

## **DELEGATION REQUEST**

**Name of person speaking:** Julie Micksch, Biologist, B.Sc. Environmental Sciences

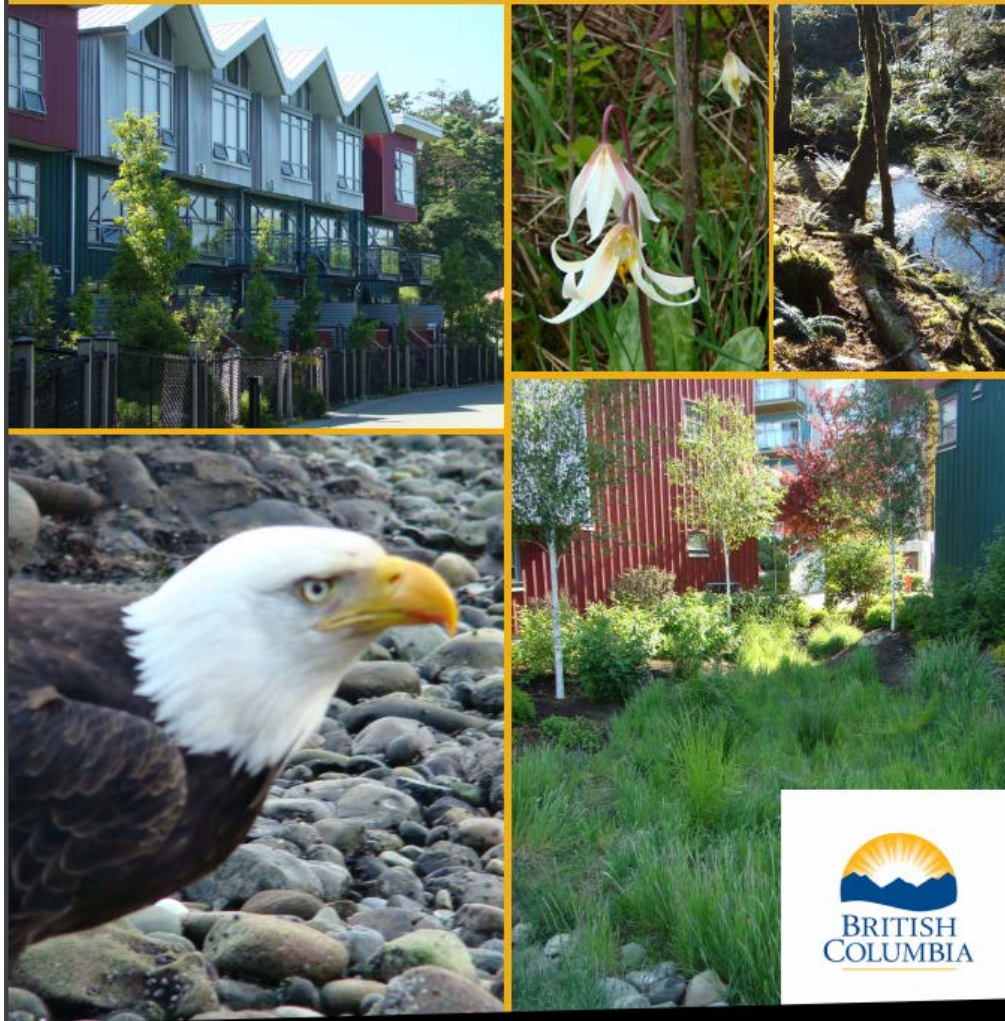
**Subject matter:**

Regarding clearing and development of undeveloped, vegetated and forested lands within the Comox Valley Regional District during the songbird breeding season from April to August and what this means with respect to the Wildlife and Migratory Bird Convention Acts.

**Requested meeting date:** July 14, 2020

# Develop with Care 2014

Environmental Guidelines for Urban and Rural Land Development in British Columbia





## Section Four

This section of *Develop with Care* describes the objectives, legal requirements, and guidelines for land development near Environmentally Valuable Resources.

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# **WILDLIFE ACT**

## **[RSBC 1996] CHAPTER 488**

Section 34 A person commits an offence if the person, except as provided by regulation, possesses, takes, injures, molests or destroys

(a) a bird or its egg,

(b) the nest of an eagle, peregrine falcon, gyrfalcon, osprey, heron or burrowing owl, or

**(c) the nest of a bird not referred to in paragraph b when the nest is occupied by a bird or its egg.**

## Bird Nesting Season

The purpose of this bulletin is to advise Builders, Contractors and Homeowners of wildlife protection requirements that may affect their development.

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*"This information is provided for convenience only and is not in substitution of applicable City Bylaws or Provincial or Federal Codes or laws. You must satisfy yourself that any existing or proposed construction or other works complies with such Bylaws, Codes or other laws."*

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Builders, Contractors and Developers should be mindful and familiarize themselves with the restrictions around vegetation pruning or removal, under the provincial Wildlife Act 1982, Federal Migratory Birds Convention Act, 1994 (MBCA) and the Migratory Birds Regulations (MBR).

In particular, it is an offense under Section 34 of the *Wildlife Act*, 1982 to disturb or destroy an active bird nest. If you need to prune or remove a tree or other vegetation from your property you must ensure that there are no active bird nests in the vegetation. If you do find an active nest, the vegetation must be left undisturbed until all the birds have left the nest. Useful information pertaining to setback and buffer zones is available on the [Environment Canada Website \(https://www.ec.gc.ca/paom-itmb/default.asp?lang=En&n=8D910CAC-1#\\_03\\_1\\_1\)](https://www.ec.gc.ca/paom-itmb/default.asp?lang=En&n=8D910CAC-1#_03_1_1)

***The most active bird nesting season starts on March 15 and lasts until August 15 every year.***

Please note that the issuance of a City Permit does not authorize you to undertake work that will contravene the Wildlife Act.

For additional information, please contact the British Columbia Conservation Officer Service at 1-877-952-7277.





