Government of **Western Australia**
Department of **Mines and Petroleum**

Clearing Permit Decision Report

1. Application details

1.1. Permit application details

Permit application No.: 6891/1
Permit type: Purpose Permit

1.2. Proponent details

Proponent's name: **Blackham Resources Limited**

1.3. Property details

Property: Mining Lease 53/797
Mining Lease 53/798

Colloquial name: Williamson Project

1.4. Application

Clearing Area (ha)	No. Trees	Method of Clearing	For the purpose of:
40		Mechanical Removal	Mineral Production

1.5. Decision on application

Decision on Permit Application: Grant
Decision Date: 18 Feburary 2016

2. Site Information

2.1. Existing environment and information

2.1.1. Description of the native vegetation under application

Vegetation Description

Beard vegetation associations have been mapped for the whole of Western Australia. One Beard vegetation association is located within the application area (GIS Database):

125: Bare areas; salt lakes

A level 1 flora and vegetation survey was undertaken within the application area during August of 2015 by Animal Plant Mineral Pty Ltd (Animal Plant Mineral, 2015). A single homogenous vegetation community was recorded within the application area:

BLAW27: *Tecticornia* sp. nov. *halocnemoides* group (*Tecticornia indica* subsp. *leiostachya*) mid-dense chenopod shrubs over *Eragrostis falcata* very sparse tussock grasses.

The application area also consists of smaller areas of disturbed land. The disturbed land is a result of previous mining operations.

Clearing Description

Williamson Project.
Blackham Resources Limited proposes to clear up to 40 hectares of native vegetation within a total boundary of 311 hectares, for the purpose of mineral production. The project is located approximately 20 kilometres south of Wiluna, in the Shire of Wiluna.

Vegetation Condition

Very Good: Vegetation structure altered; obvious signs of disturbance (Kieghery, 1994).

Comment

Vegetation condition was derived from a flora and vegetation survey conducted by Animal Plant Mineral Pty Ltd (2015).

The proposed clearing is to allow for the commencement of mining operations at the Williamson Mine Site which is part of the larger Matilda Gold Project.

3. Assessment of application against Clearing Principles

(a) Native vegetation should not be cleared if it comprises a high level of biological diversity.

Comments

Proposal not likely to be at variance to this Principle

The application area is located within the Eastern Murchison subregion of the Murchison Bioregion of the Interim Biogeographic Regionalisation for Australia (GIS Database). The Eastern Murchison subregion is characterised by broad plains of red-brown soils and breakaway complexes as well as red sand plains. The vegetation of this subregion is dominated by Mulga Woodlands often rich in ephemerals; hummock grasslands, saltbush shrublands and Halosarcia shrublands (CALM, 2002).

The application area lies within the lake bed of Lake Way. The lake bed is mostly bare of vegetation except for the presence of a single sparse vegetation community (Animal Plant Mineral, 2015). This vegetation community is dominated by *Tecticornia* sp. nov., which was recently verified by the West Australian Herbarium as a possible new species (Animal Plant Mineral, 2015). Currently this species is of taxonomic interest and has no conservation status (Animal Plant Mineral, 2015). This vegetation community is considered to be well represented outside of the clearing permit application area and is not likely to act as significant habitat for native fauna species (Animal Plant Mineral, 2015).

The clearing permit application area also consists of smaller areas of disturbed land as a result of previous mineral exploration and mining activity (Animal Plant Mineral, 2015).

No Priority flora species listed by DPaW were identified during the flora and vegetation survey (Animal Plant Mineral, 2015; DPaW, 2015). No Threatened Ecological Communities (TECs) are known to occur within the application area and none were identified during the flora and vegetation survey (Animal Plant Mineral, 2015; GIS Database). Several Priority Ecological Communities (PECs) surround the application area, however, the flora and vegetation survey discounted the occurrence of any PECs within the application area (Animal Plant Mineral, 2015; GIS Database).

No weed species were recorded during the flora and vegetation survey, however several have the potential to occur (Animal Plant Mineral, 2015; DPaW, 2015). Weeds have the potential to alter the biodiversity of an area, competing with native vegetation for available resources and making areas more fire prone. Potential impacts to biodiversity as a result of the proposed clearing may be minimised by the implementation of a weed management condition.

Based on the above, the proposed clearing is not likely to be at variance to this principle.

