

MUNICIPAL HABITAT STEWARDSHIP AGREEMENT

THIS AGREEMENT made at Torbay, in the province of Newfoundland and Labrador, this 20th day of October, 2015.

BETWEEN: **HER MAJESTY THE QUEEN IN RIGHT
OF NEWFOUNDLAND AND LABRADOR,**
as represented by the Honourable the Minister
of Environment and Conservation
(herein called the "Minister")

- of the one part -

AND: **THE TOWN COUNCIL OF THE TOWN OF
TORBAY,**
a municipal corporation pursuant to Section 15 of the
Municipalities Act, 1999 (herein called the "The Town")

- 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 wetland and upland habitats are fundamental tools in maintaining and enhancing wildlife populations in the province;

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

AND WHEREAS the Town has agreed to enter into this Agreement for the purpose of protecting and enhancing those areas of important habitat within its jurisdiction.

NOW THEREFORE IT IS AGREED BY THE PARTIES AS FOLLOWS:

1. The lands herein delineated and designated as a Stewardship Zone or Management Unit (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 the wetlands for waterfowl and other wildlife.
2. Within the limits of its jurisdiction, the Town shall permit only those activities within the Management Units that have no negative or adverse impact upon the wetland habitat or the waterfowl or other wildlife which utilize those habitats.
3. The parties may establish other Management Unit as may be desirable from time to time. The Management Units shall be subject to the terms and conditions of the Habitat Conservation Plan developed to enhance and protect the wetland habitats, the waterfowl and other wildlife which utilize those habitats.
4. The Habitat Conservation Plan shall be developed in cooperation with the Town and the Minister agrees to provide such advice and expertise necessary or advisable for the development of the Habitat Conservation Plan.
5. The Town agrees that in the preparation of a Municipal Plan for the Town or any amendments to any existing Municipal Plan, the areas designated as Management Units shall be recommended by the Town 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 therefore as may be brought into effect from time to time). The Town 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 Management Units 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 Management Units 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 any alterations or additions to it, they may do so by means of a written amendment 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 Environment
and Conservation in the presence of:



Witness



**THE DEPARTMENT OF
ENVIRONMENT AND CONSERVATION,
GOVERNMENT OF NEWFOUNDLAND
AND LABRADOR**

THE SEAL OF the Town Council of the
Town of Torbay hereunto affixed in the
presence of:



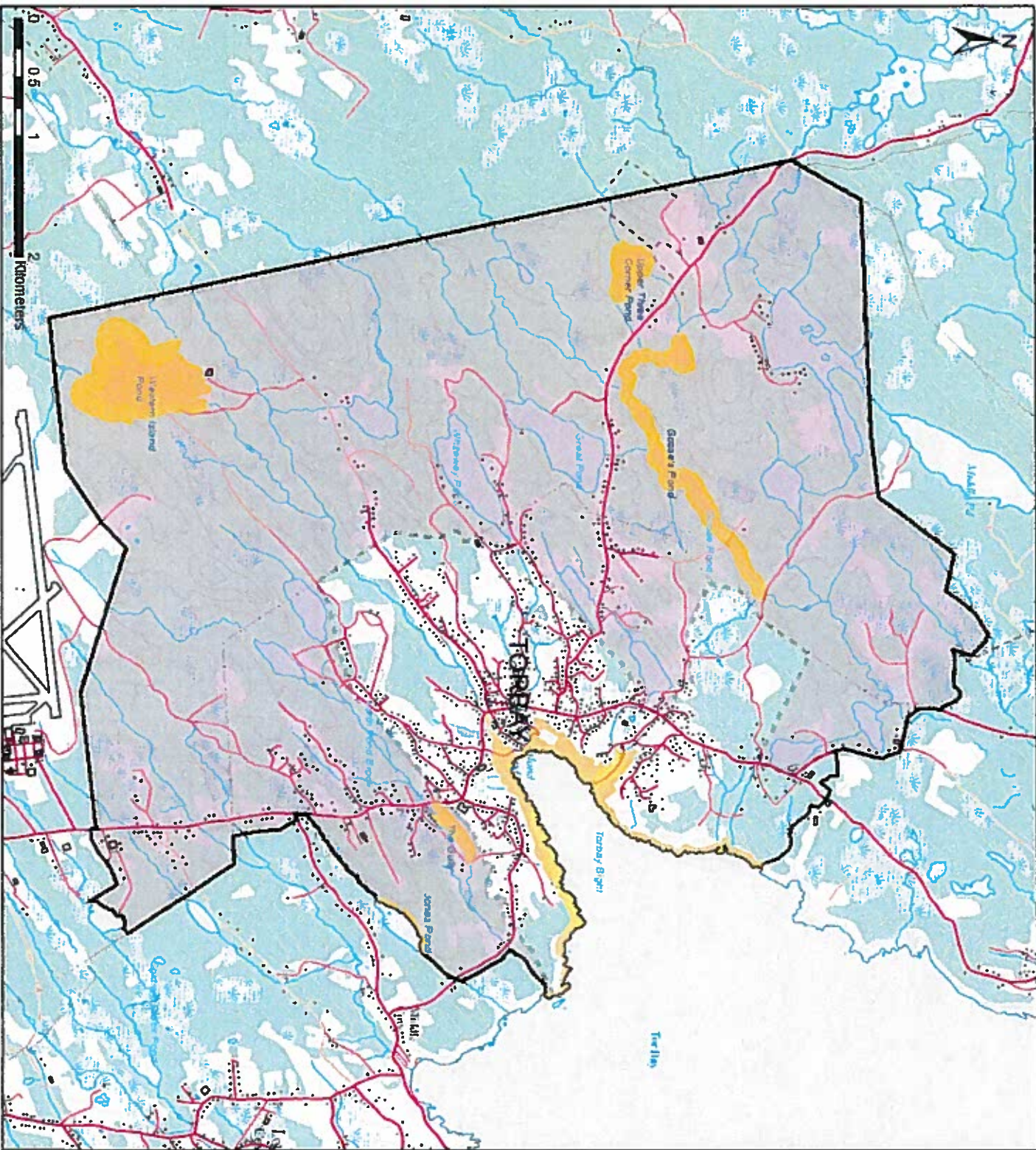

Witness



**THE TOWN COUNCIL OF THE TOWN
OF TORBAY**

SCHEDULE A

Stewardship Zone and Management Units for the Town of Torbay



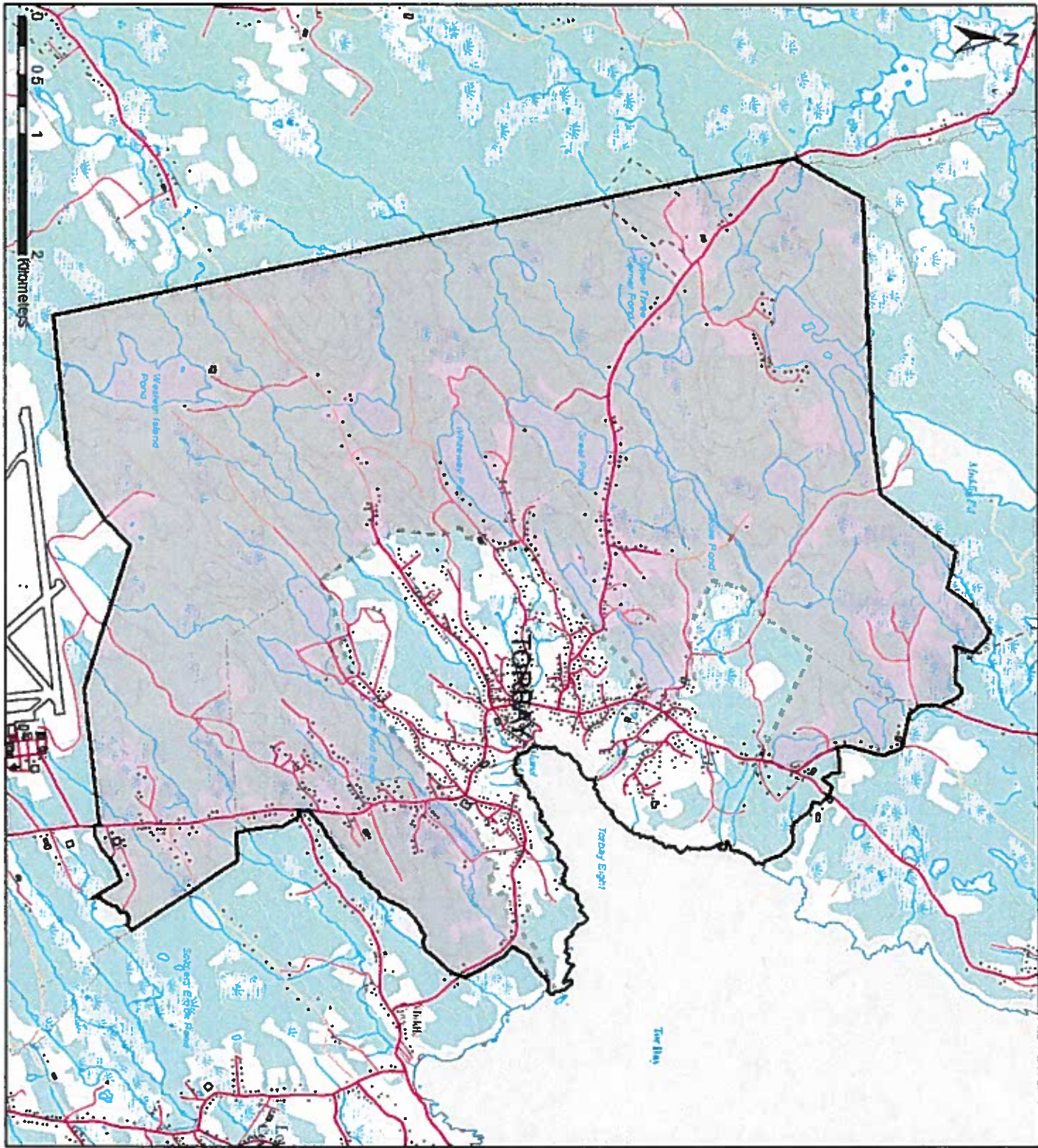
Legend

- Stewardship Zone
- Management Unit
- Municipal Boundary Torbay
- Building
- Trail
- Road
- Powerline
- River/ Stream
- Wetland
- Waterbody
- Contour Line
- Vegetation
