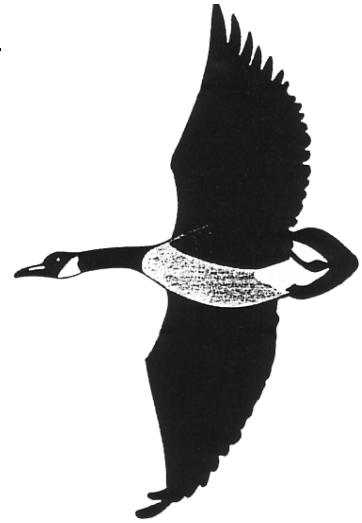

MANAGEMENT PLAN



BAY DU NORD WILDERNESS RESERVE



Parks and Natural Areas Division
Department of Environment and Conservation
Government of Newfoundland and Labrador

TABLE OF CONTENTS

	1.0 Bay du Nord Wilderness Reserve Description	1
1.1	INTRODUCTION	1
1.2	WILDLIFE	4
1.2.1	Ungulates	4
1.2.2	Birds	4
1.2.3	Mammals	7
1.2.4	Fish	7
1.3	VEGETATION	8
1.3.1	Central Newfoundland Ecoregion	8
1.3.2	Maritime Barrens Ecoregion	10
1.3.3	Southern Central Valley Ecoregion	10
1.4	CLIMATE	11
1.5	GEOLOGY	11
1.5.1	Bedrock Geology	11
1.5.2	Surficial and Glacial Geology	12
1.6	HISTORY OF THE AREA	17
1.7	RECREATIONAL POTENTIAL	18
1.7.1	Hunting and Fishing	18
1.7.2	Canoeing	18
1.7.3	Viewing and Photography	19
1.8	HUMAN DISTURBANCE	20
2.0	Reserve Management	21
2.1	MANAGEMENT POLICIES	21
2.2	IMPLEMENTATION GUIDELINES	22
2.2.1	Resource Management	22
2.2.2	Recreational Use	27
2.2.3	Research	27
2.2.4	Educational Use	27
2.2.5	Salmon Enhancement Projects	29
APPENDIX I	Selected References	30
APPENDIX II	Reserve Order and Regulations	31

Bay du Nord Management Plan: Preface

The Bay du Nord Wilderness Reserve encompasses an area of 2895 km² in southeastern Newfoundland. Within this roadless wilderness, wildlife populations and plant communities representative of wild Newfoundland thrive with little or no disturbance from humans. Populations of caribou, moose, Canada geese, brook trout and landlocked salmon provide tremendous opportunities for excellent hunting and fishing. Undisturbed waterways including the scenic Bay du Nord River, the picturesque Northwest River and their headwater lakes, offer extensive unpolluted water systems with opportunities for varied canoe travel. Natural features such as Mount Sylvester, the Tolt and large areas of forests, peatland and barren ground vegetation together are a fitting representative of the best of a diminishing wild Newfoundland.

Efforts to establish a wilderness reserve in the Bay du Nord area proceeded for most of the 1980's. The Wilderness and Ecological Reserves Act was passed in 1980 and the Wilderness and Ecological Reserves Advisory Council worked tirelessly since then to ensure that the area remain protected from development. The Advisory Council steered the reserve proposal through an elaborate and demanding consultation and public review process. Information sessions and public hearings were held to assure local residents of the opportunity to comment on the proposal, including the boundaries and management policies for the reserve.

In March of 1990 the area was declared a Wilderness Reserve under The Wilderness and Ecological Reserves Act. This act provided for the establishment of wilderness reserves and their continued existence in a natural state.

The designation of a separate Wildlife Reserve in the Middle Ridge area is in recognition of the high mineral potential of this area. The regulations that apply to the area permit mineral exploration with controls to minimize ground disturbances and impacts on wildlife.

The Bay du Nord Wilderness Reserve and the Middle Ridge Wildlife Reserve are managed by Parks and Natural Areas Division and Wildlife Division of the Department of Environment and Conservation. Together they ensure the enforcement of the policies and regulations contained in the management plan.

This management plan details the objectives, management policies, implementation guidelines and regulations that may be applied within the Bay du Nord Wilderness Reserve. Management policies and regulations pertaining to the Middle Ridge Wildlife Reserve may be obtained from the Wildlife Division of the Department of Environment and Conservation.

Objectives of the Wilderness Reserve

The purpose of the objective statements provided in this section is to give general statements of principle on which the management policies and implementation guidelines are based. The objectives of the Bay du Nord Wilderness Reserve are:

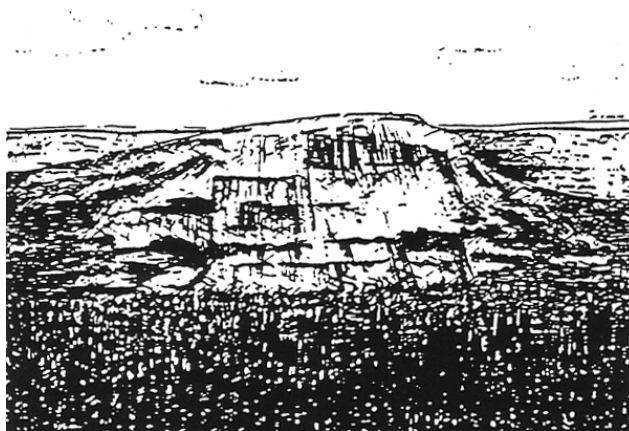
1. To preserve in a pristine condition, a natural area having representatives of Newfoundland ecosystems, in particular:
 - a. to preserve in a pristine and unpolluted condition the Bay du Nord River and its tributaries, the extensive lake, pond and river systems throughout the area and representative examples of the eastern maritime barrens and forest types;
 - b. to maintain the Middle Ridge caribou herd at or near the limits of its range;
 - c. to protect the nesting, rearing, and staging populations of Canada Geese;
 - d. to maintain other species of plants and animals, as noted in Appendix II, in sufficient numbers to maintain viable long-term populations.
2. To provide continuing opportunities for high quality wilderness recreation, including hunting and fishing, that are compatible with Objective 1.
3. To provide a natural area for long-term non-manipulative scientific study leading to understanding of components and ecological processes within the ecosystems present. Knowledge gained from such study can then be used to measure the effects of development on these ecosystems elsewhere, and to develop guidelines to limit negative impact of such development.
4. To provide a legislative and administrative framework for continued management of the Bay du Nord River as a Canadian Heritage River.
5. To promote economic development in the area surrounding the Reserve, and focused on the Reserve, through the encouragement of support facilities for wilderness recreation and scientific use around the perimeter of the Reserve and through the development of an information program which will publicize the recreational and scientific opportunities provided in the Reserve area.

1.0 Bay du Nord Wilderness Reserve Description

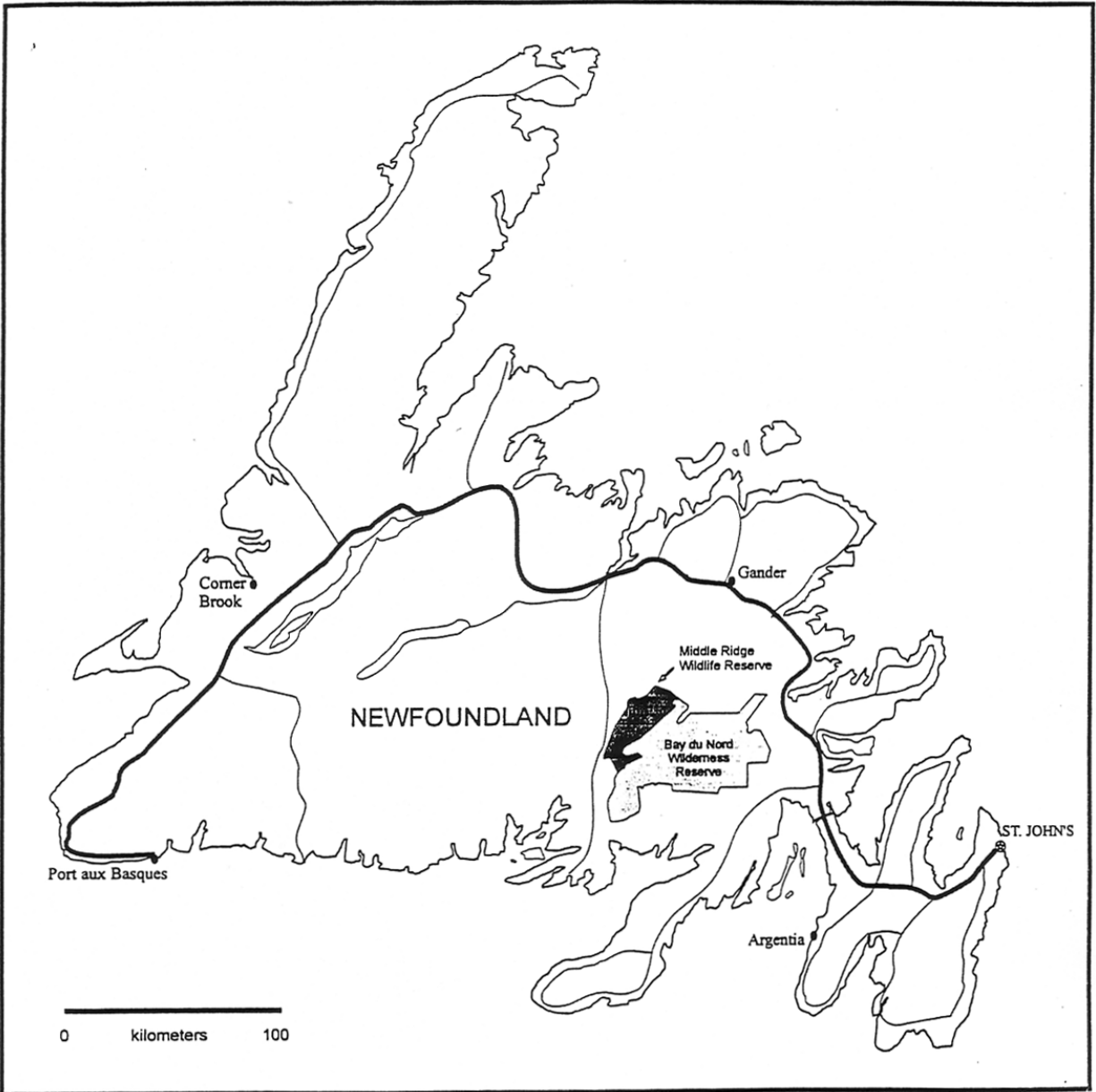
1.1 INTRODUCTION

The Bay du Nord Wilderness Reserve encompasses an area of approximately 2895 km² situated in the southeastern portion of the Island. The area is approximately 60 km south of Gander and southeast of Grand Falls-Windsor and 150 km northeast of St. John's (Figure 1 and Figure 2).

Vehicular access to the area is very limited. A woods road from Terra Nova provides vehicular access to Kepenkeck Lake at the Reserves northern boundary. However, this road is practically impassable due to bridge washouts and lack of maintenance. The southeastern corner of the Reserve boundary is approximately seven kilometers from the Burin Peninsula Highway (Route 210). No roads enter the Reserve. An all-terrain vehicle track associated with the transmission line, forms part of the southern boundary and it may provide access to that section of the Reserve. Access to numerous takes and ponds within the Reserve is possible by properly equipped aircraft.