Methodology

Animal Plant Mineral (2015)
CALM (2002)
DPaW (2015)

GIS Database:
- IBRA WA (Regions – Sub-regions)
- Pre-European Vegetation
- Threatened Ecological Sites Buffered

(b) Native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of, a significant habitat for fauna indigenous to Western Australia.

Comments

Proposal is not likely to be at variance to this Principle

A level 1 fauna assessment was undertaken over the clearing permit application area in August 2015 (Animal Plant Mineral, 2015). The assessment identified two broad fauna habitats:

- Salt lakes; and
- Disturbed areas

Salt lake habitat identified within the fauna survey is considered to be well represented within the surrounding region (Animal Plant Mineral, 2015). Therefore the vegetation proposed to be cleared is unlikely to act as significant habitat for fauna within and surrounding the application area (Animal Plant Mineral, 2015).

Based on available datasets up to 245 fauna species have the potential to occur within a 40 kilometre radius of the application area, consisting of seven amphibians, 75 reptiles, 41 mammals and 122 birds (DPaW, 2015). Of these species, 23 are of conservation significance comprising of 18 birds, one reptile and four mammals. However, based on habitat preference, only four of these conservation significant species are considered likely to occur within the clearing permit application area (Animal Plant Mineral, 2015):

- Rainbow Bee-eater – Schedule 5 Migratory Birds (IA)
- Fork-tailed swift – Schedule 5 Migratory Birds (IA)
- Peregrine Falcon – Schedule 7, Other Specially Protected Fauna (OS)
- Long-tailed Dunnart – Priority 4 as listed by DPaW

The Rainbow Bee-eater is listed as a migratory species (Animal Plant Mineral, 2015). The species occurs throughout Australia with the exception of Tasmania (Animal Plant Mineral, 2015). The Rainbow Bee-eater mainly occurs in open woodland and shrubland and nests in a burrow which is excavated into flat or sloping ground, road cuttings, creek banks or quarry pits (Animal Plant Mineral, 2015). Animal Plant Mineral (2015) identified the potential for the species to excavate a nest in pre-existing mining pits located within the survey area; however, no individuals were recorded during the fauna survey. Given that the Rainbow Bee-eater has a large range and a large population that appears to be stable (DPaW, 2015), significant impacts to this species as a result of the proposed clearing are considered unlikely.

The Peregrine Falcon and Fork-tailed Swift are both wide ranging species and are not confined to a specific habitat (DPaW, 2015). They can be found everywhere from woodlands to open grasslands and coastal cliffs (DPaW, 2015) and therefore are unlikely to be reliant on vegetation within the application area.

The Long-tailed Dunnart was recorded in traps during several fauna surveys surrounding the clearing permit application area (Animal Plant Mineral, 2015). Based on proposed mine plans provided to the Department of Mines and Petroleum by Blackham Resources Limited, it appears only a limited section of suitable habitat (if any) will be influenced by mining operations (Animal Plant Mineral, 2015). There is suitable habitat surrounding the application area and the Long-tailed Dunnart has a relatively good distribution across Western Australia and the Northern Territory (Animal Plant Mineral, 2015). Given a relatively wide distribution and the presence of suitable habitat in the surrounding area, the proposed clearing is unlikely to pose a threat to the conservation of the Long-tailed Dunnart.

Based on the above, the proposed clearing is not likely to be at variance to this principle.

Methodology Animal Plant Mineral (2015)
DPaW (2015)

(c) Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, rare flora.

Comments **Proposal not likely to be at variance to this Principle**

No species of Threatened flora are known to occur within or in close proximity to, the application area (DPaW, 2015; GIS Database). A flora and vegetation survey of the application area did not identify the presence of any Threatened flora (Animal Plant Mineral, 2015).

Based on the above, the proposed clearing is not likely to be at variance to this Principle.

Methodology Animal Plant Mineral (2015)
DPaW (2015)

GIS Database:
- Threatened and Priority Flora

(d) Native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for the maintenance of a threatened ecological community.

Comments **Proposal is not likely to be at variance to this Principle**

No TECs are known to occur within the application area (GIS Database). A flora and vegetation survey of the application area did not identify the presence of any TECs (Animal Plant Mineral, 2015).

Based on the above, the proposed clearing is not likely to be at variance to this Principle.

