



BANK SWALLOW (*Riparia riparia*)

KNOW YOUR LEGAL OBLIGATIONS



Situation

Migratory birds and their nests, eggs or habitat could be affected by excavation or construction activities.

Excavation or construction during the spring and summer can inadvertently kill Bank Swallows or negatively impact their nesting success.

Bank Swallows are migratory birds and are protected under Canada's *Migratory Birds Convention Act, 1994*.

Bank Swallows nest in burrows dug into exposed sand or soil banks near ponds, rivers, oceans, sand pits and quarries, and some construction sites with the above features.

What you can do!

Every project owner, consultant and contractor must take care to protect migratory birds from harm on all excavation and construction projects.

To reduce the risk of damaging or destroying a Bank Swallow nest, it is recommended that persons conducting work near exposed sand or soil banks avoid scheduling excavation or construction activities during the spring and summer nesting season. Nesting seasons vary by region and by species; for more information, please contact Environment Canada or visit www.ec.gc.ca/paom-itmb.

What is the law?

Migratory birds are protected by federal legislation.

It is an offence under the *Migratory Birds Convention Act, 1994*, for anyone to kill, hunt, capture, injure, harass, take or disturb a migratory bird or to damage, destroy, remove or disturb a migratory bird nest or eggs without a permit. Permits may only be granted for scientific purposes (scientific collection, education, salvage and rehabilitation), aviculture, taxidermy, damage or danger, airport safety, eiderdown collection and hunting.



Fines

Every person who commits an offence under the *Migratory Birds Convention Act, 1994*, is liable

- on conviction or indictment, to a fine of not more than \$1,000,000 or to imprisonment for a term of not more than three years, or to both; and
- on summary conviction, to a fine of not more than \$300,000 or to imprisonment for a term of not more than six months, or to both.

FOR MORE INFORMATION

www.ec.gc.ca/paom-itmb



You may also have obligations under the federal *Species at Risk Act* with regard to the protection of species at risk in Canada. Information is available on the public registry: www.sararegistry.gc.ca.

Other provincial, federal, or municipal legislation may also apply to the protection of wildlife species, including migratory birds. It is your responsibility to comply with all applicable legislation.

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Additional information can be obtained at:

Environment Canada
Inquiry Centre
10 Wellington Street, 23rd Floor
Gatineau QC K1A 0H3
Telephone: 1-800-668-6767 (in Canada only)
or 819-997-2800
Fax: 819-994-1412
TTY: 819-994-0736
Email: enviroinfo@ec.gc.ca