Mount Sylvester is a major landscape feature within the



Bay du Nord Wilderness Reserve.

Figure 1. Location of the Bay du Nord Wilderness Reserve.

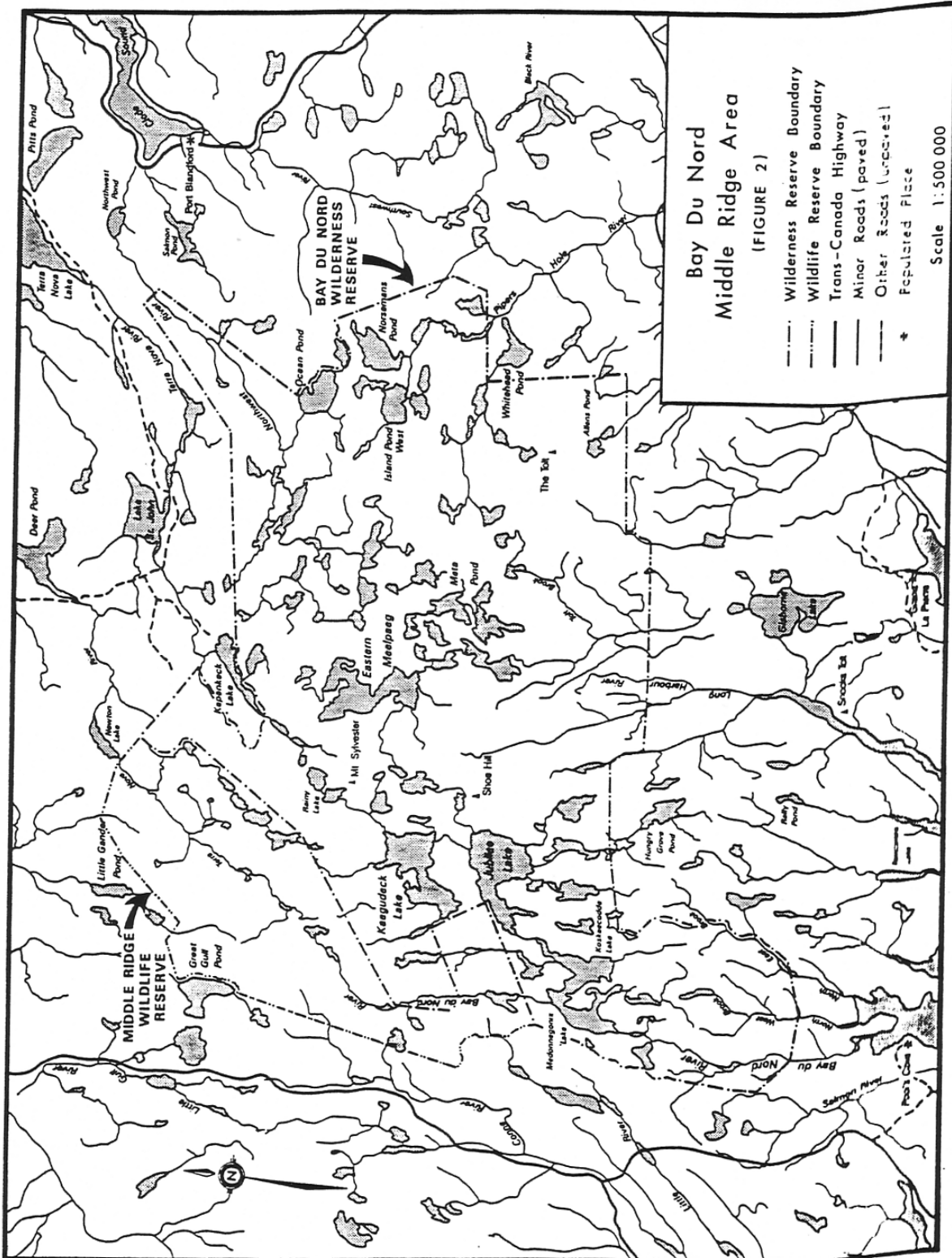


Figure 2. Bay du Nord Wilderness Reserve and the Middle Ridge Wildlife Reserve.

1.2 WILDLIFE

1.2.1 Ungulates

The Wilderness Reserve encompasses most of the habitat of the Middle Ridge caribou (*Rangifer tarandus*) herd. This is estimated to be the second largest caribou herd on the Island with a population of approximately 15,000 animals. Figure 3 shows the winter range for this herd and the two major calving grounds which have been identified by the Wildlife Division, Department of Environment and Conservation.

The majority of the northern calving ground is included within the Wildlife Reserve which is adjacent to the northwest boundary of the Wilderness Reserve. This area may be included within the Wilderness Reserve at a future date if mineral exploration fails to identify economically viable mineral deposits.

Moose (*Alces alces*) are not abundant in the barren regions of the Reserve but may be found in areas of tuckamore and river valleys. Moose are more numerous in forested areas in the north and west areas of the Reserve.

1.2.2 Birds

Studies of the avifauna of the Reserve have been limited. However, breeding bird surveys conducted by the Canadian Wildlife Service provide some data on waterfowl populations in the area.

The southern part of the Wilderness Reserve has an unusual concentration of breeding Canada Geese (*Branta canadensis*). Surveys show an average of 39-85 breeding pairs/100 km² over a 972 km² area roughly centered on the Tolt (Figure III). Average populations of geese over the whole southern half of the Wilderness Reserve number 12 breeding pairs and 10 non-breeding pairs of birds per 100 km².

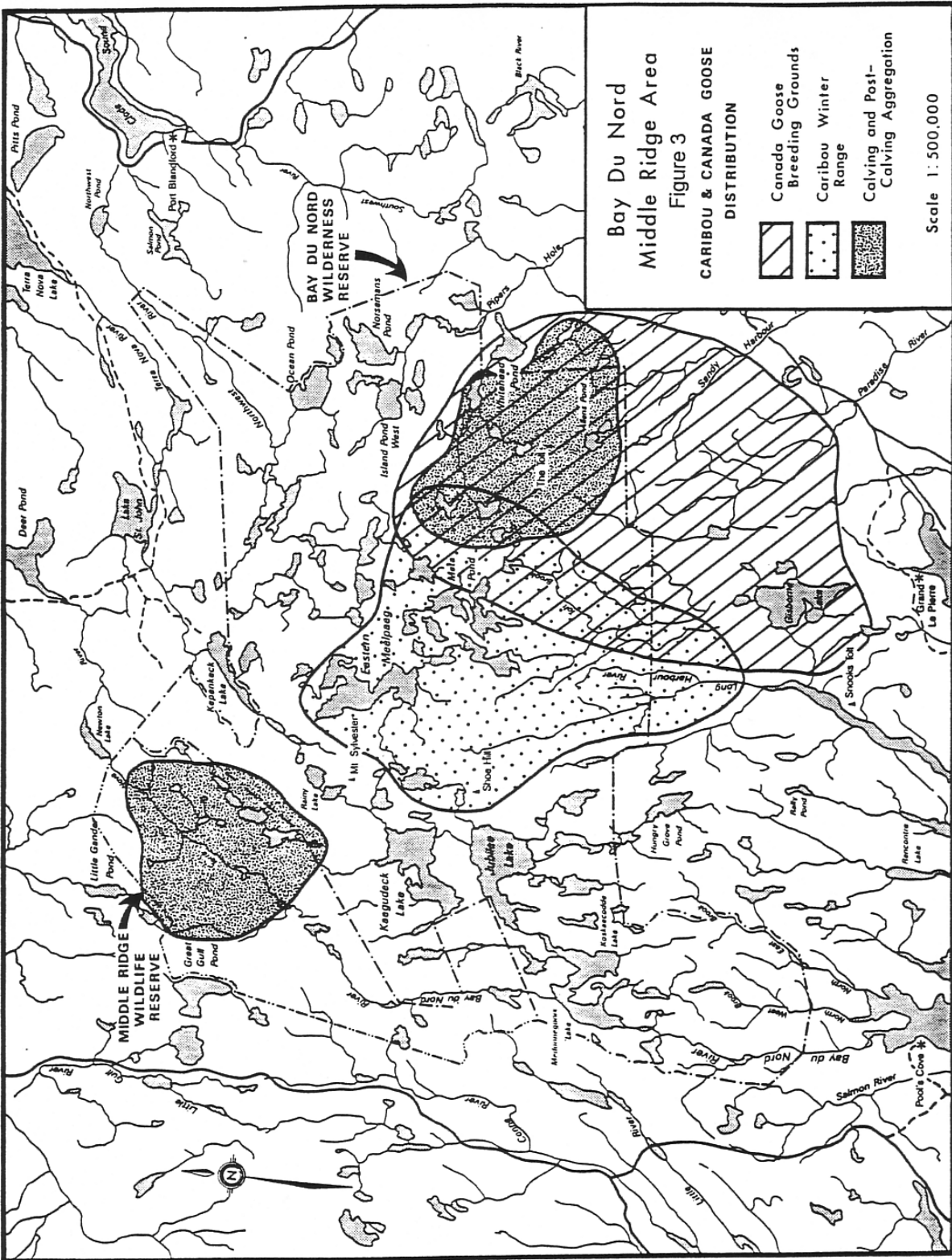
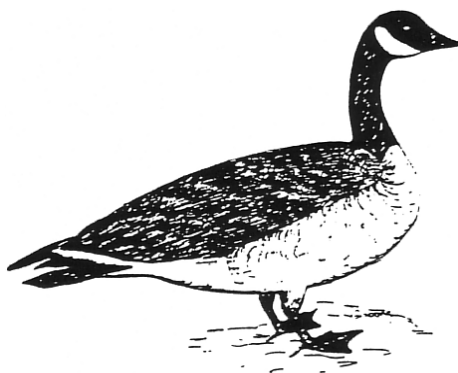


Figure 3. Caribou and Canada Goose Distribution in the Bay du Nord/Middle Ridge Areas.

No similar concentrations of ducks were detected. The area is not especially favorable for ducks and populations are about the same as other similar areas on other parts of the Island. The most common ducks are Mergansers (*Mergus Sp.*), Black Ducks (*Anas rubripes*) and Green-winged Teal (*Anas crecca*).

Ptarmigan are common locally abundant breeding birds in the barren areas of the Reserve. The area of the Tolt, areas north of Rencontre Lake (Hungry Grove Pond, Big Blue Hill) and the vicinity of Long Harbour are reputed to be the best ptarmigan areas in Eastern Newfoundland. Whether this is due to low hunting pressure, high bird populations or a combination of the two, is not certain.



Canada geese breed and are abundant in the southeast section of the Wilderness Reserve.

The Willow Ptarmigan (*Lagopus lagopus*) is the common species, but Rock Ptarmigan (*L. mufus*) is reported to breed locally near Long Harbour. This is the only area east of Baie d'Espoir where this species breeds.

Ruffed Grouse (*Bonasa umbellus*) and Spruce Grouse (*Falci pennis canadensis*) are found in the forested area in the northern part of the Reserve. They may be locally abundant in better sites, but will never reach high populations over much of the area, due to lack of forest habitat.

Howley reported a colony of Royal Terns (*Sterna maxima*) on Koskaecodde Lake. This record is most likely a misidentification of the Caspian Tern (*Sterna caspia*) since Royal Terns are an exclusively marine, southern species. Caspian Terns have been known to breed in several other locations on the Island, including Dunn's Pond, near the southeast boundary of the Bay du Nord area.