Methodology Animal Plant Mineral (2015)

GIS Database:
- Threatened and Priority Ecological Communities Boundaries
- Threatened and Priority Ecological Communities Buffers

(e) Native vegetation should not be cleared if it is significant as a remnant of native vegetation in an area that has been extensively cleared.

Comments **Proposal is not at variance to this Principle**

The application area occurs within the Murchison Interim Biogeographic Regionalisation of Australia (IBRA) bioregion in which approximately 99.7% of pre-European vegetation remains (GIS Database; Government of Western Australia, 2014).

The vegetation within the application area has been mapped as Beard vegetation association 125 (GIS Database). Beard vegetation association 125 is well represented at both a state and bioregional level, as shown in the table below (Government of Western Australia, 2014). Given the amount of vegetation remaining in the local area and bioregion, the vegetation proposed to be cleared is not considered to represent a remnant within an extensively cleared area.

	Pre-European area (ha)*	Current extent (ha)*	Remaining %*	Conservation Status**	Pre-European % in DPaW Managed Lands
IBRA Bioregion - Murchison	28,120,587	28,044,823	99.7	Least Concern	~7.7
Beard vegetation associations - State					
125	3,485,786	3,146,497	90.27	Least Concern	~ 9.0
Beard vegetation associations - Bioregion					
125	711, 483	710, 255	99.83	Least Concern	~ 7.9

* Government of Western Australia (2014)
** Department of Natural Resources and Environment (2002)

Based on the above, the proposed clearing is not at variance to this principle.

Methodology Department of Natural Resources and Environment (2002)
Government of Western Australia (2014)

GIS Database:
- IBRA WA (Regions – Sub-regions)
- Pre-European Vegetation

(f) Native vegetation should not be cleared if it is growing in, or in association with, an environment associated with a watercourse or wetland.

Comments **Proposal is at variance to this Principle**

The application area is located within the lake bed of Lake Way, a non-perennial salt lake (GIS Database). Any vegetation present is considered to be growing in association with the lake bed and as such the proposal is at variance to this principle.

Lake Way covers an area of approximately 20,000 hectares and is part of a large chain of salt lakes (Animal Plant Mineral, 2015; GIS Database, 2015). The vegetation proposed to be cleared is well represented outside of the application area and is typical of salt lake vegetation in the region (Animal Plant Mineral, 2015).

However, the proposed clearing of up to 40 hectares of lake bed vegetation is unlikely to have any significant impact on Lake Way or any other watercourse or wetland.

Based on the above, the proposed clearing is at variance to this principle.

Methodology Animal Plant Mineral (2015)

GIS Database:
- Hydrography, linear

(g) Native vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable land degradation.

Comments **Proposal is not likely to be at variance to this Principle**

The application area is located on the Carnegie Land System (Animal Plant Mineral, 2015; GIS Database). The Carnegie Land system is described as:

Salt lakes with extensively fringing saline plains, dunes and sandy banks, supporting low halophytic shrublands and scattered tall acacia shrublands; lake beds are highly saline; gypsiferous and mainly un-vegetated (Curry et al., 1994).

The Carnegie Land System is not usually susceptible to erosion (Animal Plant Mineral, 2015; Curry et al., 1994). The proposed clearing of sparse lake bed vegetation is unlikely to result in appreciable land degradation.

Based on the above, the proposed clearing is not likely to be at variance to this Principle.

Methodology Animal Plant Mineral (2015)
Curry et al. (1994)

GIS Database:
- Landsystem Rangelands

(h) Native vegetation should not be cleared if the clearing of the vegetation is likely to have an impact on the environmental values of any adjacent or nearby conservation area.

Comments **Proposal is not likely to be at variance to this Principle**

There are no conservation areas located within or adjacent to the application area (GIS Database). The nearest DPaW managed land is Wanjarri Nature Reserve located approximately 70 kilometres southeast of the application area (GIS Database).

Based on the above, the proposed clearing is not likely to be at variance to this Principle.

Methodology GIS Database:
- DPaW Tenure

(i) Native vegetation should not be cleared if the clearing of the vegetation is likely to cause deterioration in the quality of surface or underground water.