- Other Municipal's Boundary



Projection Information:
 TM NAD 83 CNT
 January 2011
 revised September 2015

Stewardship Zone for the Town of Torbay



Legend

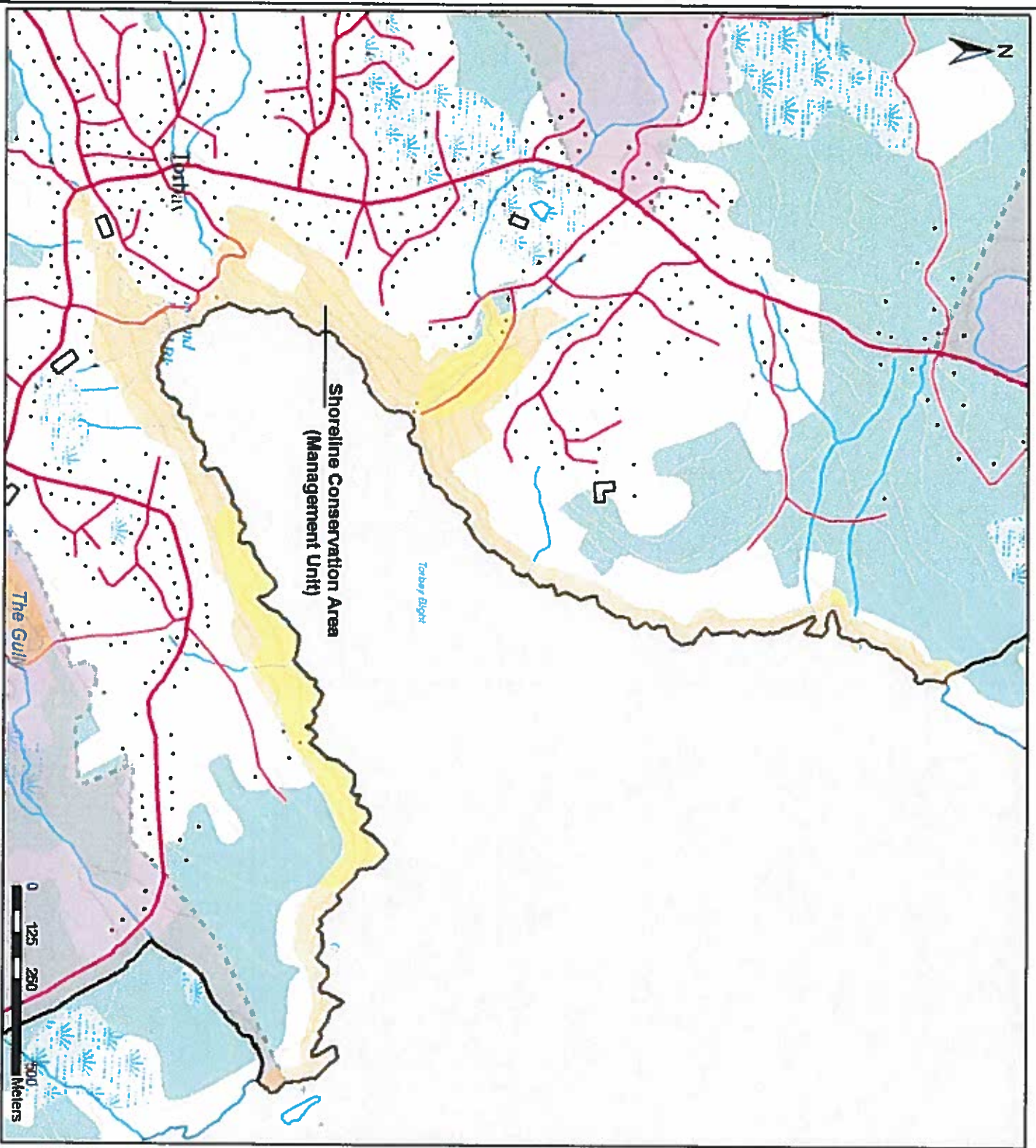
- Municipal Boundary Torbay
- Stewardship Zone
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- Building
- Trail
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- Contour Line
- Vegetation