Caspian Terns are very local in distribution, breeding across Canada on islands in inland lakes (and a few coastal islands on the Quebec North shore). There have been no recent reports on this colony and a 1985 check of the site identified by Howley failed to record terns of any kind.

Although no eagle nests were found in this area, it is likely that the Bald Eagle (*Haliaeetus leucocephalus*) nests within the Reserve. Eagles have been observed nesting in Mal Bay, just west of Long Harbour. Ospreys (*Pandion haliaetus*) prefer tall trees for nest sites and these are limited in distribution in the area. Suitable nest sites are found in the river valleys of the north and west sides of the Reserve. Osprey nest sites have been recorded by Wildlife Division along the Bay du Nord and Northwest River systems.

1.2.3 Mammals

Most species of mammals present on the Island are believed to be represented within the Reserve. However, information on actual population levels and distribution is lacking. Arctic Hare (*Lepus arcticus*) have been reported to occur on the high ground north of Fortune Bay. Also, a total of 21 Arctic Hare from Brunette Island were released in 1975 near the mouth of the Bay du Nord River. As of 1990 there were no sightings of Arctic Hare and the status of the introduction is uncertain.

1.2.4 Fish

Seven river systems in the Wilderness Reserve are either currently producing Atlantic salmon (*Salmo salar*) or have the potential to produce salmon. Five of these rivers are scheduled for Atlantic salmon sport fishing; two are unscheduled for Atlantic salmon sport fishing and the remaining two are unscheduled at present. The Bay du Nord River is located almost entirely within the Reserve while the headwaters of the other six rivers are within the Reserve boundary.

Between 1975-1990, these seven rivers provided an average annual sport catch of 1,090 fish and contributed an average of 7,090 fish to the Island's commercial salmon fishery. Significant populations of brook trout (*Salvelinus fontinalis*), sea-run trout, ouananiche and smelt (*Osmerus mordax*) and also been observed in these rivers. The standing water within the Reserve also supports good populations for most of these species.

1.3 VEGETATION

The Bay du Nord Wilderness Reserve is characterized by three significant climatic vegetation zones referred to as eco-regions: the Central Newfoundland Eco-region, the Maritime Barrens Eco-region and the Southern Coastal Valley Eco-region, (Damman, 1983). Figure 4 shows the location of eco-regions on the island of Newfoundland.

1.3.1 Central Newfoundland Ecoregion

This ecoregion consists of lowlands, 150-230 m in elevation, in the northern and eastern portions of the Wilderness Reserve. The Terra Nova and Northwest Rivers are the most prominent physiographic features (Figure 4). Forest fires are a natural feature of landscape dynamics in this ecoregion, more so than any where else in Newfoundland. Consequently, Black Spruce, (*Picea maricina*), a fire adapted species, is the dominant softwood species. Trembling Aspen (*Populus tremuloides*) stands occur in localized areas where softwood regeneration has failed. The Black Spruce forests occur with simple flora assemblages consisting of feather mosses (*Hylocomium sp.*) in the understory and forest herbs such as Bunchberry (*Cornus canadensis*), Starflower (*Trientalis borealis*), and Twinflower (*Linnaea borealis*.)

Open Black Spruce-lichen woodlands are a very distinctive feature of this ecoregion on outwash sands from the larger river systems. These lichen woodlands are rare in other parts of the Island. Peatlands in the area consist of "basin bogs" and "raised bogs". The bogs are dominated by Deergrass (*Scripus cespitosus*) and dwarf shrubs such as Labrador Tea (*Ledum groenlandicum*), Kalmia sp. and Blueberry (*Vaccinium angustifolium*).

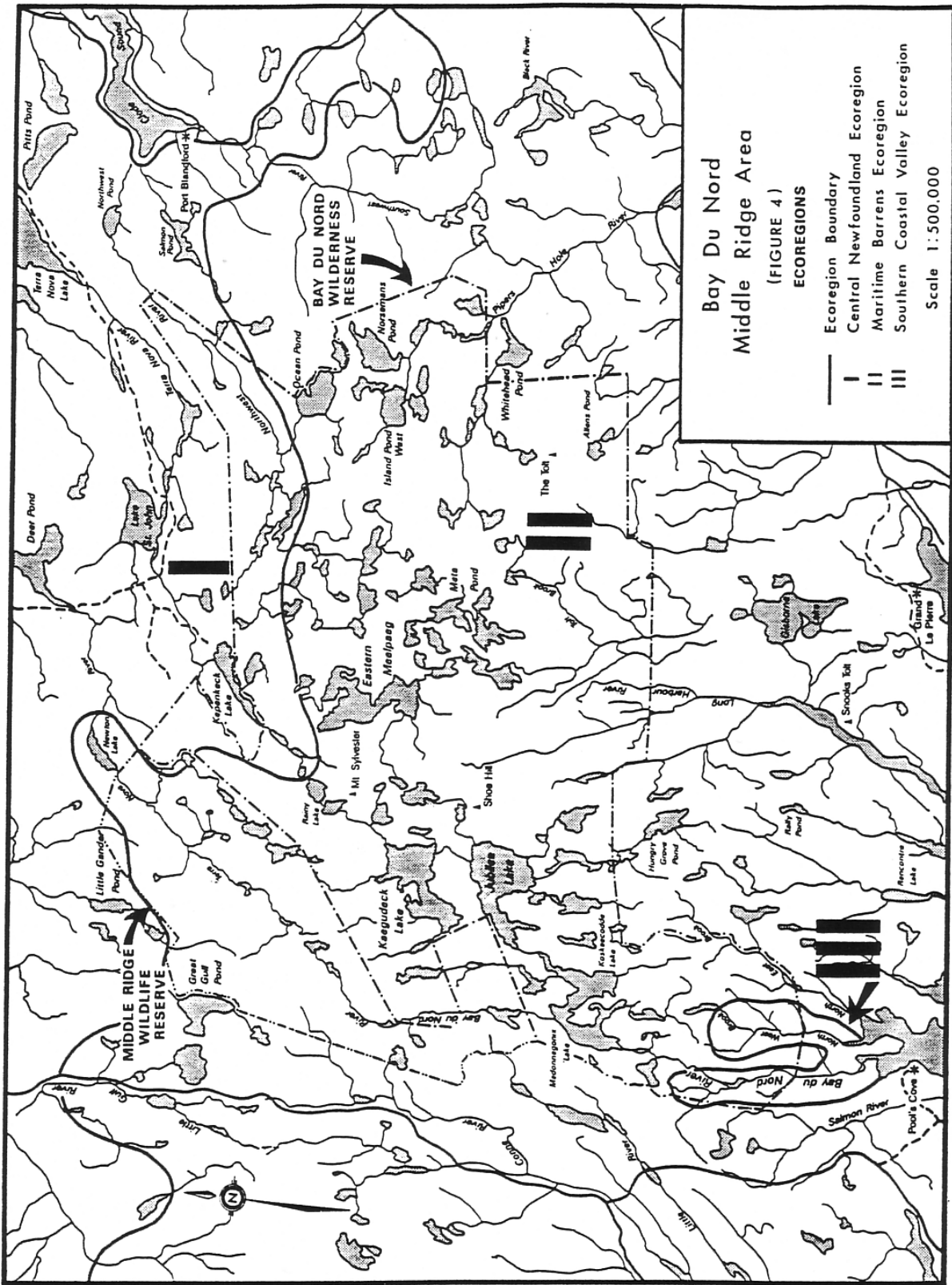


Figure 4. Ecoregions of the Bay du Nord/Middle Ridge Area.

1.3.2 Maritime Barrens Ecoregion

This is the dominant ecoregion within the Reserve and consists of the upland areas 250-330 meters in elevation. Forests, with the exception of isolated pockets in valleys, have been replaced by dwarf shrub heath vegetation and extensive slope bogs.

The barrens are dominated by Lambkill (*Kalmia angustifolia*) on the more sheltered slopes and by Crowberry (*Empetrum nigrum*) on the peaks of higher ridges where snow cover is shallow or absent in winter. The small patches of forest are usually dominated by Balsam Fir (*Abies balsamea*) with very little Black Spruce. Due to the absence of Black Spruce the forest recovered poorly from numerous forest fires caused by early European settlers. Consequently, over time, barren vegetation replaced the forested landscape. Blueberry may be the dominant barren vegetation in areas where there have been no recent fires. Trembling Aspen does not occur in the forested areas of the landscape.

The maritime climate of the region favors the development of blanket bogs rather than the more topographically confined raised bogs or basin bogs of the Central Ecoregion. Deergrass, rather than dwarf shrubs, tend to dominate the peatland landscape.

1.3.3 Southern Central Valley Ecoregion

This ecoregion includes the steep-sided valley systems leading to the coast through the Bay du Nord and Northwest Brook watersheds. The forests in this region are dominated by Balsam Fir, usually with an understory of wood fern (*Dryopteris spiniulosa*). These forests are maritime stands that have not experienced a history of fires. This is the only area within the Reserve where Yellow Birch (*Betula lutea*) is found. This ecoregion is characterized by milder winters, higher fog frequency and lower summer temperatures compared to the other regions of the Reserve. Wetlands occur only as alder swamps that are dominated by Speckled Alder (*Alnus rugosa*) or as marshes dominated by Canada Blue Joint Grass (*Calamagrostis canadensis*).

1.4 CLIMATE

The climate of the Reserve, as with much of the Island of Newfoundland, has a strong maritime influence. In general, the southern section of the Reserve experiences the greatest maritime influence. Annual precipitation is 1200-1700 mm with heaviest falls during southerly airstreams. Winters are relatively mild, summers are relatively cool and the fog frequency is high. Winter precipitation falls as either rain or snow. Consequently, snowfall varies greatly from year to year. The maritime influence is reduced in more northerly areas where winters are colder, snowfall is more reliable and summers remain relatively warm.

1.5 GEOLOGY

1.5.1 Bedrock Geology

The Bay du Nord/Middle Ridge area lies along the eastern portion of the Appalachian Mountain Belt. This eastern portion of the belt can be divided into two major terrains (zones) separated by the Dover-Hermitage Bay Fault along which the rocks are highly sheared (Figure 5). This fault along with the two terrains has been intruded by a large granite batholith termed the Ackley Granite.

To the west of the Dover-Hermitage Bay Fault, the Hare Bay and Square Pond gneisses (unit 6), the Gander Group (unit 7) and the Baie d'Espoir Group (unit 8) (Figure 5), consist mainly of sedimentary rocks with minor volcanic rocks dated as Ordovician and older in age (approximately 450 million years). Five areas of ultra basic rocks (unit 5) occur along a fault which divides the Baie d'Espoir Group into two parts (Figure 5). These units together comprise the Gander Terrain. The Baie d'Espoir Group has been intruded by the Middle Ridge and Third Berry Granites and the North West Brook Complex (unit 9) and units 6-8 have been intruded by the Ackley Granite (unit 10a).

The Ackley Granite (unit 10a) is a composite intrusion consisting of various types of undeformed granite. This unit forms the only link between Gander and Avalon Terrains. The various parts of the granite range in age from 355 to 455 million years (Tuach and Kontak, 1986). The granite subjected the adjacent sedimentary and volcanic rocks to high temperatures during its emplacement which resulted in the formation of prominent cordierite crystals in the metasediments around the margin of the granite.