Comments **Proposal is not likely to be at variance to this Principle**

The application area is located within a saline lake bed (Lake Way). Lake Way is normally dry and only becomes inundated after major rainfall events. Given that Lake Way is normally dry and there is minimal vegetation currently present within the application area, the clearing of up to 40 hectares of native vegetation is unlikely to impact on surface water quality.

The application area lies within the Lake Carey catchment (GIS Database). Groundwater salinity within the application area is considered to be brackish (1000-3000 milligrams/Litre Total Dissolved solids) (GIS Database). The proposed clearing of up to 40 hectares of native vegetation within a catchment area of approximately 11, 378, 092 hectares (GIS Database) is unlikely to result in significant impacts on groundwater quality.

There are no Public Drinking Water Source Areas within or in close proximity to the clearing permit application area (GIS Database).

Based on the above, the proposed clearing is not likely to be at variance to this Principle.

Methodology GIS Database:
- Groundwater Salinity, Satewide
- Hydrography, linear
- Public Drinking Water Source Areas (PDWSAs)
- RIWI Act, Groundwater Areas

(j) Native vegetation should not be cleared if clearing the vegetation is likely to cause, or exacerbate, the incidence or intensity of flooding.

Comments **Proposal is not likely to be at variance to this Principle**

The climate of the region is semi-arid, receiving a low average rainfall of approximately 250 millimetres per year, with evaporation exceeding rainfall (BoM, 2015). The application area is situated within a saline lake bed (Lake Way). Lake Way is normally dry and only becomes inundated after intense rainfall events, which occur sporadically (Animal Plant Mineral, 2015).

The application area is located within the Lake Carey Catchment which has an area of approximately 11, 378, 092 hectares (GIS Database). Extensive clearing of native vegetation may increase the potential for small scale, localised flooding events. However, clearing of up to 40 hectares of native vegetation within Lake Way is unlikely to result in a significant increase in the incidence of flooding (Animal Plant Mineral, 2015; GIS Database).

Based on the above, the proposed clearing is not likely to be at variance to this Principle.

Methodology BoM (2015)
CALM (2002)

GIS Database:
- Hydrographic Catchments – Catchments

Planning instrument, Native Title, RIWI Act Licence, EP Act Licence, Works Approval, Previous EPA decision or other matter.

Comments

There are no native title claims over the application area (DAA, 2015). However, the mining tenure has been granted in accordance with the future act regime of the *Native Title Act 1993* and the nature of the act (i.e. the proposed clearing activity) has been provided for in that process, therefore, the granting of a clearing permit is not a future act under the *Native Title Act 1993*.

There is one registered Site of Aboriginal Significance located in the area applied to clear (DAA, 2015). It is the proponent's responsibility to comply with the *Aboriginal Heritage Act 1972* and ensure that no Sites of Aboriginal Significance are damaged through the clearing process.

It is the proponent's responsibility to liaise with the Department of Environment Regulation, the Department of Parks and Wildlife and the Department of Water, to determine whether a Works Approval, Water Licence, Bed and Banks Permit, or any other licences or approvals are required for the proposed works.

The clearing permit application was advertised on 11 January 2016 by the Department of Mines and Petroleum inviting submissions from the public. No submissions were received.

Methodology

DAA (2015)

4. References

Animal Plant Mineral (2015) Vegetation Clearing Permit Application, Willimason Project, Support Information for Williamson Site Native Vegetation Clearing (Purpose) Permit Application. Report prepared for Blackham Resources Limited, by Animal Plant Mineral Pty Ltd, December 2015.

BoM (2015) Climate Statistics for Australian Locations, Wiluna. Bureau of Meteorology. http://www.bom.gov.au/climate/averages/tables/cw_013012.shtml (Accessed 11 February 2016).

CALM (2002) A Biodiversity Audit of Western Australia's 53 Biogeographical Subregions. Department of Conservation and Land Management, Western Australia

Curry, P.J, A.L., Leighton, K.A., Henning, P., and Blood, D.A (1994) An Inventory and Condition Survey of the Murchison River Catchment, Western Australia. Technical Bulletin No. 92. Department of Agriculture, Western Australia.

DAA (2016) Aboriginal Heritage Enquiry System. Department of Aboriginal Affairs. http://maps.dia.wa.gov.au/AHIS2/ (Accessed 11 February 2016).

