Attachment 3

Updated Appendix E to Manitoba Hydro's Environmental Protection Measures

Appendix E: Buffers and Setbacks for Birds

Recommended Development Setback Distances from Birds
Manitoba Conservation Data Centre
January 22, 2014

Introduction

The Manitoba Conservation Data Centre (MBCDC) developed these recommendations and setback distances in order to provide industry proponents with consistent, readily available guidelines that can be applied in situations where sensitive species may be present in or near the project area. The setback distances were established by reviewing relevant literature and guidelines from other jurisdictions, and consulting local ornithologists.

General Recommendations

In most cases, disturbance or potentially deleterious activity outside of the breeding season is preferential to activity during the breeding season. The breeding season begins with territory establishment and ends when the young are fledged and the nesting territory is abandoned.

Where the activity will occur in suitable habitat for these species (eg: native grassland for the grassland birds), minimal clearing/disturbance techniques should be employed during or even outside of the breeding season. Any suitable habitat unavoidably disturbed should be reclaimed/rehabilitated as soon as possible.

If these species have been recorded in or near the project area, it is recommended that the proponent develop an environmental protection plan to submit to the MBCDC for review. At minimum the plan should:

a) describe the project, including a timeline of activities, a description of the location and current land use, and a description of the wildlife values in the area, including any species of concern identified by the MBCDC;
b) identify potential impacts of the project to wildlife values, especially to any species of concern identified by the MBCDC; and
c) propose impact management and mitigation measures to avoid or manage the identified impacts, including reclamation/rehabilitation efforts.

In some cases, MBCDC may also recommend the development of a monitoring program designed to assess species of concern that may occur in the area, impacts on wildlife values and/or the effectiveness of mitigation measures.

Disturbance Categories

Low
e.g.: foot traffic; occasional/infrequent/short-term small vehicle (<1 ton) or ATV use; operating oil or gas wells without flaring; operating pipelines

Medium
e.g.: trucks>1 ton (gravel, oil, grain), regular/frequent/long-term small vehicle (<1 ton) or ATV use, pipeline construction (diameters <1 foot), operating compressor station or battery without flaring

High
e.g., road construction, roads, drilling rigs, mines and quarries, construction of compressor station or battery, forest harvest, large diameter pipeline construction, seismic exploration, blasting, rock crushing, asphalt batching, gravel pit, operating compressor station or battery or oil/gas well with flaring

Nest Site
In many cases it will difficult to identify the exact location of a nest, and intensive efforts to do so may disturb breeding birds and/or their nests. In such cases, determining the main home range, territory and/or song perches through auditory song/call surveys and low-intensity visual observation, are recommended to determine the approximate location of nest sites. The set-back distance should then be applied to this approximate location.

			Low	Medium	High
Baird's Sparrow	Nest Site	May 15 - August 15	100	250	650
Bald Eagle	Active or Traditional Nest Site	March 15 - July 15	250	500	1000
Bank Swallow	Nesting Colony	May 15 - July 31	50	150	300
Barn Swallow	Nest Site	May 15 - September 30	50	150	300
Barred Owl	Active or Traditional Nest Site	March 15 - July 15	250	500	1000
Bobolink	Nest Site	May 15 - August 15	100	250	400
Boreal Owl	Nest Site	March 1 - July 15	250	500	1000
Buff-breasted Sandpiper					
Burrowing Owl	tive or Traditional Nest Site				

Additional guidance is drawn from the Environment and Climate Change Canada website, which outlines the following: (https://www.ec.gc.ca/paom-itmb/default.asp?lang=En&n=8D910CAC-1):

> *"…To help with the determination of appropriate setback distances for your circumstances, here are examples of setback ranges for different types of birds: 1-5m up to 10-50m or more for most nests of songbirds and other small birds; 10-25m up to 50m or more for swallow colonies, and 10-30m up to 50m or more for most waterfowl nests. The shorter distances are more reflective of urban backyards and the longer distances are more reflective of rural or natural habitats. The following examples are for sensitive species or species at risk: up to 500m or more for Trumpeter Swan; 50-100m up to 200m or more for Pileated or Red-Headed woodpecker cavities; 100-150m up to 300m or more for nests of Piping Plover; 100m up to a 1000m or more for nests of Sandhill Crane. Remember that these general examples should serve as a general starting point and must be adjusted after assessing relevant factors, such as those described above. A larger buffer may be needed to minimize the risk of disturbance caused by industrial operations and for species at risk."*