There are no known mineral deposits or significant mineral occurrences within the Bay du Nord Wilderness Reserve. The boundary of the Reserve was in fact reached through agreement with the Department of Environment and Conservation and was drawn so as to exclude all areas of mineral potential, with the single exception of the area between Kaegudeck and Jubilee Lakes underlain by the Isle Galet Formation of the Baie d'Espoir Group (Figure 5). This formation has potential for gold and base metals; significant gold discoveries have recently been made within the formation in the Little River area, southwest of the reserve. The portion of the formation within the Reserve has no known gold occurrences.

1.5.2 Surficial and Glacial Geology

The topography of the Baie d'Espoir area is described by Jewell (1939) "...as relatively flat, varying in elevation from 700 to 1200 feet with a mean elevation of 1000 feet". He interpreted the inland surface as representing an uplifted peneplain, described as "part of the old erosion surface that makes up the most of interior Newfoundland". The area is included in the eastern part of the Atlantic Upland by Twenhofel and MacClintok (1940), a major physiographic unit that comprises 60% of Newfoundland.

Glacial striae observations are limited to the periphery of the area and are for the most part summarized by Jenness (1960). Glacial features apparently reflect ice flowing radially from a centre northwest of the area. Striae along the western quadrant of the proposed Reserve area was roughly south, whereas in the southeast corner it is southeastward and in the east flow is eastward. This glacial flow pattern within the interior of the area is mirrored by the orientation of glacial landforms. Streamlined or fluted till forms are orientated parallel to the direction of glacial transport and ribbed (or Rogen) moraine features and traverse to glacial flow (Figure 6).

The area lies within the "Inner Drift Zone" of Jenness (1960), an area consisting of ground moraine and radially oriented eskers. It is bounded on the south by an end moraine complex and is thought to be the area where final melting of the Newfoundland ice sheet occurred. Fluted or streamlined till flows are prevalent across the area, often attaining lengths in excess of 2.0 km and width upwards of 0.5 to 1.0 km. These features control the drainage pattern over much of the area.

Fluted features are most evident in the Dunns Brook/Whitehead Pond area and northwest of Long Harbour River through to Middle Ridge (Figure 6).



Howley's Cairn atop Mount Sylvester marks the historic trek of geologist James Howley along the Bay-du Nord River system in 1887.

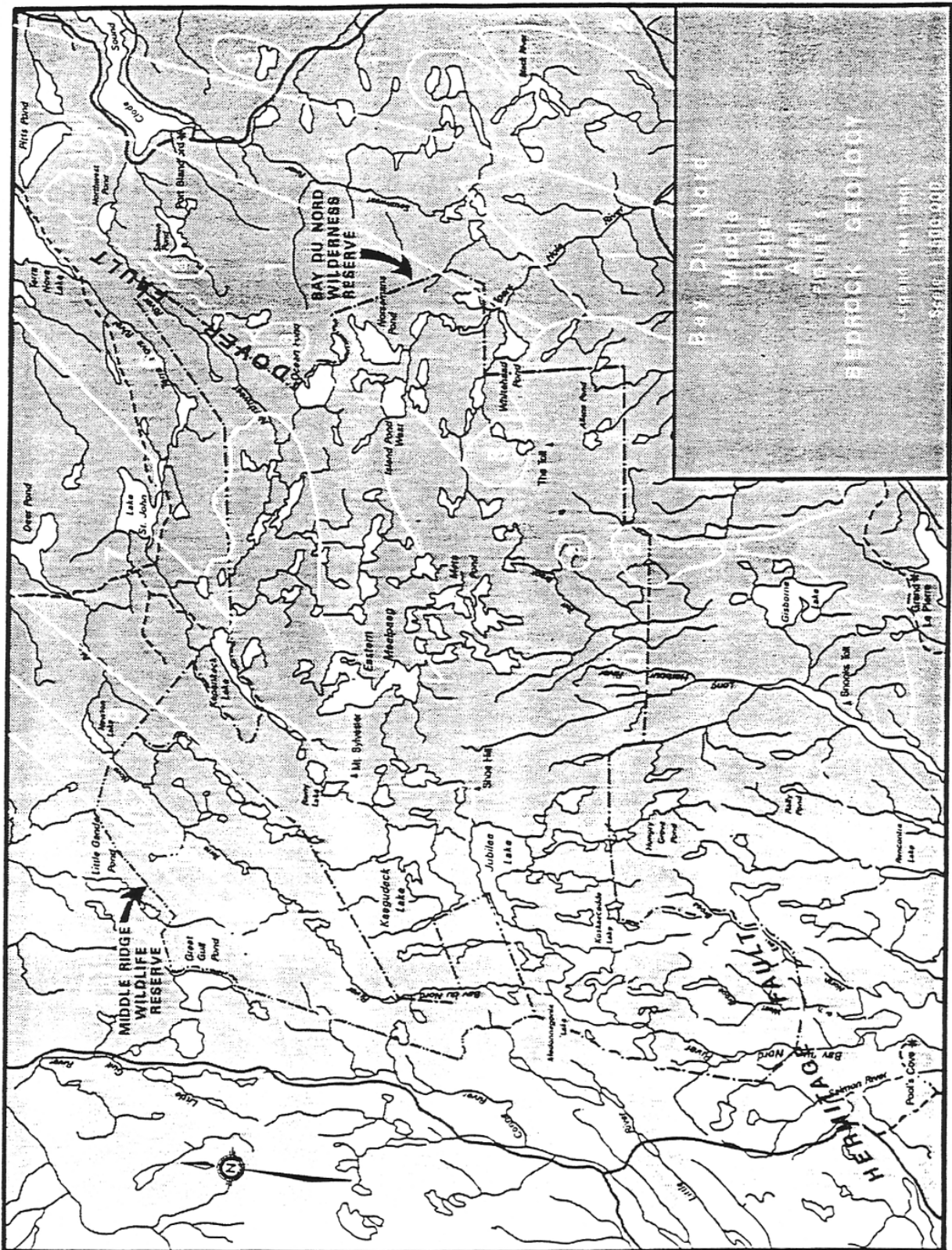


Figure 5. Bedrock Geology.

Ribbed moraines are oriented transverse to the direction of glacial transport, and are thought to be formed either at the base of advancing ice masses or at the forward margins of retreating active ice sheets. Ribbed moraines are common through the area especially in the Mica Pond/Whitehead, Island Pond/Kepenkeck Lake and Western Pond to Kaegudeck Lake areas (Figure 6).

Topographically the ridges are most evident adjacent to many of the ponds and in many cases the ponds are dissected or separated by a series of these small ridges. Their sizes vary but may be up to 1 km in length and a few hundred meters wide.

Organic deposits comprised of peat and bog are likewise prevalent throughout the area often infilling the inter-ridge area between ribbed and fluted landforms.

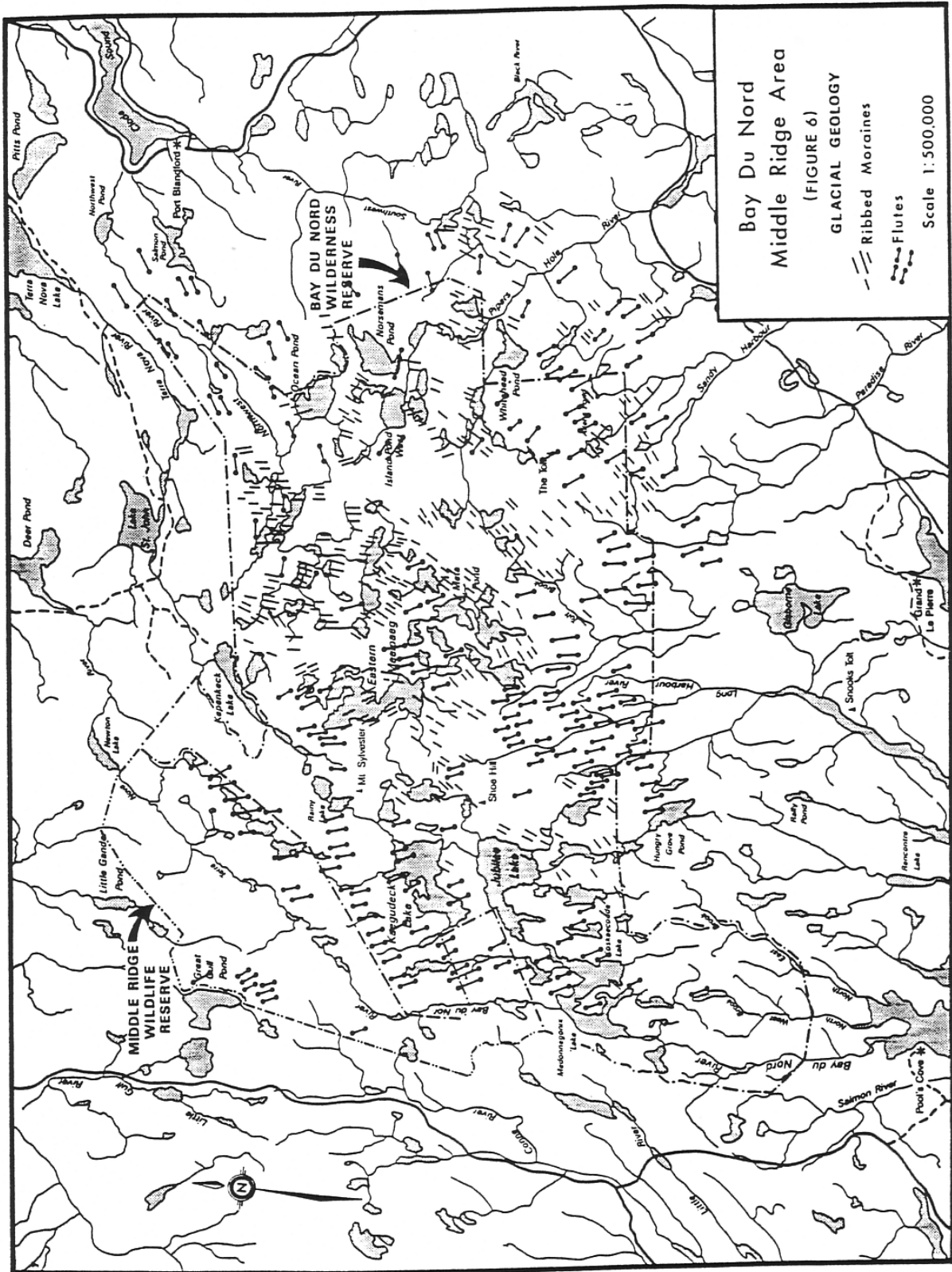


Figure 6. Glacial Geology.

1.6 HISTORY OF THE AREA

The Reserve has not received any major development or resource utilization. However, the area has been used by humans for hunting and fishing and likely as a travel route for a considerable period of time, (MacLaren Plansearch, 1982). It is highly probable that the Reserve's waterways were used as travel routes by Beothuck Indians. However, very little archaeological study has been completed within the Reserve and there is no evidence that the Beothuck Indians used the area.

Micmac Indians are known to have used the area during the 18th and 19th centuries. A number of lakes in the area bear Micmac names including: Kepenkeck, from the Micmac words meaning Eel Pond; Kaegudeck, meaning Upper Lake, Koskaecodde, the Micmac name for the Royal Tern; and Medonnegonix, meaning End of the Portage.

