

NEWFOUNDLAND AND LABRADOR
REGULATION 64/97

Botanical Ecological Reserve Regulations
under the
Wilderness and Ecological Reserves Act
(O.C. 97-247)

Amended by:

33/99
50/00
42/07

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Wilderness and Ecological Reserves Act
(O.C. 97-247)

(Filed May 21, 1997)

Under the authority of sections 25 and 29 of the Wilderness and Ecological Reserves Act , the Lieutenant-Governor in Council makes the following regulations.

Dated at St. John's , May 13, 1997 .

John Cummings
Deputy Clerk of the Executive Council

REGULATIONS

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Schedule

Short title

1. These regulations may be cited as the Botanical Ecological Reserve Regulations .

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Definitions

2. In these regulations

- (a) "Act" means the Wilderness and Ecological Reserves Act ;
- (b) "managing agency" means the Parks and Natural Areas Division of the Department of Tourism, Culture and Recreation;
- (c) "management plan" means the management plan for a declared botanical ecological reserve on file with the managing agency;
- (d) "permit" means a permit issued and valid under these regulations;
- (e) "personal watercraft" includes jet-skis, sea-doods, wave-runners and the like but excludes ordinary motorized boats, kayaks and canoes;
- (f) "reserve" means a botanical ecological reserve set aside under the Act and listed in the Schedule;
- (g) "structure" means a man-made object intended to be permanent or semi-permanent in nature and includes, but is not limited to, buildings, houses, cottages, cabins, wharves, docks, boathouses, slipways, trailers, mobile homes, tents, tent platforms, and recreational vehicles used for any purpose but does not include semi-permanent blinds and signs erected under the authority of the management plan; and
- (h) "wildlife" means an animal or plant.

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Restrictions

3. Within a reserve, a person shall not

- (a) remove or dislocate a botanical specimen except for scientific study and this only when the researcher is the holder of a valid permit;
- (b) pollute or obstruct a stream or other body of water or dispose of any garbage;
- (c) build or erect or cause to have built or erected any structure;
- (d) destroy, damage, remove, disturb, or handle the home, den, or nest of wildlife;
- (e) destroy, damage, remove, disturb, or handle an egg of any wild bird;
- (f) destroy, damage and remove any wildlife, fossil or other natural object;
- (g) destroy, damage, or remove a sign or other government property;
- (h) remove sand, stone, or gravel;
- (i) prospect, claim stake, mine or quarry;
- (j) use, operate or be in possession of a motor car, motor truck, four-wheel drive vehicle, all-terrain vehicle, snowmobile, personal watercraft or other motorized conveyance;
- (k) land an aircraft;
- (l) operate a commercial establishment or commercial enterprise within the reserve, except guiding, touring and outfitting;
- (m) display, post or broadcast an advertisement;
- (n) herd or graze animals within a reserve;
- (o) light a fire; and
- (p) camp.

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Exception

4. A person engaged in the administration or management of a reserve in the normal course of his or her duties is exempt from paragraphs 3(a), (d), (e), (f), (g), (k) and (m).

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Research in reserve

5. Scientific research within a reserve shall require a permit and those permits may be obtained from the managing agency on submission of a written request outlining the research project, and subject to the terms and conditions that the managing agency may determine.

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Exception for research

6. A person engaged in scientific study which is approved by the managing agency and for which a permit has been issued under section 5 may be exempted from paragraphs 3(a),(c), (d), (e) and (f).

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Exceptions

7. (1) Notwithstanding paragraph 3(f), all hunting and fishing within the West Brook and Watts Point Reserves is allowed in accordance with permits and licences issued under the Wild Life Act , the Migratory Birds Convention Act (Canada) and the Fisheries Act (Canada).

(2) Notwithstanding paragraphs 3(f), (j) and (p), all hunting, trapping, fishing, camping, snowmobiling and access by motorized boat within the Redfir Lake – Kapitagas Channel Ecological Reserve is allowed in accordance with permits and licences issued under the Wild Life Act, the Migratory Birds Convention Act (Canada) and the Fisheries Act (Canada).

(3) Notwithstanding paragraphs 3(f) and (j), bird hunting and vehicular access on the existing road as identified in the management plan is permitted within the Burnt Cape Ecological Reserve in accordance with permits and licences issued under the Wild Life Act , the Migratory Birds Convention Act (Canada) and the Highway Traffic Act.

33/99 s1; 50/00 s1

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Permit required

8. (1) A person engaged in a touring, guiding or outfitting enterprise shall obtain a permit for the enterprise from the managing agency.

(2) Applications for a permit shall provide a full description of the enterprise planned.

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Application of regulations

9. These regulations shall apply to the botanical ecological reserves listed in the Schedule, except to the extent that they have been modified by the Order declaring a given botanical ecological reserve in effect.

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Schedule

1. Hawke Hill Ecological Reserve.
2. Watt's Point Ecological Reserve.
3. West Brook Ecological Reserve.
4. King George IV Ecological Reserve.
5. Redfir Lake – Kapitagas Channel Ecological Reserve.
- 6 . Burnt Cape Ecological Reserve.
7. Sandy Cove Provisional Ecological Reserve.

64/97 Sch; 33/99 s2; 50/00 s2; 42/07 s1

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