**Newfoundland
Labrador**

 Eastern Hydrological Ventures

Projection Information:
 TM NAD 83 CNT
 January 2011
 revised September 2015

Management Unit - Shoreline Conservation Area



Legend

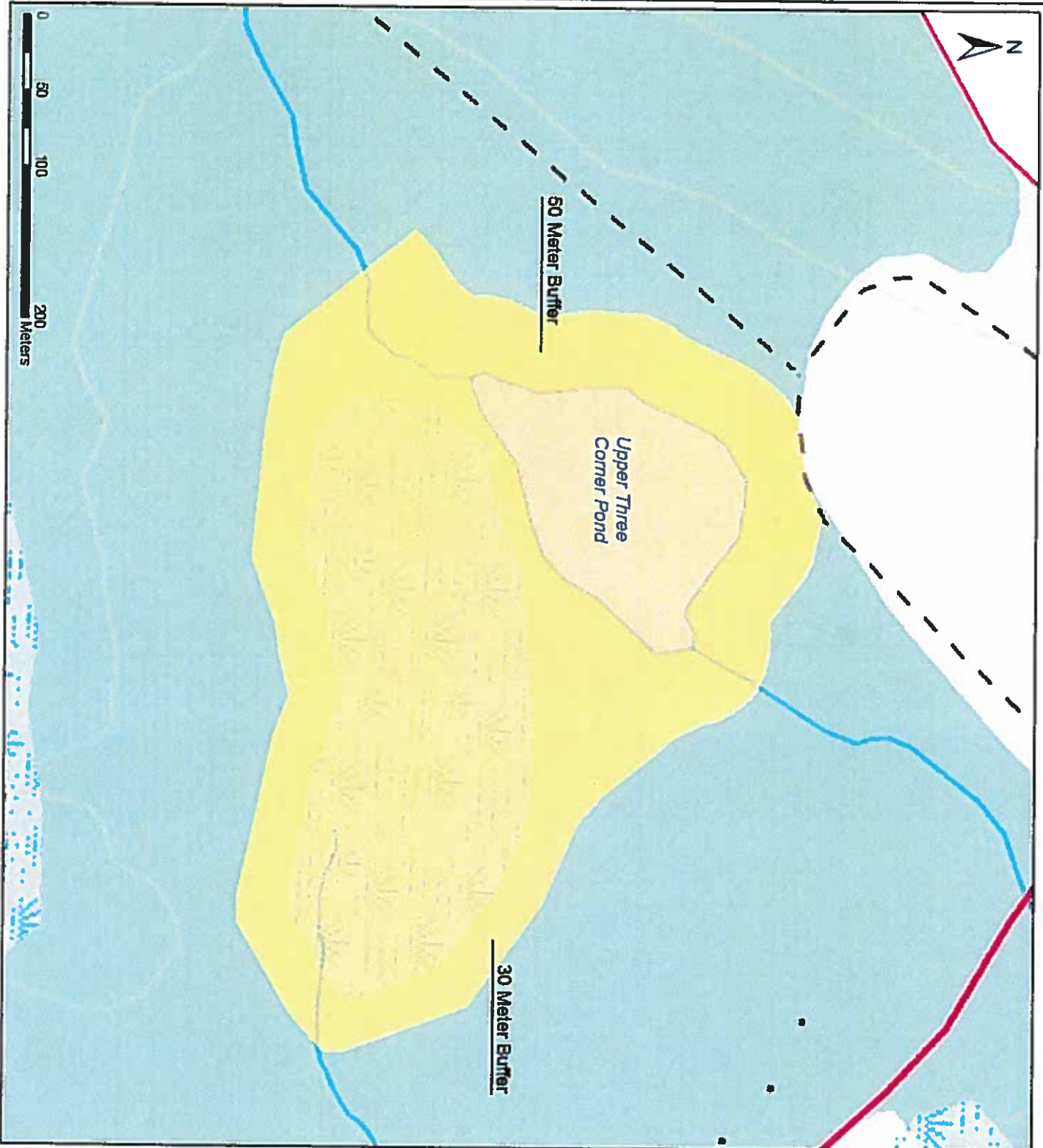
- Management Unit
- Stewardship Zone
- Municipal Boundary Torbay
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- Trail
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- Vegetation