The first recorded European to travel the entire Bay du Nord River system was James Howley, Howley, an archaeologist and geologist, traveled the Bay du Nord River in 1887. He provided valuable records of his trip and constructed a cairn, that still stands on the summit of Mount Sylvester.

The explorer W.E. Cornnack crossed the southern part of the reserve in an east-west direction during his cross-island trip of 1822. Mount Sylvester is named for Cormack's Micmac guide Sylvester Joe.

The English hunter-naturalist J.O. Millais traveled extensively in the area during the period from 1902 to 1906. His travels are described in his book "Newfoundland and Its Untrodden Ways".

There have been no permanent settlements within the Reserve area. A settlement did exist at the mouth of the Bay du Nord River during the nineteenth and early twentieth centuries, however it was outside the current Reserve boundary. European settlement apparently resulted in an increase in the number of fires in the region of the Bay du Nord Reserve. The result was a significant change in the landscape. With the exception of some of the higher ridges and coastal headlands, the area was once forested. Most of the forest cover was gradually eliminated by the combined effect of frequent fires after the region became settled by European fishermen, poor regeneration after these fires, the marginal climatic conditions for tree growth, and strong competition from ericaceous dwarf shrubs, (Damman, 1983).

1.7 RECREATIONAL POTENTIAL

1.7.1 Hunting and Fishing

The Bay du Nord Wilderness Reserve offers excellent opportunities for hunting and fishing in a pristine setting. The Reserve includes sections of moose management areas # 26 and # 27 and caribou management area # 64. Moose management area # 26 includes the southwest section of the Reserve, south of Eastern Meelpaeg Lake. Wildlife Division reports that a total of 1369 moose were taken from this area between 1990 and 1996. The number of moose taken in this period averaged 228 per year.

Moose management area # 27 includes the northern section of the Reserve, north of Meta Pond and Kaegudeck Lake. A total of 1708 moose were taken from this area between 1990 and 1996 for an average annual take of 285 moose.

Caribou management area #64 includes the entire Reserve. This area has been managed by the Wildlife Division to encourage an increase in the population of the Middle Ridge caribou herd, which occupies this area. A total of 3868 caribou were reportedly taken from this area between 1990 and 1996, with an average annual take of 645 animals.

The myriad of lakes, ponds, rivers and streams within the Reserve contain populations of Atlantic salmon (both landlocked and sea run), brook trout, and smelt, which have been subjected to relatively little recreational fishing pressure. Opportunities for good recreational fishing abound within the Reserve.

1.7.2 Canoeing

The abundant lakes, ponds and rivers within the Reserve offer a wide variety of canoeing opportunities. The Bay du Nord River was canoed in 1975 as part of a program of surveys of Newfoundland rivers initiated by Parks and Natural Areas Division, Dept. of Environment and Conservation. In the report, Collins et. al. (1975) describe the Bay du Nord River as “an exceptional canoeing river with its many attributes as a wilderness trip through very enthralling topography and its diversity both in scenery and river characteristics”. The 100 km trip began at Kepenkeck Lake, in the upper Terra Nova River watershed and followed a route south to Kaegudeck Lake, Jubilee Lake, Medonnegonix Lake and then south on the Bay du Nord River to its outlet. The trip ended at Pools Cove and took 5 days travel time.

The physical demands of the trip were high, especially during the first part of the route where small water channels required many portages. They found the most exciting and scenic part of the trip to be the final 35 km of the river below Medonnegonix Lake.

A reconnaissance of the canoeing potential of Northwest River was undertaken in June, 1983. A report by the canoeing party described the Northwest River route as follows: "The upper portion consists of large, wooded, rocky lakes connected by stretches of small river with fairly frequent opportunities for lining and occasional short carries. Wildlife is moderately abundant. Several areas are noteworthy with pines, osprey nests and good fishing. The main river leaves Chain Lakes becoming more pleasant with open vistas, birch glades, pleasant campsites and very abundant wildlife. Canoeing is generally easy with a few ledges requiring lining. The last 3 km of the river contains moderately difficult rapids, most of which are runnable. Overall, at moderate to high water, it offers an enjoyable and modestly challenging canoeing experience. At low water, many stretches would have to be walked. Good campsites are generally available. Opportunities for viewing wildlife are excellent." Numerous other canoeing routes and opportunities are possible within the Wilderness Reserve along a myriad of lakes, ponds and rivers.

1.7.3 Viewing and Photography

The Wilderness Reserve abounds with a variety of wildlife and scenery. Visitors to this area can almost be assured of viewing some wildlife species. Furthermore, the presence of various viewpoints can facilitate viewing from a distance without disturbance to the species. Besides the viewing capabilities, photography of wildlife is a definite possibility in the Wilderness Reserve. This form of recreation is becoming more popular and the area is ideally suited to it.

1.8 HUMAN DISTURBANCE

A Newfoundland Hydro transmission line right-of-way crosses the Bay du Nord River at the outlet of Medonnegonix Lake and passes through this section of the Reserve. The right-of-way is used as the southern boundary of the Reserve between Kane Brook and Dunn's River there are two 138 kilovolt, steel tower transmission lines within this 60 meter wide right-of-way between Baie d'Espoir and Sunny side. An all-terrain vehicle track is associated with this right-of-way and is used by Newfoundland and Labrador Hydro to transport workers and materials for maintenance of their transmission lines.

There are 21 cottages present within the Wilderness Reserve and all are located on Crown Land. Four of these cottages have valid legal title, four cottages were built with title which has since expired, eight were built illegally, five were built under permits which require their removal without compensation on establishment of the Wilderness Reserve.

2.0 Reserve Management

2.1 MANAGEMENT POLICIES

The Reserve will be managed so as to fulfill the objectives detailed in the previous section of this plan. The managing agency for this Reserve will be Parks and Natural Areas Division, Department of Environment and Conservation. The management policies for the Bay du Nord Wilderness Reserve are listed below.

1. The area will be maintained in a natural state; existing biotic communities will be preserved and elements of these communities which formerly existed in the area may be reintroduced; there will be no new development, existing development will eventually be phased out and disturbed areas will be restored to a natural condition.
2. Recreational use will be managed so as to preserve the pristine character and ecological integrity of the area. Recreational activities compatible with wilderness will be permitted. Development of recreational facilities will be confined to areas outside the Reserve.
3. Scientific research leading to an understanding of ecological relationships within the Reserve and thereby of such relationships in Newfoundland in general, will be encouraged.
4. The managing agency will follow a policy of regular communication with local communities, the scientific community, and the general public. A Bay du Nord wilderness Area Management Advisory Committee, with representation from government, the scientific community, local residents and conservation organizations, will be established to ensure this communication and advise on management matters. Membership on this committee will be voluntary, without remuneration except for travel costs.
5. Whenever there is a conflict between scientific use and recreational use the managing agency shall rule, with the advice of the Management Committee, on which use shall prevail and in so doing will strive to create a reasonable balance between these uses. Whichever use prevails, the maintenance of the area in an undisturbed state remains most important.
6. Government agencies with enforcement and/or management responsibilities or interests within the Reserve must submit management plans and/or activity plans to the managing agency for approval on an annual basis.

2.2 IMPLEMENTATION GUIDELINES

Section 23 of The Wilderness and Ecological Reserves Act prohibits certain activities from occurring within a wilderness reserve. These prohibited activities include:

1. construction, or re-construction of any structure, or the building of a road, path or track;
2. engaging in the cutting or logging of trees, agriculture, mining, prospecting, or claims staking;
3. any activity which alters the course or amount of flow of water within the Reserve;
4. the use of motorized vehicles or equipment;
5. landing aircraft; and
6. conducting a spraying program against insect infestation, unless the Minister has approved the program.

These prohibitions may be permitted only if such activities are for management purposes and are permitted according to regulations in an approved reserve management plan, or if the activity is occurring at the time or immediately before establishment of a provisional reserve.

In addition to the requirements of The Wilderness and Ecological Reserves Act, which applies to all wilderness reserves, these guidelines were proposed to assist users and managers of the Bay du Nord Wilderness Reserve.

2.2.1 Resource Management

1. The managing agency of the Reserve shall be the Parks and Natural Areas Division, Department of Environment and Conservation.
2. The existence of the Reserve shall be noted by signs placed at appropriate places along the boundary of the Reserve.
3. A permit is required to enter or travel in the Reserve. Permits are available through Parks and Natural Areas Division, Department of Environment and Conservation, 33 Reid's Lane, Deer Lake, Newfoundland, A8A 2A3. The following permit system will be instituted:
 - a. Permits will be issued semi-annually, for the periods January to March and April to December.
 - b. Permits will be issued free of charge and will be renewable on return of a short report, attached to each permit, which will provide the managing agency with information on use of the Reserve.

- c. A toll-free phone-in system will be considered as a backup to the seasonal permits, to provide for spontaneous use of the area.
 - d. Special permits, obtainable on submission of written requests outlining the proposed activity, will be required for scientific research, management proposals (including salmon enhancement) and outfitting.
4. Eventually all private land within the Reserve should be returned to the Crown. However, the Policy followed shall be one showing sensitivity to those with valid legal title. The following policy will be followed:
- a. No new cottages will be constructed within the Reserve either by private individuals or by government departments or agencies;
 - b. Individuals with legal title to cottages in non-sensitive areas within the Reserve may continue to occupy and maintain these cottages. The Crown will retain first option to purchase should any of these owners decide to sell;
 - c. There is one cottage in a sensitive wildlife area; this is the cottage at the south end of Meta Pond, within the winter range of the Middle Ridge Caribou herd. The owner of this cottage may retain and maintain this cottage for his lifetime, but may not occupy it between December 1 and March 15. The Crown will retain first option to purchase this cottage should the owner decide to sell.
 - d. All illegal cottages will be removed from the Reserve.
 - e. There are a number of cottage permits which were issued on condition that any cabins constructed be removed without compensation on establishment of the wilderness reserve. Cabins constructed on these sites will be removed as required by the permits.
5. The use of motorized vehicles or equipment and the landing of an aircraft are prohibited within a wilderness reserve by The Wilderness and Ecological Reserves Act. However, the Act does allow these activities if they are being carried out at the time of establishment of a provisional reserve. The policy to be followed should be one showing sensitivity to those who have used the area consistently in the past. Consistent with this approach the following policy with regard to the use of motorized vehicles with the Reserve will be followed:
- a. The use of off-road all-terrain vehicles including motorbikes, tricycles, muskegs, nodwells, skidders, or any other tracked or rubber-tired vehicle within the Reserve is prohibited.
 - b. The use of snowmobiles will be prohibited in the winter range of the Middle Ridge caribou herd (Figure 7). Snowmobile use will be permitted, under permit as defined in Section 3, in all other areas of the Reserve. Snowmobiles are defined

for the purposes of this policy as those snow machines designed for one or two riders.

- c. Use of aircraft will be permitted, under permit as defined in Section 3, in all areas of the Reserve, except for sensitive areas at critical times. Sensitive areas, where aircraft use is prohibited during the times indicated, are the following (Figure 7):
 - (i) the winter range of the caribou herd, from December 1 to March 15;
 - (ii) the calving ground in the vicinity of the Tolt, from May 15 to July 1;
 - (iii) designated canoe routes, between May 15 and September 15.

Aircraft flying through these sensitive areas at the times indicated shall maintain a minimum altitude of 600 m above ground level.

All of the above relating to aircraft activity within the Reserve may be waived when an emergency situation occurs in relation to aircraft safety.

