

Habitat Conservation Plan for the Municipality of Harbour Grace, NL



August 2023



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Preface

In the province of Newfoundland and Labrador (NL) some of the wildlife and wildlife habitats that are in greatest danger of being negatively impacted are those found within municipalities. In this province, the primary focus of the Eastern Habitat Joint Venture (EHJV) is to conserve such valuable wildlife habitat through Stewardship Agreements. The Municipality of Harbour Grace was identified as having ecologically valuable and unique habitat located within its municipal planning boundaries.

The Agreement (attached as Appendix A) and this Habitat Conservation Plan indicates the Municipality's support for the long-term conservation of wildlife habitat and provides guidance in relation to managing activities which could impact the designated Conservation Areas.

Acknowledgements

We would like to thank the following partners for their support in the continued implementation and activities of the Habitat Stewardship Program: Environment Canada, The United States Fish and Wildlife Service and Wildlife Habitat Canada.

Plan Objectives

- (1) To present an assessment of the habitats and wildlife species designated for conservation.
- (2) To recommend protection and enhancement strategies which will maintain and/or increase wildlife use in designated Conservation Areas.
- (3) To describe potential engagement initiatives designed to increase Council and public awareness of the value of 'their' habitat for conserving wildlife.
- (4) To empower Council and municipal residents to conserve these habitats through informed development decision-making with the support of residents.

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Section 1: Habitat Conservation in Newfoundland and Labrador

Globally, human development has resulted in the destruction, degradation, or alteration of many types of wildlife habitat. Consequently, in North America the number and diversity of wildlife species has been declining over the latter half of the twentieth century as natural habitats are regularly lost to urban, industrial, and agricultural expansion.

Recognizing the importance of habitat conservation to waterfowl populations, in 1986 Canada and the United States (later followed by Mexico) agreed to sign the North American Waterfowl Management Plan (NAWMP). This joint venture agreement committed these countries to a long-term partnership to protect wetland habitats. Twenty-four 'joint ventures' have been subsequently established across North America to achieve the objectives of NAWMP. The province of Newfoundland and Labrador (NL) formally committed to its participation in the Eastern Habitat Joint Venture (EHJV) in 1989.



Figure 1- The SS Kyle, in the heart of Harbour Grace

The EHJV (ehjv.ca) conserves, enhances, and restores wildlife habitat for birds found across the six eastern Canadian provinces of Ontario, Quebec, New Brunswick (NB), Nova Scotia (NS), Prince Edwards Island (PE), and Newfoundland and Labrador (NL). Each province implements the EHJV partnership slightly differently, with each provincial program coordinated by a separate program manager and involving the cooperation of international partners, including government agencies and non-governmental conservation groups. In NL, the program is administered by the provincial Department of Fisheries, Forestry and Agriculture (Wildlife Division). Other NL partners include the Stewardship Association of Municipalities Inc (SAM), Ducks Unlimited Canada (DUC), Canadian Wildlife Service (CWS- a branch of Environment and Climate Change Canada), Intervale Associates Inc and the Nature Conservancy of Canada (NCC).

As its primary contribution to the EHJV in NL, the provincial Department of Fisheries, Forestry and Agriculture created a “municipal habitat stewardship program” to help municipalities conserve important wildlife habitat found within planning boundaries. The program signs formal agreements with municipalities so that when future land use decisions are made, the value of that wildlife habitat will not be forgotten and that future activities will not have negative impacts on the lands ability to sustain wildlife.

Since 1993, over forty municipalities have signed Municipal Habitat Stewardship Agreements in NL, becoming important links in a chain of conservation throughout Newfoundland and Labrador and indeed, across North America (Figure 2). The municipality of Harbour Grace has the potential to contribute to this important environmental process, demonstrate conservation leadership on the Bay De Verde Peninsula and protect important habitats for all future generations of humans and wildlife alike.