Department of Natural Resources and Environment (2002) Biodiversity Action Planning. Action planning for native biodiversity at multiple scales; catchment bioregional, landscape, local. Department of Natural Resources and Environment, Victoria.

DPaW (2015) NatureMap. Department of Parks and Wildlife. http://naturemap.dec.wa.gov.au (Accessed 11 February 2016)

Government of Western Australia (2014) 2014 Statewide Vegetation Statistics incorporating the CAR Reserve Analysis (Full Report). Department of Environment and Conservation, Western Australia, June 2014.

Keighery, B.J. (1994) Bushland Plant Survey: A Guide to Plant Community Survey for the Community. Wildflower Society of WA (Inc). Nedlands, Western Australia.

5. Glossary

Acronyms:

BoM	Bureau of Meteorology, Australian Government
DAA	Department of Aboriginal Affairs, Western Australia
DAFWA	Department of Agriculture and Food, Western Australia
DEC	Department of Environment and Conservation, Western Australia (now DPaW and DER)
DER	Department of Environment Regulation, Western Australia
DMP	Department of Mines and Petroleum, Western Australia
DRF	Declared Rare Flora
DotE	Department of the Environment, Australian Government
DoW	Department of Water, Western Australia
DPaW	Department of Parks and Wildlife, Western Australia
DSEWPaC	Department of Sustainability, Environment, Water, Population and Communities (now DotE)
EPA	Environmental Protection Authority, Western Australia
EP Act	*Environmental Protection Act 1986*, Western Australia
EPBC Act	*Environment Protection and Biodiversity Conservation Act 1999* (Federal Act)
GIS	Geographical Information System
ha	Hectare (10,000 square metres)
IBRA	Interim Biogeographic Regionalisation for Australia
IUCN	International Union for the Conservation of Nature and Natural Resources – commonly known as the World Conservation Union
PEC	Priority Ecological Community, Western Australia
RIWI Act	*Rights in Water and Irrigation Act 1914*, Western Australia
TEC	Threatened Ecological Community

Definitions:

{DPaW (2015) Conservation Codes for Western Australian Flora and Fauna. Department of Parks and Wildlife, Western Australia}:-

T **Threatened species:**
Published as Specially Protected under the *Wildlife Conservation Act 1950,* listed under Schedules 1 to 4 of the Wildlife Conservation (Specially Protected Fauna) Notice for Threatened Fauna and Wildlife Conservation (Rare Flora) Notice for Threatened Flora (which may also be referred to as Declared Rare Flora).

Threatened fauna is that subset of 'Specially Protected Fauna' declared to be 'likely to become extinct' pursuant to section 14(4) of the Wildlife Conservation Act.

Threatened flora is flora that has been declared to be 'likely to become extinct or is rare, or otherwise in need of special protection', pursuant to section 23F(2) of the Wildlife Conservation Act.

The assessment of the conservation status of these species is based on their national extent and ranked according to their level of threat using IUCN Red List categories and criteria as detailed below.

CR **Critically endangered species**
Threatened species considered to be facing an extremely high risk of extinction in the wild. Published as Specially Protected under the *Wildlife Conservation Act 1950,* in Schedule 1 of the Wildlife Conservation (Specially Protected Fauna) Notice for Threatened Fauna and Wildlife Conservation (Rare Flora) Notice for Threatened Flora.

EN **Endangered species**
Threatened species considered to be facing a very high risk of extinction in the wild. Published as Specially Protected under the *Wildlife Conservation Act 1950,* in Schedule 2 of the Wildlife Conservation (Specially Protected Fauna) Notice for Threatened Fauna and Wildlife Conservation (Rare Flora) Notice for Threatened Flora.

VU **Vulnerable species**
Threatened species considered to be facing a high risk of extinction in the wild. Published as Specially Protected under the *Wildlife Conservation Act 1950,* in Schedule 3 of the Wildlife Conservation (Specially Protected Fauna) Notice for Threatened Fauna and Wildlife Conservation (Rare Flora) Notice for Threatened Flora.

EX **Presumed extinct species**
Species which have been adequately searched for and there is no reasonable doubt that the last individual has died. Published as Specially Protected under the *Wildlife Conservation Act 1950,* in Schedule 4 of the Wildlife Conservation (Specially Protected Fauna) Notice for Presumed Extinct Fauna and Wildlife Conservation (Rare Flora) Notice for Presumed Extinct Flora.