- d. Outboard motors of up to 6 h.p. may be used within the Reserve except in designated canoe areas (Fig. 7) between May 15 and September 15.
6. There are a small number of mineral claims outside the Bay du Nord Wilderness Reserve on its western edge. Corners of these claims project into the Reserve in some instances. It is anticipated that these corners will be dropped on establishment of the Wilderness Reserve, since the boundary of the Reserve has been adjusted in this area to agree with a request made by the mineral rights holder. Should they not be dropped, mineral exploration activities may continue on these pre-existing claims. Exploration will be carried out in a controlled manner, to ensure that every effort is made to prevent damage to the Reserve. The following controls will be instituted:
- a. The mineral rights holder shall present Parks and Natural Areas Division, Department of Environment and Conservation, with an annual work plan for approval at least 90 days prior to commencing the proposed year's work. The work plan shall provide details of all work to occur in the field on licenses or parts of licenses within the Wilderness Reserve. The annual plan of work shall identify the specific areas of work, describe the nature and extent of the work, provide an estimated cost of work, and include an environmental rehabilitation program. Parks and Natural Areas Division shall, within 60 days of receipt of the work plan, approve it, or direct that modifications be made to it solely on the basis of environmental considerations. The work shall be carried out in accordance with the approved work plan.
 - b. The mineral rights holder may request matters of modified work plans to be arbitrated by the Minister or person designated by the Minister.

- c. Parks and Natural Areas Division may require that the mineral rights holder to provide the Minister with a security to ensure compliance with the approved work plan and performance of rehabilitation. This security will not exceed \$25,000 plus 20 Percent of the value of work over the value of \$100,000 as indicated in the annual Plan of Work. The security shall be kept in full force for the term of the license, and for one year after its expiration or surrender, or until Parks and Natural Areas Division notifies the mineral rights holder that all conditions of the annual Plan of Work have been met. If default of the conditions of the plan occur, the Minister shall use the security or part thereof to ensure that due performance occurs.
 - d. Should the mineral rights holder demonstrate the existence of an economic deposit on these claims, and the results of the environmental assessment process pursuant to The Environmental Assessment Act indicates that development may proceed, Parks and Natural Areas Division will initiate procedures to have consideration given to removal of the area from the Wilderness Reserve. These procedures are outlined in The Wilderness and Ecological Reserves Act and include public hearings.
- 7. Outfitting may be carried out within the Reserve, on submission of a written proposal outlining the activities planned. Outfitters are encouraged to develop base facilities in areas adjacent to the Wilderness Reserve. No new permanent outfitting facilities will be permitted within the Reserve. Temporary tents may be erected as long as no permanent structures, such as tent platforms, are involved. Restrictions on motorized vehicle use detailed in 5 above shall apply to outfitters as well as to the general public.
- 8. Forest management activities within the Reserve will be controlled to minimize the disturbance to the natural ecological processes at work within the area.
 - a. A fire control plan will be designed in consultation with the Department of Forestry and Agriculture. Should control be necessary; efforts will be directed toward the least destructive method of control.
 - b. The application of herbicides and pesticides within the Reserve is prohibited, without the written authority of the Minister.
- 9. Newfoundland and Labrador Hydro maintains two transmission lines with right-of-ways which pass through a section of the Wilderness Reserve at the outflow of Medonnegonix Lake. Newfoundland and Labrador Hydro shall continue to maintain these transmission lines, but every effort will be made to prevent change to the Reserve.
 - a. Newfoundland and Labrador Hydro shall present Parks and Natural Areas Division, Department of Environment and Conservation, with an environmental protection plan which details how their maintenance work on these transmission lines will be carried to minimize environmental damage.

- b. Newfoundland and Labrador Hydro shall present Parks and Natural Areas Division with an annual work plan, detailing the type and timing of work to be carried out on these transmission lines. This work plan shall cover the period April 1 to March 31 and shall be presented by January 1 annually. Parks and Natural Areas Division will, within 60 days of receipt of the annual work plan, approve it, or direct that modifications be made solely on the basis of environmental considerations. The work will be carried out in accordance with the approved work plan.
- c. Newfoundland and Labrador Hydro may request matters of modified work plans to be arbitrated by the Minister or a person designed by the Minister.

Newfoundland and Labrador Hydro also maintains the two transmission lines which parallel the southern boundary of the Wilderness Reserve. Newfoundland and Labrador Hydro will submit to Parks and Natural Areas Division any specific activity along these lines which may affect the Wilderness Reserve so that mitigating action may be identified and taken.

- 10. The flora of the area shall be allowed to follow a natural succession, except as provided for in Section 8, unless deliberate management is required for the preservation of a native plant or animal species that is in danger of eradication in the area as a result of human influence.
- 11. The Bay du Nord River is being considered for nomination by the Province under the Canadian Heritage Rivers System. Should this occur and should the Bay du Nord River be designated a Canadian Heritage River, its management as such shall adhere to the objectives, policies and guidelines outlined in this management plan.
- 12. A road link between the Pools Cove-Harbour Breton-Bay d' Espoir area and the Burin Peninsula highway may become a government priority in the future. Such a road should ideally be constructed south of the Reserve. If that is not possible, a corridor to accommodate the road may be removed from the Reserve, preferably adjacent to and south of the transmission line in the Medonnegonix Lake area, following procedures established under Section 20 of the Act.

2.2.2 Recreational Use

13. There will be no development of recreational facilities within the Reserve.
14. Monitoring of recreational use, especially along the Bay du Nord River canoe route, will be carried out to assess impact; recreational use may be managed to minimize impact.

2.2.3 Research

15. The use of the area for non-manipulative scientific research leading to understanding of the components and ecological processes of the area and of Newfoundland in general, will be encouraged, provided that such research does not significantly affect the ecological integrity and/or physically disrupt the area. Persons requesting to conduct research within the Reserve are required to obtain a permit from the Parks and Natural Areas Division, Department of Environment and Conservation.

Applications for a permit should provide a description of the objectives of the research proposed, methodologies and the time frame involved. The following conditions shall be stipulated for each permit issued:

- a. collection of examples shall be by permit only;
- b. all published material related to research done at the Reserve shall acknowledge the Newfoundland Department of Environment and Conservation for permission and the requirements made of the researcher;
- c. a report of the results of each project will be filed with the Department of Environment and Conservation and a copy of all scientific papers shall be forwarded to the Department upon publication; and
- d. all controversial research proposals shall be reviewed by the Wilderness and Ecological Reserves Advisory Council.

2.2.4 Educational Use

16. The use of the area for educational purposes shall be encouraged, as long as such use does not damage the natural features of the Reserve. Permits shall be required for institutions, groups, or individuals wishing to utilize the area for this purpose.

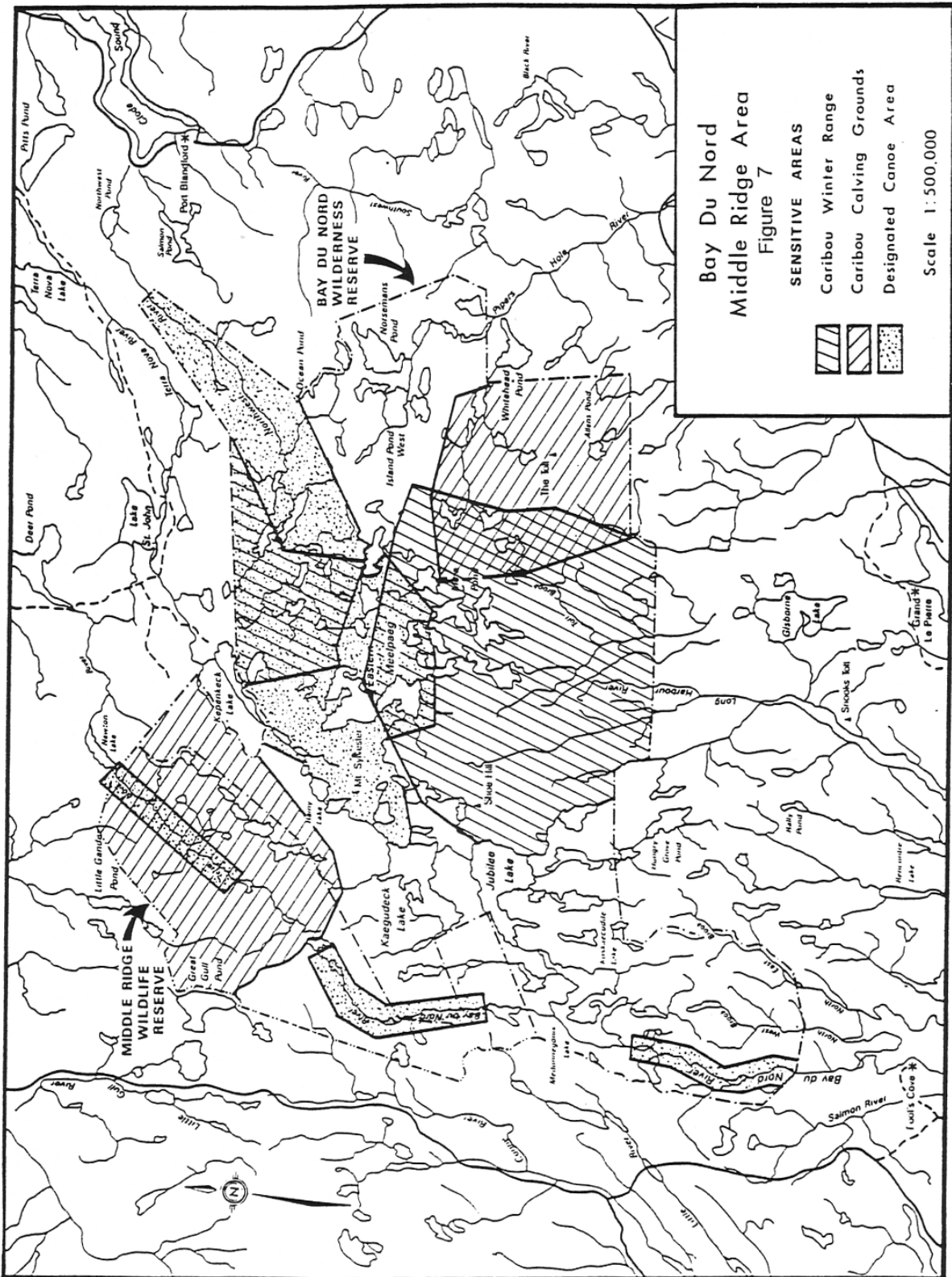


Figure 7. Sensitive Areas

2.2.5 Salmon Enhancement Projects

17. a. Atlantic Salmon may be introduced into waters of the Reserve where they do not now occur; such introduction will require a permit from Parks and Natural Areas Division. This permit may be obtained on submission of a written proposal which will outline the activities to be carried out as part of the enhancement project that will affect the Reserve.
- b. Blasting and construction of fish ladders, and other construction associated with salmon enhancement projects will not be permitted within the Reserve. Reserve boundaries have been adjusted to exclude most sites where such activities are necessary.