EHV

 Eastern Habitat Joint Venture

Projection Information:
 TM NAD 83 CNT
 January 2011
 revised September 2015

Management Unit - Upper Three Corner Pond

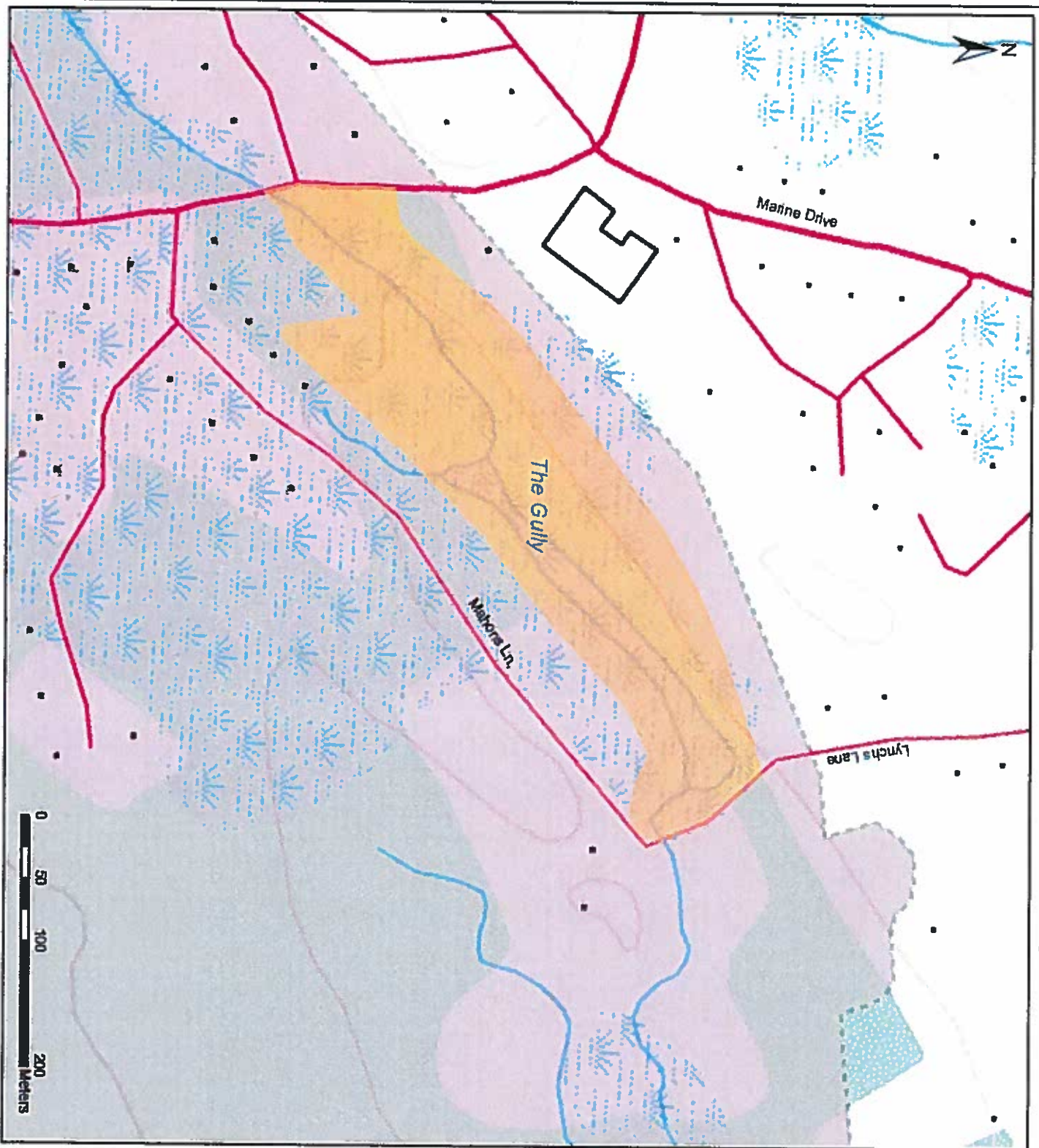


- Legend**
- Management Unit
 - Building
 - Trail
 - Road
 - River/ Stream
 - Welland
 - Waterbody
 - Contour Line
 - Vegetation