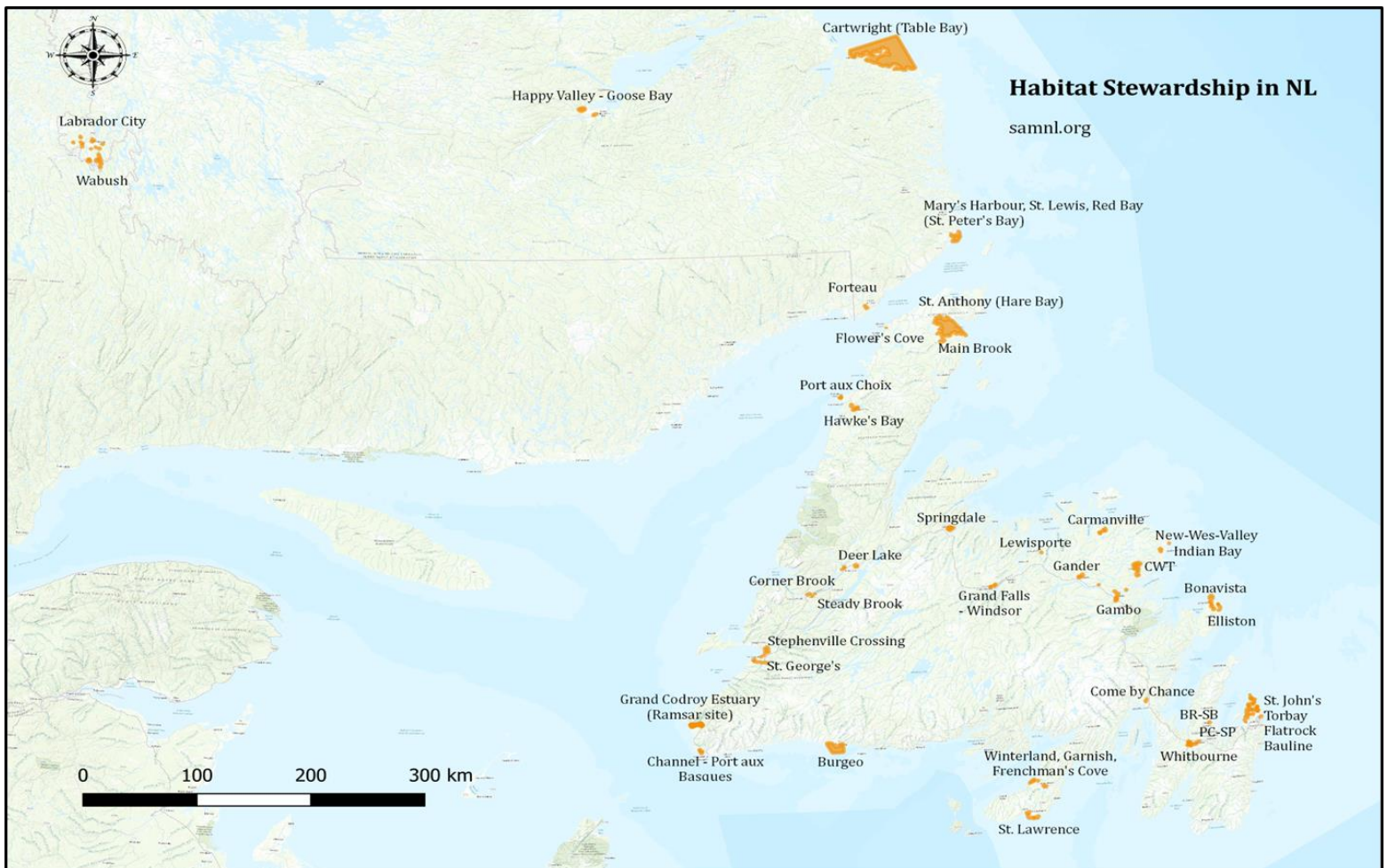


Figure 2- Habitat Stewardship Agreements Across Newfoundland and Labrador

Section 2: Roles of Habitat Stewardship Agreement Signatories

When the Habitat Stewardship Agreement (Appendix A) was signed, each signatory (the province of Newfoundland and Labrador and the Municipality of Harbour Grace) committed to certain responsibilities:

The Province: The NL Department of Fisheries, Forestry, and Agriculture, through its Wildlife Division, would be expected to:

- Develop a Habitat Conservation Plan in consultation with the municipality of Harbour Grace (this plan).
- Work with the municipality of Harbour Grace on the review of any developments which are proposed to take place within the designated Conservation Areas.
- Support Council and local groups in implementing the Habitat Conservation Plan; often with the partners of the NL Eastern Habitat Joint Venture. This can include assisting in carrying out, where appropriate, wildlife and habitat conservation education, restoration or enhancement projects.

The Municipality: The Municipality of Harbour Grace, its Mayor and Council would be expected to:

- Ensure that the designated wildlife habitat areas (“Conservation Areas”) are protected from destruction or degradation; the municipality is to contact the EHJV Program Manager at the Wildlife Division (contact info on Page 2) in a timely manner to allow a 30-day written review of any proposed development activities that occur in the “Conservation Areas”.
- Incorporate the Conservation Plan into the Municipal Plan, through the next Municipal Plan Review or by making amendments to the present Municipal Plan. The Harbour Grace Municipal Plan is prepared under the authority of the *Urban and Rural Planning Act, 2000* and incorporating the Conservation Plan into the Municipal Plan provides the Town with authority to administer the Conservation Plan.
- Implement over time and as opportunities allow the Habitat Conservation Plan in the community with the assistance of the NL EHJV partners.
- Participate, as capacity allows, in the activities of the Stewardship Association of Municipalities (SAM) Inc.

Section 3: Wildlife Habitat within Harbour Grace

Located on the western side of Conception Bay on the Avalon Peninsula with a population of just under three thousand individuals (2,700) and noted as one of the oldest towns in North America is the municipality of Harbour Grace. Two main rivers drain into Harbour Grace and the long harbour stretches from Rolling Cove in the southeast to Cookroom Cove on the northeast. Shallow open water wetlands, several large bodies of water (Lady Lake, Bannerman Lake, Island Pond, Fox Pond) and bogs stretch inland, while the surrounding rocky hills are covered with balsam fir forest. Despite the long-standing influence of humans in the area, being founded in 1517, Harbour Grace maintains impressive and intact wildlife habitat; the Harbour Grace estuary, rivers and bog wetland complexes, rocky coastline and other important habitats contribute to the biodiversity and beauty of the area.

