

Table 2: Migratory Bird Setbacks

How to Use This Table:

First, consult *Table 1: Land Use Designations* to identify the prohibitions in place for a given key habitat site. For activities that are not prohibited, determine the type of setbacks that are relevant from Table 1, and then use *Table 2: Migratory Birds Setbacks* to identify the specific details for the type of activities and type of birds under consideration.

Table 2: Migratory Bird Setbacks is divided according to type of activity (aerial, marine, and terrestrial), and by different bird groups. The first row provides information on setbacks in place for migratory birds generally. Subsequent rows provide information on more specific setbacks in place for various bird groups. In some cases setbacks for certain bird groups will also apply to other bird groups but may include additional restrictions. For example, the aerial setbacks for All Seabirds include a lateral setback of 3 km from the seaward side of seaward colonies PLUS the setbacks listed for All Migratory Birds. The Table is constructed this way to ensure that setbacks are only placed where they are needed to avoid being overly restrictive.

Note that setbacks do not apply to scientific research vessels, scientific research, or traditional hunting or fishing activities.

Bird Group	Aerial Setbacks ¹	Marine Setbacks ²	Terrestrial Setbacks
All Migratory Birds	<p>SEASONAL (WHEN BIRDS ARE PRESENT)</p> <p>All overflying aircraft:</p> <ul style="list-style-type: none"> maintain minimum vertical setback of 1100 m (3500 feet) in areas where concentrations of birds are present maintain minimum lateral aerial setback of 1.5 km from concentrations of birds (e.g. bird breeding colonies and moulting areas) 	None	<p>SEASONAL (WHEN BIRDS ARE PRESENT)</p> <ul style="list-style-type: none"> 300 m setback from concentrations of birds (e.g. bird breeding colonies and moulting areas)
All Seabirds	<p>SEASONAL (WHEN BIRDS ARE PRESENT)</p> <p>Setbacks for All Migratory Birds above, plus</p> <ul style="list-style-type: none"> lateral setback of 3 km from the seaward side of seabird colonies 	<p>SEASONAL (WHEN BIRDS ARE PRESENT)</p> <ul style="list-style-type: none"> 500 m setback for ships from seabird colonies when birds are present 100 m setback from seabird colonies for zodiacs, kayaks and other small launch vessels 	See All Migratory Birds above
Ivory Gulls	See All seabirds above	<p>SEASONAL (WHEN BIRDS ARE PRESENT)</p> <ul style="list-style-type: none"> 2 km setback distance from breeding sites 	<p>SEASONAL (WHEN BIRDS ARE PRESENT)</p> <ul style="list-style-type: none"> 2 km setback distance from breeding sites

Bird Group	Aerial Setbacks ¹	Marine Setbacks ²	Terrestrial Setbacks
Coastal Waterfowl and Seaducks	SEASONAL (WHEN BIRDS ARE PRESENT) All migratory birds above, plus <ul style="list-style-type: none"> • lateral setback of 3 km from flocks of coastal waterfowl and seaducks 	SEASONAL (WHEN BIRDS ARE PRESENT) <ul style="list-style-type: none"> • 500 m setback distance from seaduck colonies, moulting aggregations of seaducks and waterfowl 	See All Migratory Birds above

¹ Aircraft shall endeavour to maintain, subject to pilot discretion regarding aircraft and human safety, and except for specified operational purposes such as take offs and landings, etc., the proposed vertical and lateral aerial setbacks.

² Subject to situations in which the safety of vessel, crew and passengers will need to come first.”