1988, Cap. M-13 Council approved an application from the Community of Northport to expand the services provided by the community to include the following additional service:

- (i) animal control

effective 22 March 2003.

EC2003-118

MUSEUM ACT
PRINCE EDWARD ISLAND MUSEUM AND HERITAGE FOUNDATION
APPOINTMENT

Pursuant to clause 5(1)(a) of the *Museum Act* R.S.P.E.I. 1988, Cap. M-14 Council made the following appointment:

NAME	TERM OF APPOINTMENT
Peter MacDonald Summerside (vice Don LeClair, term expired)	11 March 2003 to 11 March 2006

EC2003-119**NATURAL PRODUCTS MARKETING ACT
PRINCE EDWARD ISLAND MILK MARKETING
REGULATIONS
AMENDMENT**

Upon the recommendation of the Prince Edward Island Marketing Council and under authority of subsections 4(2) and (3) of the *Natural Products Marketing Act* R.S.P.E.I. 1988, Cap. N-3, Council made the following Order:

- 1. Clause 1(1.1) of the *Natural Products Marketing Act* Prince Edward Island Milk Marketing Regulations (EC48/85) is revoked.**
- 2. The regulations are amended by the revocation of section 3.1.**
- 3. These regulations come into force on April 30, 2003.**

EXPLANATORY NOTES

The amendments revoke provisions respecting milk products exports because a World Trade Organization decision in December, 2002 determined that such provisions were a trade subsidy.

EC2003-120**ROADS ACT
APPROVED WEIGHING DEVICES
DESIGNATION**

Under authority of subsection 52(1) of the *Roads Act* R.S.P.E.I. 1988, Cap. R-15 Council designated the following weighing devices as approved weighing devices for the purpose of weighing commercial vehicles:

1. Haenni Portable Wheel Weigher
Model WL-101
Serial #24739
2. Haenni Portable Wheel Weigher
Model WL-101
Serial #24740
3. Haenni Portable Wheel Weigher
Model WL-101
Serial #24741
4. Haenni Portable Wheel Weigher
Model WL-101
Serial #24742

These designations are effective 22 March 2003.

EC2003-121

**SUMMARY PROCEEDINGS ACT
TICKET REGULATIONS
AMENDMENT**

Pursuant to section 10 of the *Summary Proceedings Act* R.S.P.E.I. 1988, Cap. S-9, Council made the following regulations:

1. Schedule 2 of the *Summary Proceedings Act* Ticket Regulations (EC321/01) is amended by the revocation of the table entitled “ENVIRONMENTAL PROTECTION ACT Water Well Regulations (EC188/90)” and the substitution of the following:

**ENVIRONMENTAL PROTECTION ACT
Water Well Regulations
(EC188/90)**

1	Drilling well without a license	2(1)	200 (individual) 1000 (corporation)
2	Constructing well by person who is not supervised by a well driller	3(4)	200 (individual) 1000 (corporation)
3	Failing to complete, provide or forward report.....	4	200 (individual) 1000 (corporation)
4	Constructing well without a permit.....	5(1)	200 (individual) 1000 (corporation)
5	Failing to comply with conditions of permit.....	5(3)	200 (individual) 1000 (corporation)
6	Constructing well without ensuring owner has permit.....	5(4)	200 (individual) 1000 (corporation)
7	Constructing well without groundwater exploration permit.....	6(1)	200 (individual) 1000 (corporation)
8	Failing to comply with conditions of groundwater exploration permit.....	6(4)	200 (individual) 1000 (corporation)
9	Failing to submit data required by groundwater exploration permit.....	6(5)	200 (individual) 1000 (corporation)
10	Withdrawing groundwater without groundwater extraction permit.....	7(1)	200 (individual) 1000 (corporation)
11	Failing to comply with conditions on groundwater extraction permit.....	7(2)(b)	200 (individual) 1000 (corporation)
12	Failing to use well construction materials that conform to standards.....	8(2)	200 (individual) 1000 (corporation)
13	Constructing well at improper location.....	9(1),(2),(4)	200 (individual) 1000 (corporation)
14	Constructing contaminant source too close to well.....	9(3)	200 (individual) 1000 (corporation)
15	Constructing well in location not shown on plan.....	9(5)	200 (individual) 1000 (corporation)
16	Constructing well that leaves an artificial opening.....	10(1)(c)	200 (individual) 1000 (corporation)
17	Failing to extend casing 30 cm above ground after final landscaping.....	10(4)	200 (individual) 1000 (corporation)
18	Constructing well in a manner that does not meet well design requirements.....	10(5)	200 (individual) 1000 (corporation)
19	Installing casing without filling the annular space with grout from bottom of casing to pitless adapter.....	10(6)(b)	200 (individual) 1000 (corporation)
20	Failing to use at least six 22 kg. bags of bentonite to grout well.....	10(8)	200 (individual) 1000 (corporation)
21	Installing casing in central supply well without grouting entire annular space using grout pump.....	10(9)	200 (individual) 1000 (corporation)
22	Failing to meet prescribed well completion requirements.....	11(1)	200 (individual) 1000 (corporation)
23	Failing to fill well within 30 days of surrendering use or discovering unused well.....	12(1)	200 (individual) 1000 (corporation)
24	Failing to comply with notice to fill well in proper manner.....	12(4)	200 (individual) 1000 (corporation)
25	Failing to install pumping equipment in well as recommended in well construction report.....	13(1)	200 (individual) 1000 (corporation)
26	Failing to properly connect well.....	13(3)	200 (individual) 1000 (corporation)
27	Failing to mount hand pump properly.....	13(5)	200 (individual) 1,000 (corporation)
28	Creating opening in casing below ground surface other than to install pitless adapter.....	13(5.1)	200 (individual) 1000 (corporation)

29 Failing to install water sampling port or tap.....	13(6)	200 (individual) 1000 (corporation)
30 Failing to remove debris and to disinfect well.....	13(8)	200 (individual) 1000 (corporation)

2. These regulations come into force on March 22, 2003.

EXPLANATORY NOTES

The amendments update the offence provisions in the *Summary Proceedings Act* Ticket Regulations for the *Environmental Protection Act* Water Well Regulations.

EC2003-122

**WILDLIFE CONSERVATION ACT
HUNTING AND TRAPPING REGULATIONS
AMENDMENT**

Pursuant to section 28 of the *Wildlife Conservation Act* R.S.P.E.I. 1988, Cap. W-4.1, Council made the following regulations:

1. Schedule I of the *Wildlife Conservation Act* Hunting and Trapping Regulations (EC330/99) is amended by the deletion of the words “March 15” and the substitution of the words “March 31**”.**

2. These regulations come into force on March 15, 2003.

EXPLANATORY NOTES

The amendment extends the hunting season for hunting coyote to March 31, but continues to restrict running with hounds in the period from March 16 to 31.