The municipality of Harbour Grace is in the *Maritimes Barrens* Ecoregion, in the *Northeastern Barrens* Subregion. This region is characterized by barren ecosystems, interspersed with peatland and forest. Most of the geological composition of the *Maritimes Barrens* Ecoregion is ground moraine coupled with glacial erratic, while wetland ecosystems are dispersed throughout the area, comprised of hundreds of ponds, mixed with slope bogs, basin bogs, and fens. Forests in the ecoregion are dominated by species types like the typical Balsam fir (*Abies balsamea*), followed by Black spruce (*Picea mariana*) and some White birch (*Betula papyrifera*). In the riparian area, alders (*Alnus incana*) are common, while in peatland ecosystems, Sheep laurel (*Kalmia angustifolia*), rhodora (*Rhododendron canadense*), Crowberry (*Empetrum nigrum*) and Low-Bush blueberry (*Vaccinium angustifolium*) are abundant (Figure 3).



Figure 3- Wild Lilly of the Valley (*Maianthemum canadense*) growing on a carpet of Crowberry (*Empetrum nigrum*), typical boreal plants.

Harbour Grace contains significant wildlife populations, including several waterfowl, seabird, shorebird, songbird, and mammals, among others. The areas described below are determined to capture some of the most significant wildlife habitat within the municipal boundaries of Harbour Grace.

Conservation Areas:

1) Harbour Grace Estuary Conservation Area



Figure 4- The ebb of the tide within the estuary reveals a hidden food source for many shorebirds and seabirds.

A long harbour that narrows as you approach the land, where the freshwater meets the salty sea, you find the Harbour Grace Estuary (Figure 4). The Conservation Area extends along the coastline of Spirit of Harbour Grace Municipal Park (including the outlet of Bannerman River) south to South River and Southside Road/Harvey Street intersection, and east, ending near Bows Road, encapsulating the coastline of inner Harbour Grace. The Conservation Area includes the tidal flats, is not intended to encapsulate any private land or road infrastructure, and the land-based buffer is based on the area zoned as Environmental Protection (with the Spirit of Harbour Grace Municipal Park being Open Space and Recreation). On the other side of Harvey Street/causeway is a little brackish pond that supports nesting waterfowl populations. In total, the CA is approximately 10 hectares.



Figure 5- Boardwalk and small open water wetland near the outlet of Bannerman River, at the Spirit of Harbour Grace Municipal Park

South rivers drain into the Harbour, creating two brackish areas with higher biodiversity. There is a great opportunity for interpretive signage to be placed along the existing boardwalk infrastructure.

The area is a birding hotspot with over 110 species identified in the area, including American Black duck, Bald eagles, Cormorants, Least sandpipers, Common loons, Spotted sandpipers, Common yellowlegs, Common tern and other seabirds. Migratory birds like Ruddy turnstones and Snowy egret have also been spotted using this habitat, and searun trout hold up in the ponded area inside the Harvey Street/causeway. American Black duck and Red Breasted mergansers overwinter in large numbers in the same ponded area. Bannerman and

2) Pirates Path Conservation Area

This Conservation Area follows the coastline from Bears Cove up to Cookroom Cove (Figure 6) and conserves the habitat surrounding Pirates Path municipal trail. The CA is approximately 40.5 hectares and is currently zoned as Environmental Protection under the land use plan. The CA includes a 50-metre vegetated buffer, starting at the coastline going inland. There are a few private land claims towards the end of the peninsula (around Cookroom Cove) that are excluded from the Conservation Area, and have minimized the buffer in that area.



Figure 6- View of Cookroom Cove, a great seabird nesting habitat.

Several sheltered beaches (Patty O’Keefe’s Cove, Red Cliff Cove, Long Harry Cove, Pea Cove) can be found along the coast, providing suitable caplin spawning habitat (one nearby beach aptly named Capelin Cove), and nesting and feeding habitat for a myriad of seabirds. Seabirds like nest in burrows and crevices along the rocky cliffs, and can be found in dense populations, especially Black guillemots and gulls (Ivory, Herring, Great Black-backed, etc) around Cookroom Cove. Loads of waterfowl can be found here, and a historic duck hunting blind in the area speaks to the longstanding history of hunting and wildlife awareness in Harbour Grace. Legal hunting activity is not impacted by being designated as a Conservation Area.

3) Bannerman Lake Conservation Area

A large open water source, Bannerman Lake, falls under Protected Water Supply zoning for Harbour Grace and is an integral part the overall watershed ecosystem within Harbour Grace. Bannerman Lake is surrounded by an intact riparian buffer that provides excellent habitat for many different types of wildlife. The CA is approximately 100 hectares in size, and includes a 100-metre buffer extending from the water's edge of Bannerman Lake. There is potential to include additional wetlands, ponds and streams within the greater watershed (Anderson, Spider, Fox and Island Ponds) to the west of Bannerman Lake, as capacity and interest allows.



Figure 7- Bannerman River, a drainage point for Bannerman Lake

This CA is surrounded by habitat suitable for many songbird species like American goldfinches, Boreal chickadees, Purple finches and a myriad of other trilling colourful birds because of the undisturbed landscape. Classic boreal forest shrubs and flowers grow along the water's edge, like *Potentilla*, *Sheep laurel*, *Mountain alder*, and *willow* (Figure 10).

A large part of the area is considered peatland, a type of water-logged wetland that slows plant decomposition to such a rate that the carbon the plants absorbed in the atmosphere is stored within the peat soils. If left undisturbed by development, degradation, and/or overexploitation of land, peatlands are considered important mitigators in Canada of the effects of climate change. Conserving this area ensures carbon sequestered in the peat remains intact indefinitely and continues to act as a natural carbon storage sink. In addition to aiding in climate change mitigation, peatlands help to lower ambient temperatures, preserve air quality, maintain the integrity of biodiversity within a given locale and filter polluted organic carbon and historical pollutants from surrounding areas stored within the peat.

