

It is a property owner's responsibility to ensure that physical works are compliant with the federal Migratory Birds Convention Act and the provincial Wildlife Act with respect to bird nests. Both of these acts prohibit the disturbance or destruction of active nests and eggs.

When preparing for clearing and grubbing of a property, best management practices typically restricts clearing of vegetation during the breeding window and/or prohibits the removal of certain nests.

For Raptors and Herons:

If raptors (e.g. eagles, falcons, hawks, osprey, owls, etc.) or herons are nesting on or near the development/project site, the breeding window can be as early as January 1 and can extend to September 31, as shown below:

SPECIES	BREEDING SEASON
Bald Eagle	January 1 - August 31
Osprey	April 1 - September 14
Heron	January 16 - September 14
Other Raptors	March 1 - September 31



Active and inactive nests of an eagle, peregrine falcon, osprey, and heron are protected under the Wildlife Act. It is recommended that a Qualified Environmental Professional (QEP) undertake an assessment of the trees on site and within a 100m radius of the site to ensure that there are no nests of these species.

If work is being undertaken around a protected nest, ensure that recommended nesting season buffers shown in Table 6 (pg. 33) of the Guidelines for Raptor Conservation have been taken in to account. Changes to these buffers require preparation of a nest mitigation plan by a QEP and approval from the Ministry of Environment and the Canadian Wildlife Services.

For all other birds:

The breeding bird season for all other birds is typically from March 1 to August 31. If clearing cannot be avoided during this period, a nest survey by a QEP should be conducted to identify active bird nests, and apply appropriate site and species-specific buffers and/or timing windows.

For more information visit:

Guidelines for Raptor Conservation (2013): https://www2.gov.bc.ca/assets/gov/environment/natural-resource-stewardship/best-management-practices/raptor_conservation_guidelines_2013.pdf

Ministry of Environment's Develop with Care website, section 4.3.2: <https://www2.gov.bc.ca/assets/gov/environment/natural-resource-stewardship/best-management-practices/develop-with-care/dwc-section-4.pdf>

Environment Canada's General Avoidance Information: <https://www.canada.ca/en/environment-climate-change/services/avoiding-harm-migratory-birds.html>

Environment Canada's General Nesting Periods of Migratory Birds in Canada: <https://www.canada.ca/en/environment-climate-change/services/avoiding-harm-migratory-birds/general-nesting-periods.html>