APPENDIX I Selected References

1. Damman, Antoni W.H. 1983. An Ecological Subdivision of the Island of Newfoundland. In South G. Robin. Ed. 1983. Biogeography and Ecology of the Island of Newfoundland. Dr. W Junk Publishers, Boston, pp. 163-206.
2. Jenness, S.E. 1960. Late Pleistocene Glaciation of Eastern Newfoundland. J. Bull. Geol. Soc., Am., Vol. 71, pp. 161-180.
3. Jewell, WB. 1939. Geology and Mineral Deposits of the Baie d'Espoir Area. Geol. Surv. Nfld., Bull. 17.
1. MacClintock, P. and Twenhofel, WH. 1940. Wisconsin Glaciation of Newfoundland. Bull. Geol. Soc. Amn., Vol. 51, pp. 1729-1 756.
2. MacLaren Plansearch Lavalin, 1982. The Bay du Nord Heritage River Study. Prepared for Newfoundland Department of Culture, Recreation and Youth and Parks Canada, St. John's, Nfld. 142 p.
3. Reusch, D.N. and O'Driscoll, C.F. 1987. Geological and Metallogenic Investigations in the Western Love Cove Belt, Avalon Zone, Newfoundland. In Current Research. Newfoundland Department of Mines and Energy, Mineral Development Division, Report 87-1.
4. Tuach, J. and Kontak, DJ. 1986. Rb-Sr and $^{40}\text{Ar}/^{39}\text{Ar}$ Studies, and Redefinition of the Ackley Granite, Southeast Newfoundland. In Program with Abstracts. Newfoundland Section. Geological Association of Canada, Annual Spring Meeting, March 20-21, 1986. p.9.

APPENDIX II Reserve Order and Regulations

Bay du Nord Wilderness Reserve Order
under the
Wilderness and Ecological Reserves Act
(O.C. 96-199)

Under the authority of subsection 18(1) of the *Wilderness and Ecological Reserves Act* and the *Subordinate Legislation Revision and Consolidation Act*, the Lieutenant-Governor in Council makes the following Order.

ORDER

Analysis

Section:

1. Short title
2. Area included
3. Outline

Section:

4. Repeal
Schedule A
Schedule B

Short title	1.	This Order may be cited as the Bay du Nord Wilderness Reserve Order.	89/90 si
Area included	2.	The area included in the Bay du Nord Wilderness Reserve is as set out in Schedule A.	89/90 s2
Outline	3.	An outline of the Bay du Nord Wilderness Reserve Management Plan is as set out in Schedule B.	89/90 s3
Repeal	4.	The Order re: Provisional Wilderness Reserve - Bay du Nord Area, Newfoundland Regulation 82186. and the Bay du Nord Wilderness Reserve Order, 1990. Newfoundland Regulation 89/90. are repealed.	

Schedule A

All that piece or parcel of land situate and being east of Middle Ridge in the province, abutted and bounded as follows, that is to say:

Beginning at a point in the northwesterly bank of a brook, that point having co-ordinates of north 5,361,225 metres and east 647,875 metres;

Then running south $51^{\circ} 20'$ east 8,700 metres, more or less, to a point in the southeasterly bank of a brook, that point having co-ordinates of north 5,355,800 metres and east 654,675 metres;

Then running along the southeasterly bank of the brook to a point having co-ordinates of north 5,349,225 metres and east 648,225 metres;

Then running south $64^{\circ} 30'$ east 1,200 metres, more or less, to a point on top of a hill;

Then south $52^{\circ} 30'$ east 1,100 metres, more or less, to a point on the southeasterly shoreline of Kepenkeck Lake that point having co-ordinates of north 5,348,050 metres and east 650,150 metres;

Then running along the southeasterly shoreline of Kepenkeck in a northeasterly direction to a point having co-ordinates of north 5,352,250 metres and east 658,400 metres;

Then running north $88^{\circ} 30'$ east 22,275 metres, more or less, to a point in the southerly shoreline of a small pond;

Then north $47^{\circ} 00'$ east 12,200 metres, more or less, to a point in the northerly bank of a brook which flows from a small pond, that point having co-ordinates of north 5,361,150 metres and east 689,600 metres;

Then running along the northerly bank of the brook, along the northerly shoreline of a pond and along the northerly bank of another brook to a point in the northwesterly bank of Northwest River, that point having co-ordinates of north 5,361,350 metres and east 692,650 metres;

Then running south 31° 30' east 1,050 metres. more or less, to a point in the westerly shoreline of a pond;

Then south 31° 30' west 13,300 metres. more or less, to a point in the easterly shoreline of a pond;

Then south 38° 30' west 3,700 metres. more or less, to a point in the easterly shoreline of Ocean Pond, that point having co-ordinates of north 5,346,250 metres and east 684,050 metres;

Then running along the easterly shoreline of Ocean Pond, along the westerly bank of a brook flowing into the southeast end of Ocean Pond and along the southerly shoreline of two ponds in general southerly and easterly directions to a point in the easterly shoreline of the second pond. that point having co-ordinates of north 5,342,975 metres and east 691,450 metres;

Then running south 23°45' east 12,475 metres. more or less, to a point in the westerly shoreline of a pond;

Then south 31° 15' west 4,800 metres to a point on top of a hill;

Then north 89° 30' west 8,550 metres, more or less, to a point in the southwesterly bank of Piper's Hole River;

Then running south 4° 00' east 14,650 metres to a point in the northeasterly shoreline of a pond;

Then running south 87° 00' west 16,075 metres. more or less, to the point in the easterly bank of Dunn's Brook. that point having co-ordinates of north 5,312,100 metres and east 670,400 metres;

Then running along the easterly bank of Dunn's Brook in a general southwesterly direction to a point having co-ordinates of north 5,309,025 metres and east 669,450 metres;

Then running along the northern limit of the right-of-way of a transmission line north 89° 30' west 10,650 metres and then north 85° 00' west 3,850 metres and then north 88° 00' west 6,875 metres, more or less, to a point in the westerly bank of a brook, that point having co-ordinates of north 5,309,600 metres and east 648,025 metres;

Then running along the westerly bank of the brook in a general northerly direction to a point having co-ordinates of north 5,312,600 metres and east 646,950 metres;

Then running north $86^{\circ} 00'$ west 9,100 metres, more or less. to a point in the easterly shoreline of a pond. that point having co-ordinates of north 5,313,225 metres and east 637,850 metres;

Then running along the easterly, southerly and westerly shorelines of the pond to a point in the westerly shoreline, that point having co-ordinates of north 5,313,22,5 metres and east 636,750 metres;

Then south $89^{\circ} 20'$ west 5,425 metres. more or less, to a point in the easterly shoreline of a pond, that point having co-ordinates of north 5,313,150 metres and east 631,300 metres;

Then running along the easterly shoreline of the pond, along the southerly shoreline of the pond. along the westerly shoreline of the pond and then along the southerly bank of a brook and along the easterly shoreline of another pond to a point in the easterly shoreline of the pond, that point having co-ordinates of north 5,310,050 metres and east 628,900 metres;

Then south $27^{\circ} 15'$ east 3,62,5 metres, more or less. to a point in the easterly shoreline of a pond, that point having co-ordinates of north 5,306,825 metres and east 630,575 metres;

Then running along the easterly shoreline of a pond and along the easterly bank of Northeast Brook in a general southerly direction to a point in the easterly bank of Northeast Brook, that point having co-ordinates of north 5,294,300 metres and east 625,775 metres;

Then running south $73^{\circ} 10'$ west 2,000 metres. more or less. to a point in the southwesterly bank of a brook, that point having co-ordinates of north 5,293,725 metres and east 623,850 metres;

Then running along the southeasterly bank of the brook in a general southwesterly direction to a point in the easterly bank of Northwest Brook, that point having co-ordinates of north 5,392,550 metres and east 620,900 metres;

Then running north $85^{\circ} 45'$ west 4,575 metres, more or less, to a point in the southern tip of a small island located in Bay du Nord River;

Then running north $40^{\circ} 00'$, west 5,925 metres. more or less, to a point in the easterly bank of Salmon River;

Then running north $10^{\circ} 15'$ east 6,750 metres to a point in the southwesterly bank of a brook;

Then running north $11^{\circ} 45'$ east 2,900 metres, more or less, to a point at the southern end of a pond. that point having co-ordinates of north 5,307,100 metres and east 613,225 metres;

Then running along the westerly shoreline of that pond and along the northwesterly bank of the brook in the general northwesterly direction to a point in the northwesterly bank of that brook, that point having co-ordinates of north 5,309,300 metres and east 615.725 metres;

Then running north $20^{\circ} 00'$ east 1,800 metres, more or less, to a point in the centre of a transmission line;

Then running north $2^{\circ} 00'$ west 1,950 metres;

Then running south $87^{\circ} 30'$ west 375 metres, more or less, to the point in the northwesterly bank of a brook. that point having co-ordinates of north 5,312,925 metres and east 6 15,900 metres;

Then running along the northwesterly bank of the brook and along the westerly and northerly shorelines of a pond to a point in the easterly shoreline of that pond. that point having co-ordinates of north 5,314,650 metres and east 617,950 metres;

Then running south $89^{\circ} 00'$ east 275 metres and then north $31^{\circ} 30'$ east 450 metres and then north $2^{\circ} 00'$ west 1,725 metres and then east 500 metres and then north $48^{\circ} 00'$ east 950 metres and then north $3^{\circ} 15'$ west 1,450 metres and then north $32^{\circ} 00'$ east 250 metres, more or less, to a point in the southerly shoreline of a pond;

Then running north $59^{\circ} 00'$ east 6,600 metres and then north $62^{\circ} 00'$ east 8,200 metres, more or less, to a point on the top of a hill north of Jubilee Lake;

Then running north $43^{\circ} 30'$ west 5,750 metres, more or less, to a point in the southerly shoreline of a pond;

Then running south $64^{\circ} 40'$ west for a distance of 7,250 metres, more or less, to a point in the westerly bank of the Bay du Nord River, that point having co-ordinates of north 5,327,250 metres and east 622,100 metres;

Then running along the southerly bank of a brook in general southwesterly and northwesterly directions to a point in the southeasterly shoreline of a pond. that point having co-ordinates of north 5,328,125 metres and east 620.450 metres;

Then running north 2° 30' east 5,850 metres. more or less, to a point in the easterly shoreline of the Bay du Nord River;

Then running north 59° 30' east 20,125 metres to a point in the southerly shoreline of a pond;

Then running north 41°00' east 10,950 metres, more or less, to a point in the easterly bank of a brook;

Then running north 32° 15' east 4,450 metres, more or less, to the point in the easterly shoreline of a pond, that point having co-ordinates of north 5,356,200 metres and east 647,625 metres;

Then running along the easterly shoreline of the pond and along the westerly banks and shorelines of a series of brooks and ponds in general northwesterly and northeasterly directions to the point of beginning.

The above described piece or parcel of land containing an area of 2,895 km. more or less, all bearings being referred to Zone 21 in the Universal Transverse Mercator Projection.

Schedule B

Outline of Bay du Nord Wilderness Reserve Management Plan

The Bay du Nord Wilderness Reserve is established for the purpose of protecting a multitude of natural features which make it a fitting representative of wild Newfoundland. The area contains the habitat of moose, caribou, representative vegetation and several major river systems. The reserve is an important wilderness resource for the use of people for outdoor recreation and the expanding adventure tourism market.

Management policies have been devised for the reserve to protect its significant wilderness values. These include no new development such as roads, cottages, wharves and the like. Forest harvesting, mining and other intensive activities will be prohibited. Natural succession will be allowed to continue with no habitat modification to occur. Scientific study and educational use in the reserve will be encouraged. Hunting, fishing, trapping, camping and other recreational activities will be permitted. Permits to enter the reserve will be required but they will be issued free of charge for a maximum of 6 months duration.