Section 4: General Policies for Habitat Conservation in the Municipality of Harbour Grace

A) Incorporate your Habitat Stewardship Agreement into your Municipal Plan

During the preparation of any draft Municipal Plan, or during the process of a future Municipal Plan Review or development regulations, the Harbour Grace Council will incorporate the Habitat Conservation Agreement and Plan concepts and maps into any resulting Municipal Plan or related Master Plan. The “Conservation Areas” **shall be zoned Open Space Conservation, Environmental Conservation, Open Space Recreation**, or some similar consistent zoning designation within any future municipal planning documents as governed by the *Urban and Rural Planning Act, 2000*. No municipal zoning changes are required for the “Stewardship Areas”.

B) Refer all possible developments to the Wildlife Division

Activities within the Conservation Areas will be managed whereby permitted activities do not result in the loss of wildlife habitat or wildlife populations. As such, wildlife conservation will be at the forefront of management decisions. When council reviews/approves permits, regulations, developments or by-laws which could affect Conservation Areas, **Council will first consult with the NL EHJV Program Manager** at the Wildlife Division, Department of Fisheries, Forestry and Agriculture providing a 30-day notice period. Development potentially impacting the Stewardship Areas may also be forwarded to the Wildlife Division for comment, but this remains at the sole discretion of council.

C) Engage residents of Harbour Grace in wildlife habitat conservation with support of the Stewardship Association of Municipalities Inc.

If the municipality of Harbour Grace signs a Habitat Stewardship Agreement with the province, it will be provided an opportunity to become a participating member of SAM (Stewardship Association of Municipalities, samnl.org). SAM is an incorporated, non-profit organization whose member municipalities together to secure, enhance, and restore important wildlife habitat and as a network of communities, contribute to provincial conservation of biodiversity. SAM also represents its municipal members on provincial issues related to wildlife and habitat conservation.

SAM maintains a public webpage about the Habitat Stewardship Agreement featuring maps, photos, facts, and information on local attractions. This link can be included on your municipal website; this will help increase residents’ knowledge and understanding of the agreement and program. To view examples of these pages, please refer to samnl.org/membership.

SAM meets each spring (May or June) and fall (September or October) with host municipalities rotating among members and regions. Identify a representative of your municipality (mayor, councilor, staff, or involved resident) to attend at least one of these meetings per year. This will connect Harbour Grace to like-minded municipalities and link you to resources and training. You may also be interested in co-hosting a SAM meeting in the municipality of Harbour Grace in the future; many municipalities enjoy this for the exposure it provides for their wildlife habitat and associated projects.

In addition to contributing to SAM membership, participating municipalities can avail of abundant environmental conservation resources on the SAM website: www.samnl.org/resources. It is the Stewardship Association's mandate to help support the conservation efforts of its membership. On an ongoing basis, SAM and its partners, in particular the Wildlife Division, actively support municipalities in engaging community residents in conservation awareness, and habitat enhancement and restoration projects. SAM staff regularly consult on, and facilitate support to municipal projects such as (but not limited to):

- grant funding applications.
- sustainable trail development and recreational infrastructure (bird blinds, boardwalks).
- educational outreach to and engagement of community groups.
- restoration of degraded and threatened habitats.
- enhancement of wildlife habitat through mechanisms such as nest box building or the placement of interpretive signage.
- scientific and technical assessment, and advice relating to municipal conservation programs.



With community engagement and the delivery of conservation programming, being a contributing member of SAM can increase environmental awareness and a build a more environmentally conscious community of stewards. The Municipality of Harbour Grace can be a leader in the province on wildlife and habitat conservation and conservation issues and we are excited to support your efforts. It has been our experience that **community engagement and partnerships are the true strengths of any stewardship agreement.**

APPENDIX A:

Habitat Stewardship Agreement for the Municipality of Harbour Grace

THIS AGREEMENT made in the Municipality of Harbour Grace, in the province of Newfoundland, this 18th day of July, 2023.

BETWEEN: **HIS MAJESTY THE KING IN RIGHT OF NEWFOUNDLAND AND LABRADOR**, as represented by the Honourable the Minister of Fisheries, Forestry and Agriculture (herein called the “Minister”)

- of the one part -

AND: **THE TOWN COUNCIL OF THE MUNICIPALITY OF HARBOUR GRACE**, municipal corporation pursuant to Section 15 of the *Municipalities Act, 1999* (herein called the “The Municipality”)

-of the other part-

WHEREAS the Government of Newfoundland and Labrador has entered into an Agreement with others for the implementation of the of the North American Waterfowl Management Plan through the Eastern Habitat Joint Venture;

AND WHEREAS the parties hereto recognize that the proper protection and management of coastal, wetland and upland habitats are fundamental tools in maintaining and enhancing the wildlife populations in the province;

AND WHEREAS the Minister proposed that certain important wildlife habitats within the Municipality be protected and enhanced through and with the cooperation of the Municipality in accordance with this Agreement and a Habitat Conservation Plan developed hereafter;

AND WHEREAS the Municipality has agreed to enter into this Agreement for the purpose of protecting and enhancing those areas of important wildlife habitat within the limits of its jurisdiction;

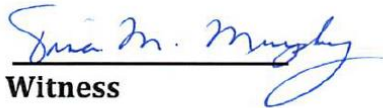
NOW THEREFORE IT IS AGREED BY THE PARTIES AS FOLLOWS:

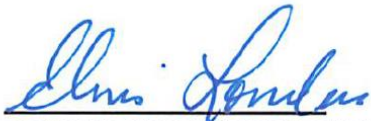
1. The lands herein delineated and designated as Conservation Areas (being the lands outlined on a certain Schedule annexed hereto and marked "A") shall be managed in accordance with the terms and conditions of this Agreement including any Habitat Conservation Plan developed hereunder for better protection of wildlife.
2. Within the limits of its jurisdiction, the Municipality shall permit only those activities within the Conservation Areas that have no negative or adverse impact upon the land, or on the wildlife which utilize those areas.
3. The parties may establish other Conservation Areas as may be desirable from time to time. Conservation Areas shall be subject to the terms and conditions of the Habitat Conservation Plan developed to enhance and protect the land, and the wildlife which utilize those habitats.
4. The Habitat Conservation Plan shall be developed in cooperation with the Municipality and the Minister agrees to provide such advice and expertise necessary or advisable for the development of the Habitat Conservation Plan.
5. The Municipality agrees that in the preparation of a Municipal Plan or any amendments to any existing Municipal Plan, the areas designated as Conservation Areas shall be recommended by the Municipality to be appropriately declared protected areas as it prescribed under subsection 13(3)(f) of the *Urban and Rural Planning Act, 2000* (or such other legislation in amendment or substitution thereof as may be brought into effect from time to time). The Municipality in passing regulations or by-laws related to the protected areas so designated under the Municipal Plan or amendments thereto and which may affect the Conservation Area(s) shall do so in consultation with the Minister and in keeping with the principals of this Agreement.
6. The parties to this Agreement, their consultants, servants or agents, shall have and exercise reasonable rights of access to the Conservation Areas for all purposes necessary or incidental to this Agreement and, in particular, but without limiting the generality of the foregoing, for the purpose of developing and carrying out the Habitat Conservation Plan.
7. If at any time during the term of this Stewardship Agreement the Parties mutually deem it necessary or desirable to make alterations or additions to it, they may do so by means of a written agreement between them which shall be supplemental to and form part of this agreement.
8. Each of the parties hereto agree that they will exercise their best efforts to further develop management measures for more effectively carrying out of their mutual intentions as expressed in this Agreement.

IN WITNESS WHEREOF the parties have caused these presents to be executed in accordance with their respective rules and regulations the day and year first before written.

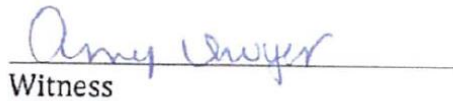
SIGNED, SEALED AND DELIVERED

by the Honourable the Minister of Fisheries
Forestry and Agriculture in the presence of:


Witness

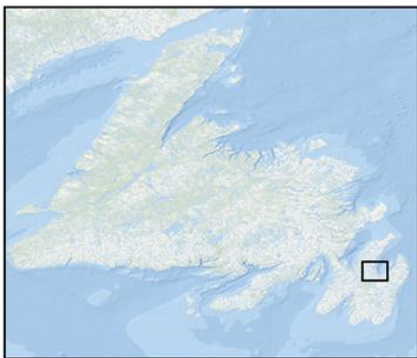
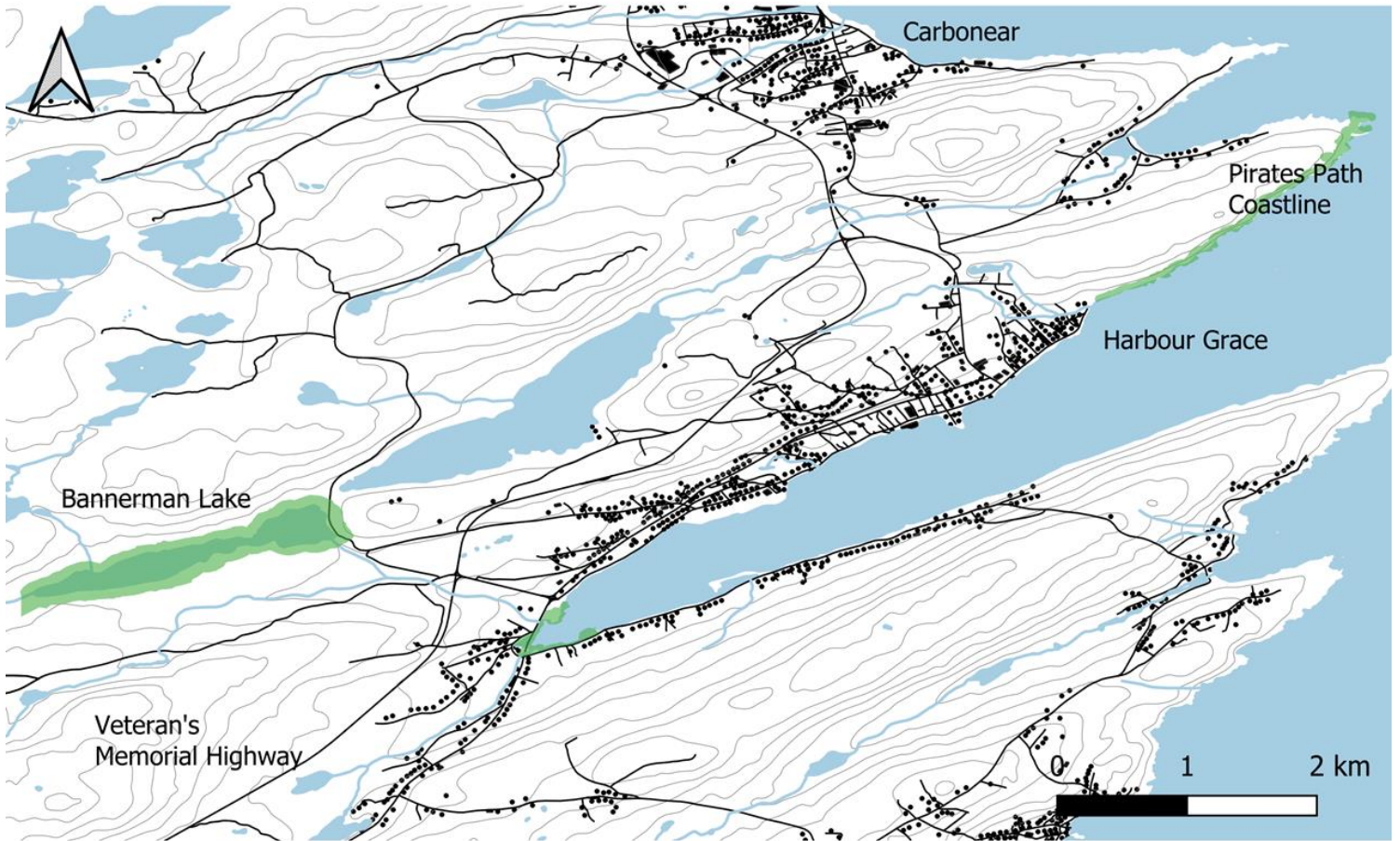

