

DEVELOPMENT WITHIN FORESTS

The Federal Migratory Bird Regulations protect migratory birds, nests, and eggs. Whether the birds have nested in trees, on buildings, on cliffs, or on the ground. These regulations prohibit:

- capture, kill, take, injure or harass a migratory bird or attempt to do so
- destroy, take or disturb an egg; and
- damage, destroy, remove or disturb a nest, nest shelter, eider duck shelter or duck box, unless the following exceptions apply
 - the nest does not contain a live migratory bird or a viable egg; and
 - the nest was not built by a species that is listed in Schedule 1

The regulations include an incidental take clause that define incidental take as when a Migratory bird or nest is harmed, killed, or destroyed when the main activity is not targeted to the species.



On Bowen Island, the nesting season is generally mid March to late August. However, raptors and herons initiate nesting activities as early as January. If Your Project will alter any vegetation including: tree removal, grading, or shrub removal, or if nests occur on the existing structure to be demolished/renovated during this period, you must ensure that there are no active nests within, or immediately adjacent to, the proposed area of disturbance. A nest survey, conducted by a Qualified Environmental Professional, helps to protect active nests.

Of the 18 species identified on Schedule 1 of the Migratory Bird Regulations, the pileated woodpecker and the great blue heron are known to nest on Bowen Island. As stated above, the nest cavities or trees of these species are protected year round by the Migratory Bird Regulations. In addition, the Bowen Island Municipality has prepared a heron policy for any project within 1000 metres of a heron nest, depending on the level of disturbance.



Photo by Will Husby



When planning activities, a Qualified Environmental Professional with Maddison Consultants Ltd. can assist in assessing the risk your project might pose to migratory birds, and provide recommendations to avoid the risk.

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