Projection Information:
TM NAD 83 CNT
January 2011
revised September 2015

Management Unit - The Gully



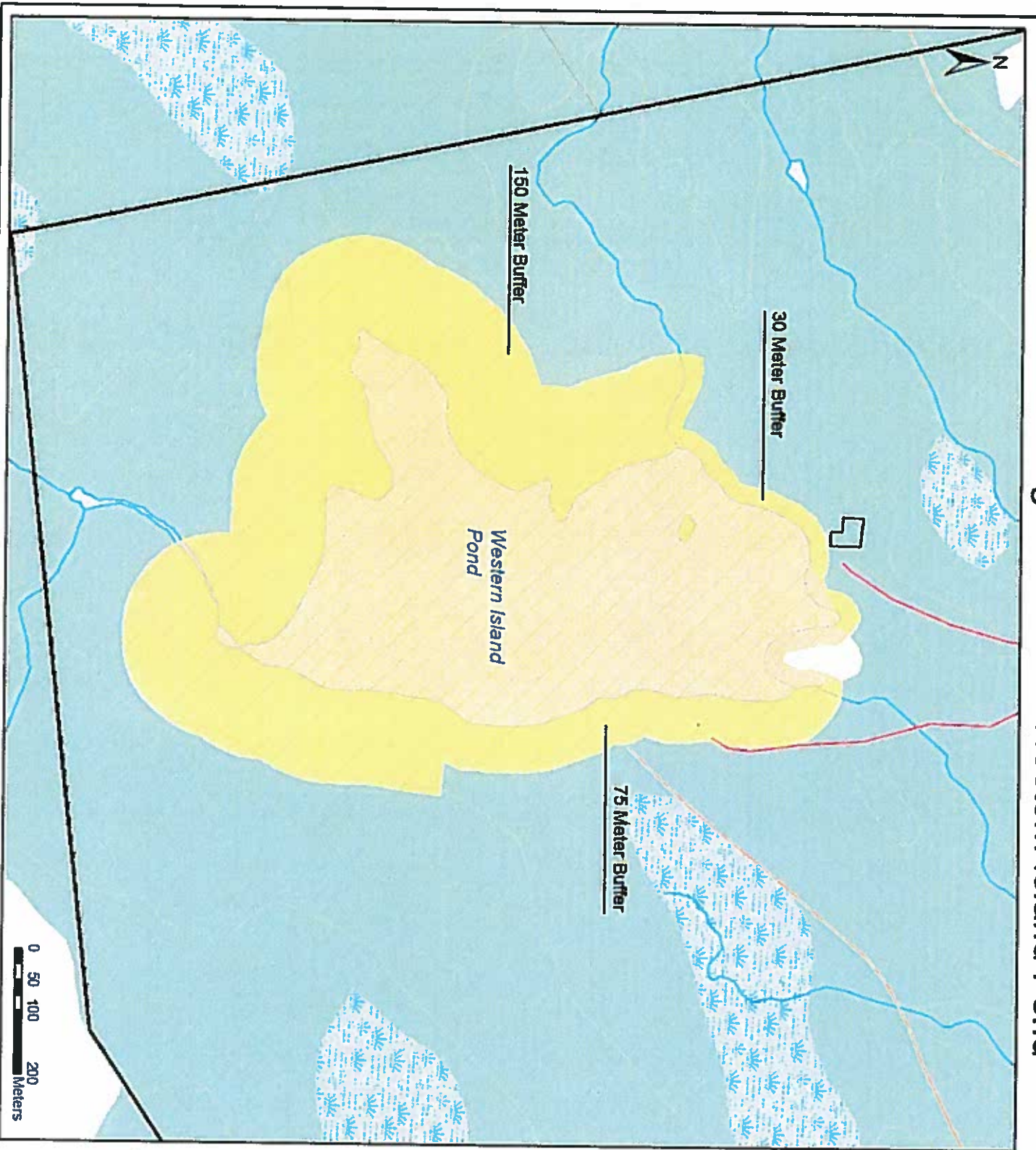
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- Stewardship Zone
- Management Unit
- Building
- Road
- River/ Stream
- Contour Line
- Wetland
- Waterbody
- Vegetation



