

Wildlife Sweep Protocols

Sensitive species inventory guidelines

Introduction

Wildlife sweeps are required for applicable dispositions issued by the Regulator. A wildlife sweep must be conducted prior to activity resulting in land or vegetation disturbance where there is risk of wildlife features being disturbed or destroyed. This protocol is a risk-based approach to wildlife sweeps with the intent of reducing the potential of important wildlife features being disturbed or destroyed as a result of land or vegetation disturbance activities.

Dispositions that fall within an *Environmental Protection and Enhancement Act* (EPEA) approved area with an authorized Wildlife Mitigation and Monitoring Program (WMMP), which includes a sweep protocol that meets or exceeds the intended outcome of this protocol, are exempt from this protocol's requirements.

Terms and definitions

The Alberta Public Lands Glossary of Terms defines **wildlife sweep** as:

“An immediate search of the proposed development for important wildlife features, including occupied raptor nests, heron rookeries (nests), occupied dens, hibernacula and natural mineral licks. The intent is to assess a site, for these features, so that they may be avoided. In areas where a full wildlife survey is required, sweeps do not replace the need for a full wildlife survey. Note: osprey nests and bald eagle nests outside of the Grassland and Parkland natural regions, should be considered features to identify and buffer regardless of time of year given their large (easily identifiable) appearance and high probability of re-use.”

An **occupied nest** is one that is currently being used by wildlife as confirmed through the visual presence of a bird, or evidence of territorial displays, fresh feces and/or feathers. A raptor nest will retain 'active' designation during the winter following nesting activity, through the next year, with the 'active' designation being dropped on June 1 of the second year of inactivity.

An **occupied den** is one that is currently being used by wildlife as confirmed through the visual presence of an animal, or the evidence of territorial displays, fresh feces, signs of digging/excavation, and/or tracks. Occupancy will also vary by season (example: breeding den versus hibernation den), and should be considered when conducting the wildlife sweep.

Liability for wildlife sweeps

The liability for a wildlife sweep rests with the Disposition Holder, Licensee or Permit Holder. For example, if an important wildlife feature is disturbed or destroyed following an inadequate sweep, an investigation and enforcement under the *Wildlife Act* or *Public Lands Act* may be pursued.

Sweep Standards

Personnel

- The Regulator expects that someone with the education, knowledge or experience to locate and identify important wildlife features will conduct the wildlife sweep.

Location

- The wildlife sweep must cover the proposed disturbance site, plus a 100-metre buffer around the disturbance site.

Timing and environmental conditions

- The wildlife sweep must be completed under conditions that allow reasonable detection/observation of wildlife features (e.g., during daylight hours and weather conditions that do not obscure observability).
- Conduct a wildlife sweep as close to the first day of activity as possible to ensure no wildlife features were created on the lands under disposition between the sweep and start of an activity. The wildlife sweep should be conducted within 10 days of the activity starting.
 - There may be instances when it is appropriate to conduct a wildlife sweep several weeks in advance of the activity. Examples could include wildlife sweeps for bear dens in early winter in advance of deeper snowpack that could make finding potential dens more difficult later in the winter.
 - The disposition holder must be able to justify why the timing of the wildlife sweep was appropriate to address the risk of wildlife features being present at the time of activity.
- Additionally, a wildlife sweep may be used by a Disposition Holder, Licensee or Permit Holder, as part of their project planning, to ensure that any wildlife features are identified and avoided during planning processes.

Permit requirements

- A wildlife research permit is not required to conduct a wildlife sweep.

Documentation

- A record of the wildlife sweep must be documented in detail and maintained by the disposition holder for the duration of the disposition.
- This record must include the timing of the wildlife sweep, justification for the timing, personnel who conducted the sweep, environmental conditions during the sweep, and the details described below.

Sweep Protocol

- A wildlife sweep is a walkthrough of the proposed disturbance site and surrounding 100-metre buffer to identify important wildlife features that must be avoided during associated activities.
- A GPS track or equivalent of the wildlife sweep walkthrough must be kept and attached to a record of the wildlife sweep.

- Any important wildlife features must be photographed and georeferenced without causing an occupant to flush or abandon the feature.
- If an important wildlife feature is identified within the proposed disturbance area (including 100-metre buffer), the disposition holder will need to consider alternate siting or timing of the project to avoid the important wildlife feature, or can submit a non-routine application with appropriate justification and mitigation.
 - If the disposition is already issued, and an important wildlife feature is identified within an applicable setback, contact the appropriate Regulator to determine the necessary steps required prior to entry.
- If no important wildlife features are identified within the proposed disturbance area, and 100-metre buffer, a record of the wildlife sweep must be maintained by the disposition holder for the duration of the disposition, and the activity may continue subject to other regulatory requirements.
- This wildlife sweep protocol is not intended to replace or supersede any standards or conditions that are identified in the disposition approval.
- The wildlife sweep is not intended to replace or supersede any requirements of the *Migratory Birds Convention Act* (MBCA) or the *Species at Risk Act* (SARA). The MBCA and SARA are federal legislation; consequently, the Regulators are not in a position of authority to grant deviations or interpretation on the MBCA or SARA. To determine additional requirements/expectations in relation to the *Migratory Birds Convention Act* or the *Species at Risk Act*, the applicant should contact Environment and Climate Change Canada.