The managing agency for the reserve is Parks and Natural Areas Division of the Department of Tourism, Culture and Recreation. The Middle Ridge Wildlife Reserve is managed by the Wildlife Division of the Department of Environment and Conservation.

89/90 Sch B

NEWFOUNDLAND REGULATION 65/97

Wilderness Reserve Regulations, 1997
under the
Wilderness and Ecological Reserves Act
(O.C. 97-245)

(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

Analysis

Section:

1. Short title
2. Definitions
3. Permits and licences
4. Entry
5. Camping
6. Camping time limit
7. Restrictions

Section:

8. Exemption
9. Exemption
10. Exemption
11. Permit required
12. Domesticated animals
13. Dogs or horses
14. Aircraft
15. Flying restriction

16. Snowmobile and outboard motors
17. Salmon enhancement projects
18. Prohibition of activities -
19. Existing structures
20. Property in reserve
21. Removal of structures
22. Removal of structures

23. Hydroelectric facilities and maintenance
 24. Notice to division
 25. Newfoundland Power
 26. Scientific research
 27. Application
 28. Repeal
- Schedule

- Short title 1. These regulations may be cited as the *Wilderness Reserve Regulations, 1997*.
- Definitions 2. In these regulations
- (a) “Act” means the Wilderness and Ecological Reserves Act;
 - (b) “aircraft” means any machine for flying and includes fixed or rotary wing airplanes, gliders and hang gliders;
 - (c) “firearm” means a device whereby a missile is discharged by means of an explosive propellant or by means of compressed air or by a spring, and includes sporting guns, repeating guns, pump guns, set guns, swivel guns, punt guns, rifles, pistols, and revolvers of every description, hunting bows and arrows;
 - (d) “managing agency” means the Parks and Natural Areas Division of the Department of Tourism, Culture and Recreation;
 - (e) “management plan” means the management plan for a declared wilderness reserve on file with the managing agency;
 - (f) “off-road vehicles” means a motorized vehicle designed for, or capable of cross-country travel on unprepared surfaces including but not limited to water, snow, ice, marsh, bog or swampland or other natural terrain and, without limiting the generality of the foregoing, includes
 - (I) lower pressure tire vehicles,
 - (ii) four-wheel drive vehicles,
 - (iii) all-terrain vehicles and all-terrain cycles,
 - (iv) motor cycles and related two-wheel motorized vehicles including dirt bikes,
 - (v) snowmobiles,
 - (vi) personal water craft including jet-skis, sea-doo’s, wave-runners and the like but excludes ordinary motorized boats, kayaks and canoes,
 - (vii) mini bikes,
 - (viii) amphibious machines,
 - (ix) trail bikes, or
 - (x) other means of transportation propelled by power other than

by muscular power or by wind;

- (g) “permit” means a permit issued and valid under these regulations;
- (h) “reserve” means a wilderness reserve set aside under the Act and listed in the Schedule.
- (i) “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, tent platforms, camps, shelters and recreational vehicles used for any purpose; and
- (j) “wildlife” means an animal or plant.

Permits and licences

- 3. The minister, or a person authorized by the minister, may issue a permit or other written authorization that allows certain activities to be carried on in a reserve, subject to restrictions imposed by these regulations and the Act.
 - (2) The activities referred to in subsection (1) may be limited by the conditions declared on the permit or in the written authorization.
 - (3) A permit or written authorization shall be issued in accordance with the guidelines described in the management plan for a reserve.
 - (4) Permits may be issued for periods of up to 12 months’ duration and may be renewed, upon expiration, on the terms that the managing agency may prescribe.

Entry

- 4. A person or group may not enter a reserve except
 - (a) the holders of a permit; and
 - (b) a person engaged in the administration and management of a reserve.

Camping

- 5. (1) A person shall not erect or use a tent or other temporary shelter within a reserve, except a person engaged in the administration and management of a reserve, or the holder of a permit issued in accordance with section 3.
 - (2) Notwithstanding subsection (1), a person may within a reserve park a motorized pick-up truck camper for use as a camp within 20 meters of the centre of any roadway in a reserve.

Camping time limit	6.	The period for which a tent, other temporary shelter or camp is located at one site shall be limited to 10 days in succession unless otherwise authorized by the managing agency.
Restrictions	7.	<p>(1) Within a reserve a person shall not</p> <p>(a) pollute or obstruct a stream or other body of water or dispose of any garbage;</p> <p>(b) build or erect or cause to have built or erected a structure;</p> <p>(c) destroy, damage, remove, disturb or handle the home, den or nest of wildlife;</p> <p>(d) destroy, damage, remove, disturb or handle an egg of any wild bird;</p> <p>(e) be in possession of a firearm unless the firearm is securely wrapped and tied;</p> <p>(f) destroy, damage or remove wildlife, fossil material and any natural object;</p> <p>(g) destroy, damage or remove a sign, or other government property;</p> <p>(h) remove sand, stone or gravel;</p> <p>(I) use, operate or be in possession of a motor car, motor truck, four-wheel drive vehicle registered or required to be registered under the Highway Traffic Act, except upon existing roads within the Avalon Wilderness Reserve;</p> <p>(j) use, operate or be in possession of an off-road vehicle;</p> <p>(k) operate a commercial establishment or commercial enterprise within a reserve, except guiding, touring and outfitting;</p> <p>(l) display, post or broadcast an advertisement; or</p> <p>(m) operate or be in possession of an outboard motor.</p>
Exemption	8.	A person engaged in the administration or management of a reserve in the normal course of his or her duties is exempt from paragraphs 7(c), (d), (e), (f), (g), (h), (I) and sections 14 and 15.
Exemption	9.	A person engaged in scientific study which is approved by the managing agency may be exempted from paragraphs 7(c), (d), (e), (f), (h) and sections 14 and 15.
Exemption	10.	A person engaged in hunting, fishing or trapping may be exempted from paragraphs 7(e) and (f) if he or she holds a valid permit issued under the

Wild Life Act, the Migratory Birds Convention Act (Canada) or the Fisheries Act (Canada) and that activity is expressly permitted under terms of the permit.

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| Permit required | 11. | (1) A person engaged in a touring, guiding and outfitting enterprise must obtain a permit for that enterprise from the managing agency. |
| | | (2) Applications for a permit shall provide a full description of the enterprise planned. |
| Domesticated animals | 12. | A person shall not bring a domesticated animal into a reserve. |
| Dogs or horses | 13. | (1) A person may enter a reserve with a dog or horse if that dog or horse is kept under control at all times. |
| | | (2) A person operating a touring or guiding enterprise may enter a reserve with a domesticated animal, if the use of this animal is specifically approved under the condition of the permit issued under section 11. |
| Aircraft | 14. | Within the Bay du Nord Wilderness Reserve, |
| | | (a) the landing of aircraft is prohibited within any sensitive areas of the reserve as identified in the management plan for the reserve, except at the times indicated in the management plan for the reserve; and |
| | | (b) aircraft flying through the sensitive areas at the times indicated in the management plan for the reserve will maintain an altitude of 600 metres above ground level. |
| Flying restriction | 15. | Within the Avalon Wilderness Reserve, the operator of an aircraft shall not fly that aircraft over the reserve at an altitude of less than 300 meters except for the purpose of landing or take-off; |
| Snowmobile use and outboard motors | 16. | (1) Within the Avalon Wilderness Reserve, the use of snowmobiles is prohibited. |
| | | (2) Within the Bay du Nord Wilderness Reserve, the use of snowmobiles is permitted, except within the winter range of the caribou herd as identified in the management plan for the reserve. |
| | | (3) Within the Bay du Nord Wilderness Reserve, outboard motors of up to 6 horsepower may be used, except it designated canoe routes as identified in the management plan. |
| | | (4) Within the Avalon Wilderness Reserve, outboard motors of up to 6 horsepower may be used only on Cape Pond, Mount Carmel Pond, Frank's Pond, Bloody Pond, Blackwoods Pond, Southwest Pond or |

other ponds accessible by road.

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| Salmon enhancement projects | 17. | (1) Within the Bay du Nord Wilderness Reserve, Atlantic salmon merit projects may be introduced into waters they do not now occupy, provided a permit for the project is obtained from the managing agency.

(2) Applications for a permit shall provide a full description of the work to be carried out as part of the enhancement project. |
| | 18. | Construction and blasting associated with salmon enhancement will not be permitted within a reserve. |
| Existing structures | 19. | A new structure will not be permitted within a wilderness reserve referred to in the Schedule to these regulations. |
| Property in reserve | 20. | (1) Persons with legal title to structures and land within a reserve may continue to own those premises and to occupy and use them during the times specified in the management plan for a reserve concerned.

(2) First option to purchase structures and land within a reserve, should these owners decide to sell, is retained by and vests in the Crown and any sale, conveyance, gift, grant, or other transfer of land or property to which this section applies, to a person other than the Crown, is void without the prior waiver in writing of the Crown's option as established by this section. |
| Removal of structures | 21. | All illegal structures within a reserve will be removed at the owner's expense. |
| Removal of structures | 22. | All structures built within a provisional reserve on condition that structures they be removed without compensation when the final reserve is established shall be removed. |
| Hydroelectric facilities and maintenance | 23. | (1) Newfoundland and Labrador Hydro, Newfoundland Power or another public utility shall present to the managing agency an environmental protection plan detailing how maintenance work on any transmission line, any rights-of-way, or existing infrastructure related to it, including bridges and roadways, which pass through a section of the wilderness reserve will be carried out to minimize environmental damage.

(2) Where the person who submitted the plan makes changes to it, he or she shall notify the managing agency providing details of the changes as soon as practicable after they are made.

(3) Newfoundland and Labrador Hydro, Newfoundland Power or another public utility, shall present to the managing agency an annual work plan detailing the type and timing of work to be carried |

out in its transmission lines, rights-of-way, or existing infrastructure related to it.

- (4) The work plan under subsection (3) shall cover the period April 1 to March 31 of the following year, and shall be presented by January 1 annually.
- (5) The managing agency shall, within 60 days of receipt of the annual work plan, approve it, or direct that modifications be made and the work shall be carried out in accordance with the approved work plan or modified work plan.

Notice to division

- 24. Newfoundland and Labrador Hydro, Newfoundland Power or another public utility, shall notify the managing agency of activities related to its transmission lines, rights-of-way, or existing infrastructure related to it which may have an effect on a reserve.

Newfoundland Power and Newfoundland and Labrador Hydro

- 25. Notwithstanding paragraph 7(1)(j), Newfoundland Power and Newfoundland and Labrador Hydro are permitted to use all-terrain vehicles and snowmobiles as approved in writing by the management agency within a wilderness reserve on the company's existing access routes as defined by the managing agency, solely for the purpose of inspecting or maintaining the company's existing facilities and structures which are within the reserve.

Scientific research

- 26. 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 fully outlining and detailing the research project.

Application

- 27. These regulations shall apply to the wilderness reserves listed in the Schedule except to the extent that they have been modified by the Order declaring a given wilderness reserve in effect.

Repeal

- 28. The *Wilderness and Ecological Reserves Regulations*. Consolidated Newfoundland Regulation 1087/96 and Newfoundland Regulation 10/97. are repealed.