Projection Information:
 TM NAD 83 CNT
 January 2011
 revised September 2015

Management Unit - Western Island Pond



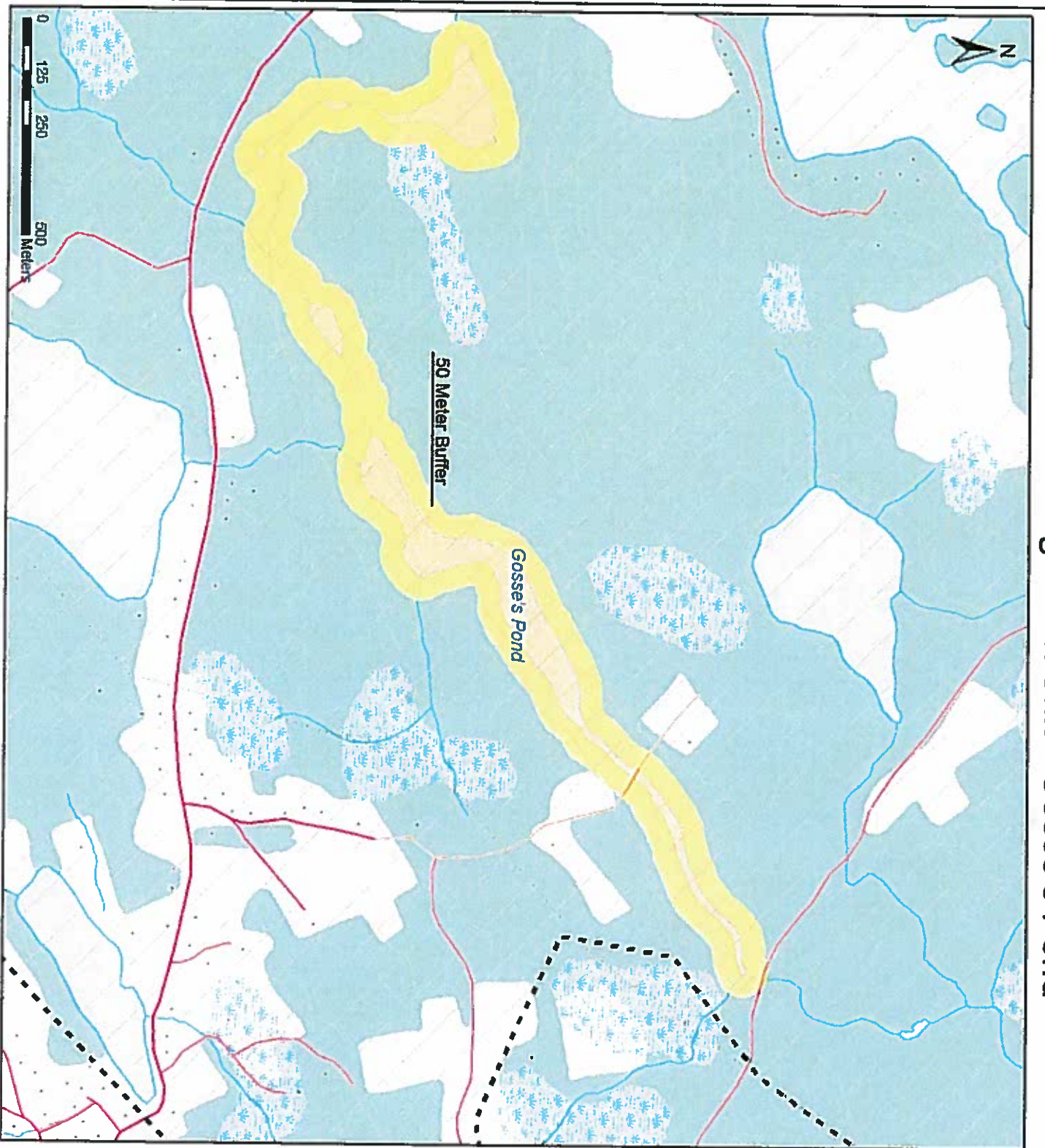
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- Management Unit
- Stewardship Zone
- Municipal Boundary Torbay
- Building
- Road
- River/ Stream
- Wetland
- Waterbody
- Contour Line
- Vegetation



