

Birds, Nests & Regulations

Migratory Bird Convention Act (Federal)

What's covered? Most songbirds*, shorebirds, waterfowl, waterbirds, seabirds (gulls, terns), other non-passerines BUT not raptors, upland game birds (grouse, ptarmigan), pelicans, cormorants and kingfishers.

What's stated?

"prohibiting the killing, capturing, injuring, taking or disturbing of migratory birds or the damaging, destroying, removing or disturbing of nests;"

"No person or vessel shall deposit a substance that is harmful to migratory birds, or permit such a substance to be deposited, in waters or an area frequented by migratory birds or in a place from which the substance may enter such waters or such an area."



Alberta Wildlife Act (Provincial)

What's covered? raptors (hawks, owls), upland game birds (grouse, ptarmigan), pelicans, cormorants and kingfishers.

What's stated?

"A person shall not wilfully molest, disturb or destroy a house, nest or den of prescribed wildlife or a beaver dam in prescribed areas and at prescribed times."

'Listed' raptor nests protected year-round, non-listed only when occupied.

*Not covered by any regulation: corvids (crows, magpies, ravens), icterids (blackbirds, grackles), introduced species (rock pigeon, house sparrow, european starling).



Enforcement

Environment Canada (Federal) has very little enforcement capacity, but AB Conservation Officers (Fish and Wildlife) and RCMP are ex-officio officers under the MBCA & AWA. Most cases involve self-reporting. Few fines have been issued for destroying nests, but significant penalties to industry (\$500,000+) for releasing harmful substance.

Mitigation

Best practice: schedule activities destructive to nesting habitat prior to restricted activity period approx. May 1-Aug 10.

Prepared by: Chris Fisher M.Sc., P.Biol • chris@chrisfisher.ca • www.chrisfisher.ca • 780-270-0553