HONOURABLE ELVIS LOVELESS,
MINISTER OF FISHERIES,
FORESTRY AND AGRICULTURE

**THE SEAL OF the Municipality of Harbour Grace, hereunto
affixed in the presence of:**


Witness

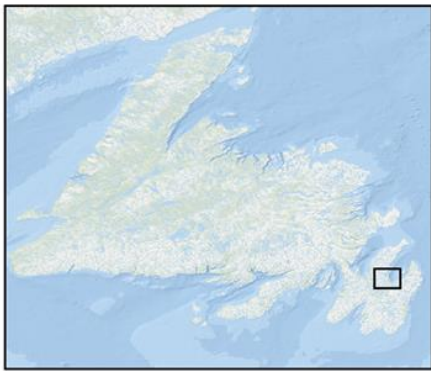
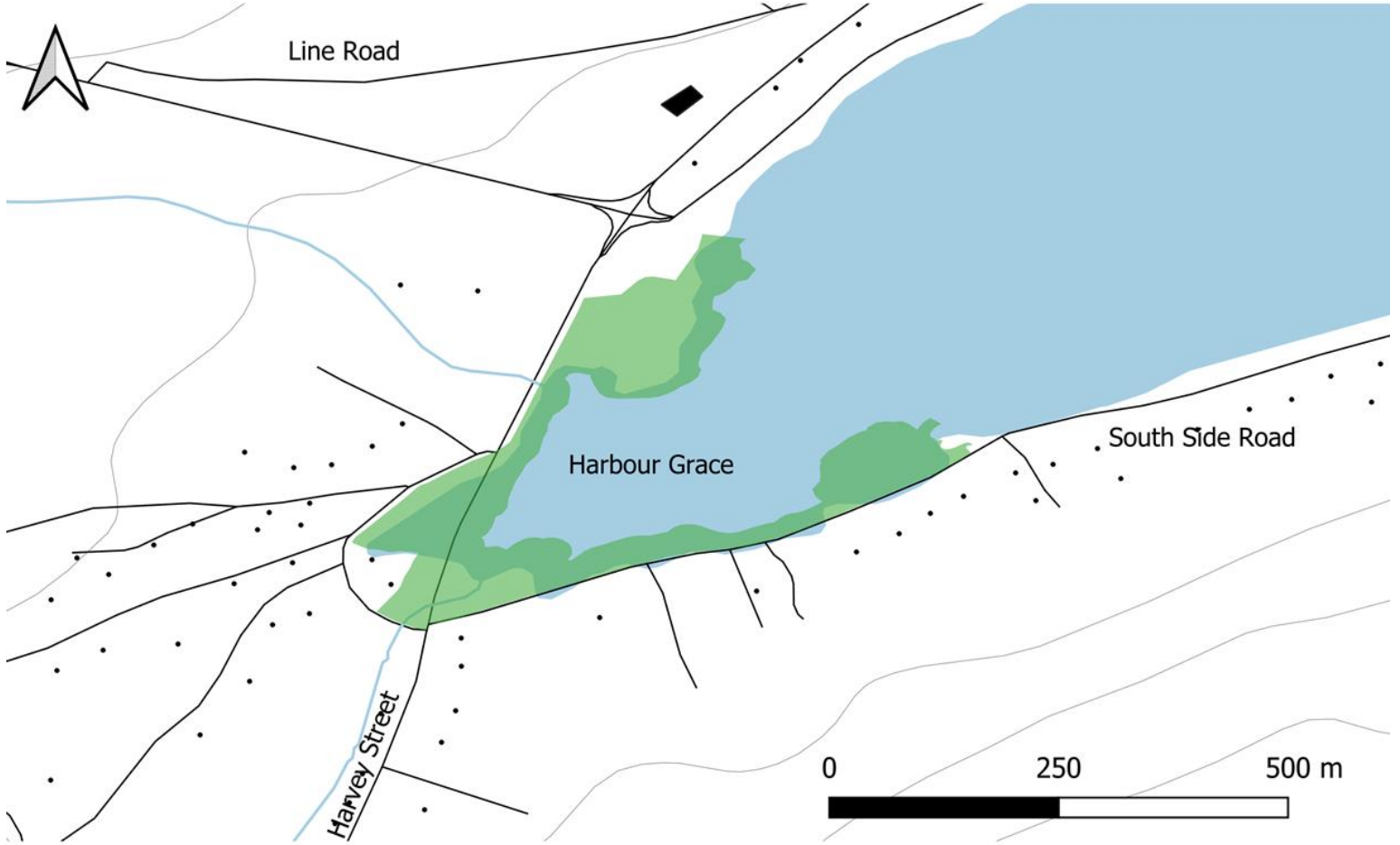