Projection Information:
 TM NAD 83 CNT
 January 2011
 revised September 2015

Management Unit - Gosse's Pond



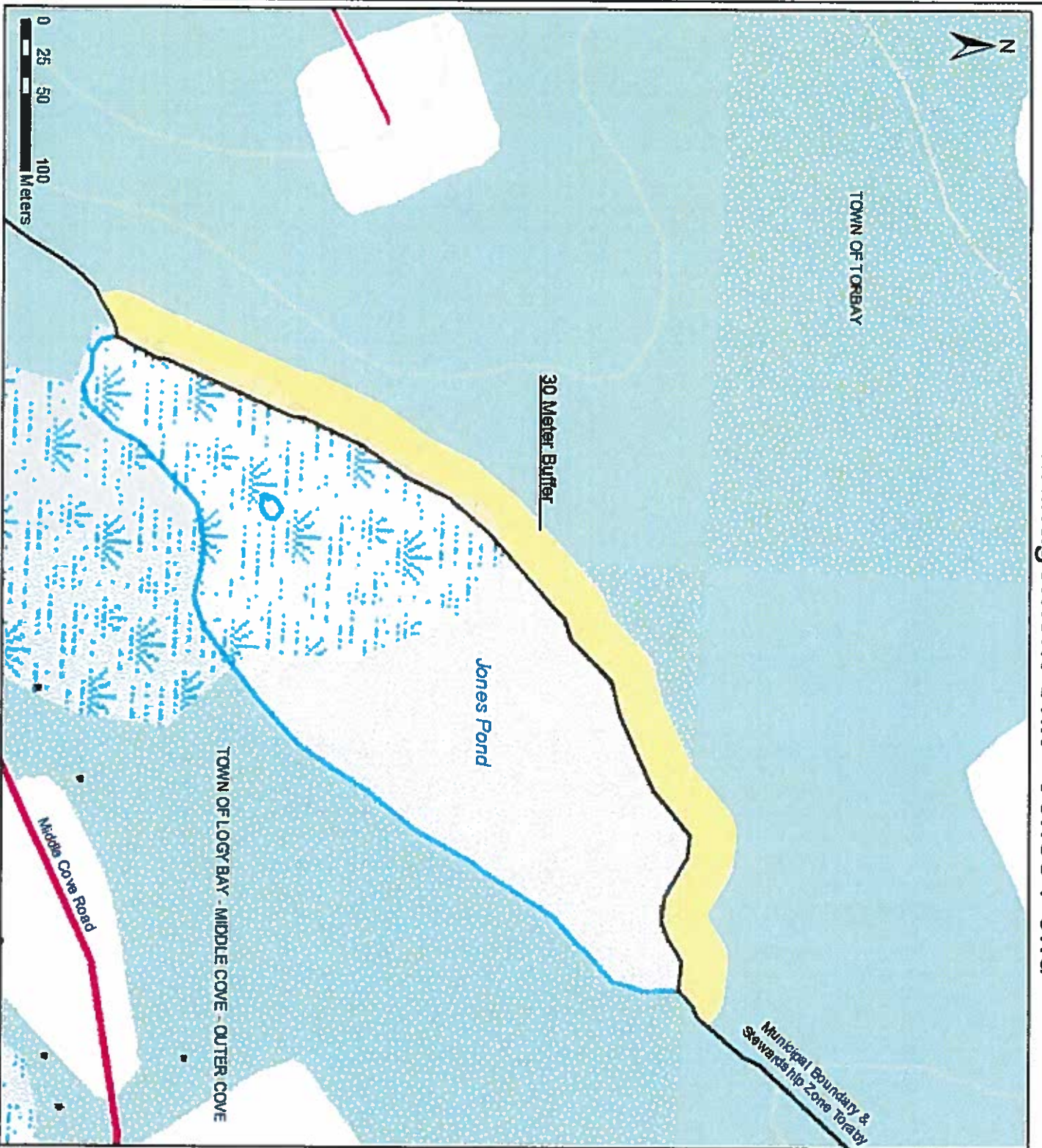
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-  Stewardship Zone
-  Management Unit
-  Building
-  Road
-  Powerline
-  River/ Stream
-  Contour Line
-  Wetland
-  Waterbody
-  Vegetation



Projection Information:
 TM NAD 83 CNT
 January 2011
 revised September 2015

Management Unit - Jones Pond



Legend

- Stewardship Zone
- Management Unit
- Municipal Boundary Torbay
- Building
- Road
- River/ Stream
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