

APPENDIX 'D'

ENVIRONMENTAL PROTECTION PLAN



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David Amorim, M.Sc., P.Eng.
Dillon Consulting Limited
1558 Willson Place
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Re: Fermor Avenue Bridge Rehabilitation over the Seine River – Environmental Protection Plan – Barn Swallow

Dear David

As discussed, this letter outlines the mitigation measures to be conducted at the Fermor Bridge site to protect barn swallows. Note that this information should be included as part of the Environmental Protection Plan for the works. The barn swallow (*Hirundo rustica*) is a migratory bird species that is protected under the federal *Migratory Birds Convention Act* and is currently listed as a ‘threatened’ species on Schedule 1 of the federal *Species At Risk Act* (SARA). These Acts provide legal protection to barn swallows, and contravention of these Acts can result in legal actions and monetary fines.

The “*Recommended Development Setback Distances from Birds*” (http://www.gov.mb.ca/sd/cdc/pdf/mbcdc_bird_setbacks.pdf) developed by the Manitoba Conservation Data Centre (MBCDC, 2015) indicates a Restricted Activity Period from May 15 - September 30 of each year for barn swallows, with a setback of 50 meters (m) from a nest site for low disturbance activities, and a setback distance of 100 m from a nest site for medium to high disturbance activities, including construction activities.

Regulatory agents from MBCDC and the regional Permit Coordinator for SARA were contacted to confirm the appropriate mitigation measures to be applied to protect barn swallows at the bridge site. The following information summarises the recommendations provided by the MBCDC and SARA agencies.

Pre-Construction Mitigation Activities

1. The existing nests located under the bridge can be removed between the period of October 15 to May 1, and shall be removed no later than May 1.
2. The area where the birds were nesting shall be covered by netting or other appropriate materials to prevent returning barn swallows from building a new nest within 100 m of the bridge rehabilitation activities. The netting shall be in place by May 1.
3. The bird netting shall remain in place until the bridge rehabilitation activities are completed.

During Construction Mitigation Activities

1. The area where the barn swallows were nesting shall be monitored on a daily basis to ensure that the birds have not returned and are not trying to build a new nest within 100 m of the bridge rehabilitation activities.
2. The daily monitoring will be documented and shall include date, time, location and photographs.

Post-Construction Mitigation Activities

1. The bird netting shall be removed once the bridge rehabilitation activities are completed and the Restricted Activity Period (May 15 to September 30) for barn swallows has passed.
2. The daily barn swallow monitoring log will be held by the Proponent as part of the project documentation, and to demonstrate that all recommended mitigation measures were followed and recorded.

Closure

Please contact the undersigned at your convenience if you require any other information at this time.

Best regards,



Maureen Forster, M.Sc., EP - Fisheries & Wildlife