IA **Migratory birds protected under an international agreement**
Birds that are subject to an agreement between the government of Australia and the governments of Japan (JAMBA), China (CAMBA) and The Republic of Korea (ROKAMBA), and the Bonn Convention, relating to the protection of migratory birds. Published as Specially Protected under the *Wildlife Conservation Act 1950,* in Schedule 5 of the Wildlife Conservation (Specially Protected Fauna) Notice.

CD **Conservation dependent fauna**
Fauna of special conservation need being species dependent on ongoing conservation intervention to prevent it becoming eligible for listing as threatened. Published as Specially Protected under the *Wildlife Conservation Act 1950,* in Schedule 6 of the Wildlife Conservation (Specially Protected Fauna) Notice.

OS **Other specially protected fauna**
Fauna otherwise in need of special protection to ensure their conservation. Published as Specially Protected under the *Wildlife Conservation Act 1950,* in Schedule 7 of the Wildlife Conservation (Specially Protected Fauna) Notice.

P **Priority species**
Species which are poorly known; or
Species that are adequately known, are rare but not threatened, and require regular monitoring. Assessment of Priority codes is based on the Western Australian distribution of the species, unless the distribution in WA is part of a contiguous population extending into adjacent States, as defined by the known spread of locations.

P1 **Priority One - Poorly-known species:**
Species that are known from one or a few locations (generally five or less) which are potentially at risk. All occurrences are either: very small; or on lands not managed for conservation, e.g. agricultural or pastoral lands, urban areas, road and rail reserves, gravel reserves and active mineral leases; or otherwise under threat of habitat destruction or degradation. Species may be included if they are comparatively well known from one or more locations but do not meet adequacy of survey requirements and appear to be under immediate threat from known threatening processes. Such species are in urgent need of further survey.

P2 **Priority Two - Poorly-known species:**
Species that are known from one or a few locations (generally five or less), some of which are on lands managed primarily for nature conservation, e.g. national parks, conservation parks, nature reserves and other lands with secure tenure being managed for conservation. Species may be included if they are comparatively well known from one or more locations but do not meet adequacy of survey requirements and appear to be under threat from known threatening processes. Such species are in urgent need of further survey.

P3 **Priority Three - Poorly-known species:**
Species that are known from several locations, and the species does not appear to be under imminent threat, or from few but widespread locations with either large population size or significant remaining areas of apparently suitable habitat, much of it not under imminent threat. Species may be included if they are comparatively well known from several locations but do not meet adequacy of survey requirements and known threatening processes exist that could affect them. Such species are in need of further survey.

P4 **Priority Four - Rare, Near Threatened and other species in need of monitoring:**
(a) Rare. Species that are considered to have been adequately surveyed, or for which sufficient knowledge is available, and that are considered not currently threatened or in need of special protection, but could be if present circumstances change. These species are usually represented on conservation lands.
(b) Near Threatened. Species that are considered to have been adequately surveyed and that are close to qualifying for Vulnerable, but are not listed as Conservation Dependent.
(c) Species that have been removed from the list of threatened species during the past five years for reasons other than taxonomy.

Principles for clearing native vegetation:

(a) Native vegetation should not be cleared if it comprises a high level of biological diversity.

(b) Native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for th maintenance of, a significant habitat for fauna indigenous to Western Australia.

(c) Native vegetation should not be cleared if it includes, or is necessary for the continued existence of, rar flora.

(d) Native vegetation should not be cleared if it comprises the whole or a part of, or is necessary for th maintenance of a threatened ecological community.

(e) Native vegetation should not be cleared if it is significant as a remnant of native vegetation in an area tha has been extensively cleared.

(f) Native vegetation should not be cleared if it is growing in, or in association with, an environment associate with a watercourse or wetland.

(g) Native vegetation should not be cleared if the clearing of the vegetation is likely to cause appreciable lan degradation.

(h) Native vegetation should not be cleared if the clearing of the vegetation is likely to have an impact on th environmental values of any adjacent or nearby conservation area.

(i) Native vegetation should not be cleared if the clearing of the vegetation is likely to cause deterioration in th quality of surface or underground water.

(j) Native vegetation should not be cleared if clearing the vegetation is likely to cause, or exacerbate, th incidence or intensity of flooding.