THE MUNICIPAL COUNCIL OF
HARBOUR GRACE

Schedule A: Conservation Areas
 Municipal Habitat Stewardship Agreement
 Municipality of Harbour Grace, Newfoundland and Labrador, Canada



March 2023
 Projection: WGS 84

Harbour Grace Estuary Conservation Area
 Municipal Habitat Stewardship Agreement
 Municipality of Harbour Grace, Newfoundland and Labrador, Canada



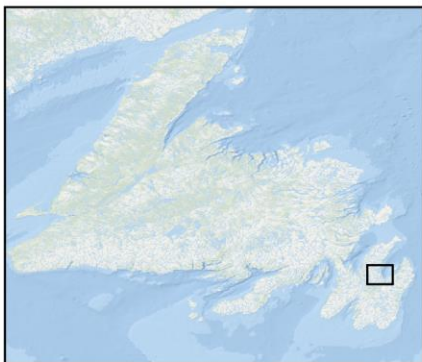
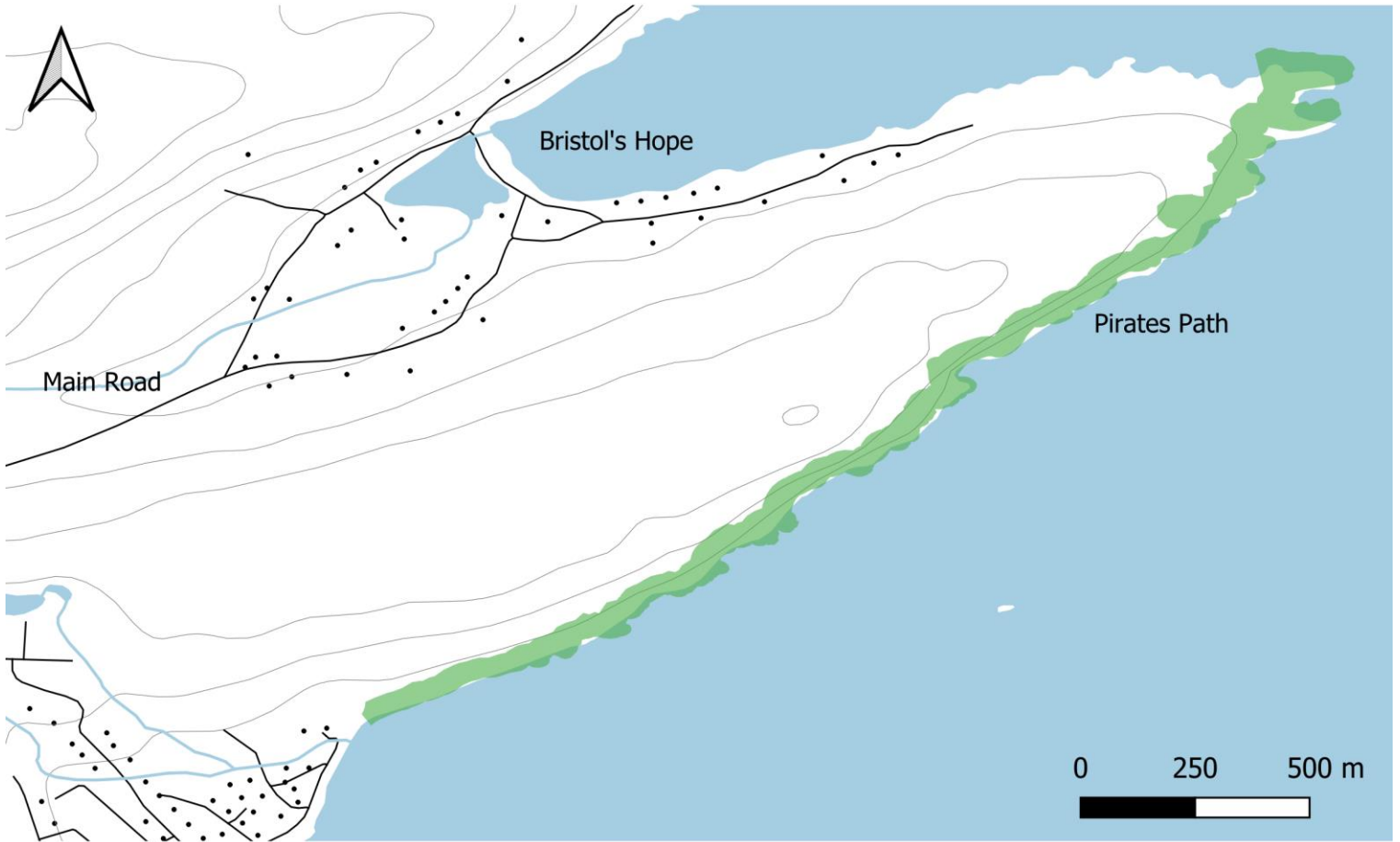
Legend

- Conservation Area
- Road
- Water
- Contour Line
- Building



March 2023
 Projection: WGS 84

Pirates Path Conservation Area
Municipal Habitat Stewardship Agreement
Municipality of Harbour Grace, Newfoundland and Labrador, Canada



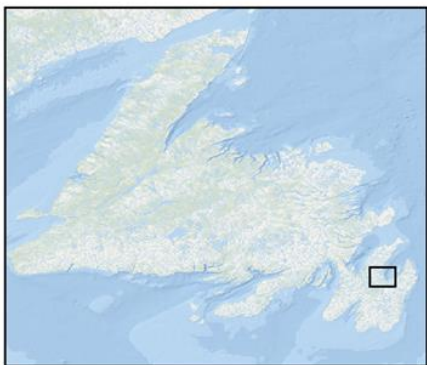
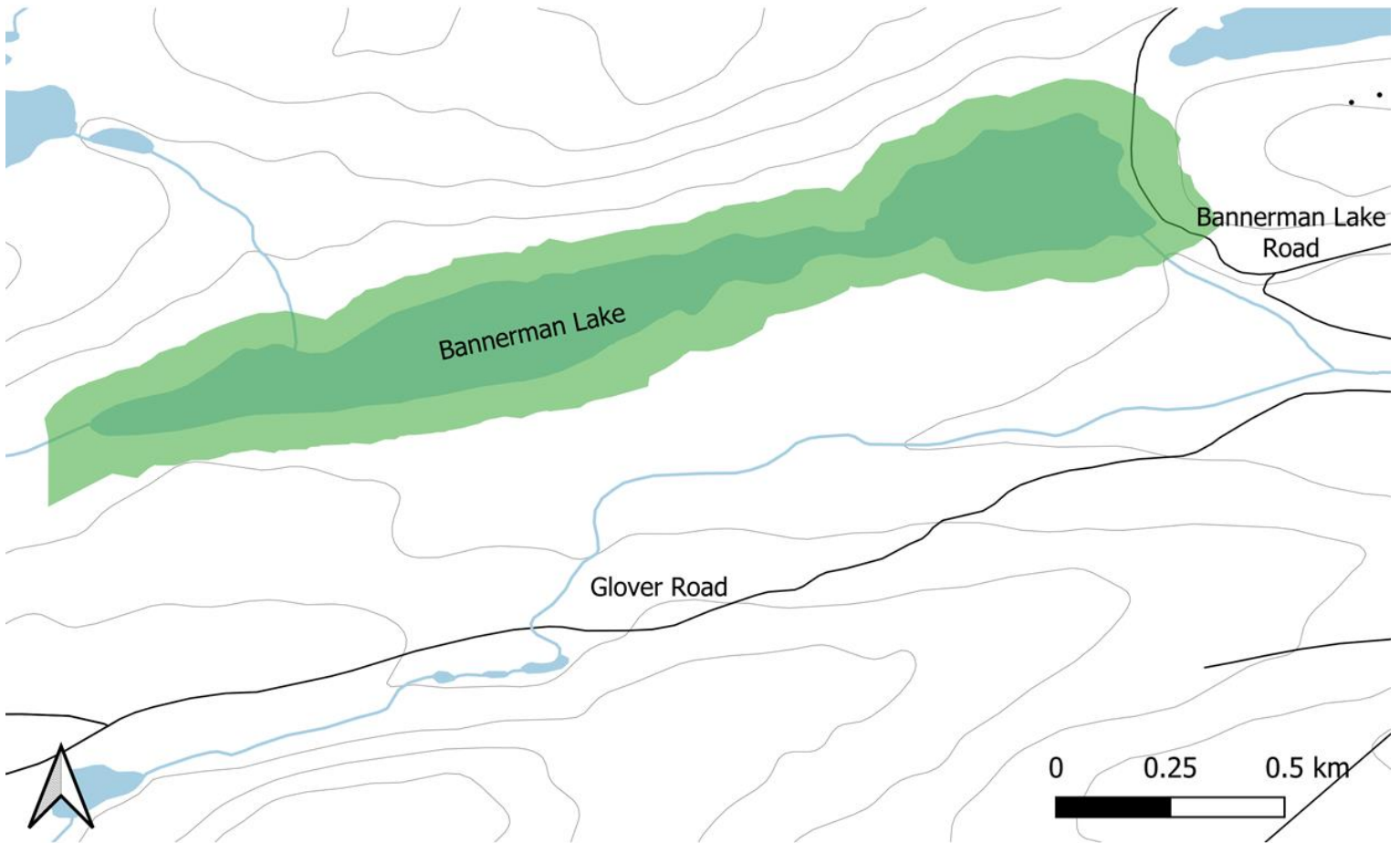
Legend

- Conservation Area
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March 2023
Projection: WGS 84

Bannerman Lake Conservation Area
Municipal Habitat Stewardship Agreement
Municipality of Harbour Grace, Newfoundland and Labrador, Canada



Legend	
	Conservation Area
	Road
	Water
	Contour Line
	Building



March 2023
Projection: WGS 84