



March 19, 2019

MEMO TO : Park Board Commissioners

FROM : Malcolm Bromley
General Manager, Vancouver Board of Parks and Recreation

SUBJECT : **Vanier Park Pump Track – Wildlife Protection Fence**

Dear Commissioners,

Further to my memo on the Vanier Park Pump Track Expansion dated February 25, 2019, I am writing to provide an update and background information on the recent operational decision to temporarily fence-off the bike park for the next eight weeks in order to protect the adjacent bald eagle nest during this particularly sensitive period of the nesting season.

BC Wildlife Regulations for Eagle Nests

Bald eagle nests are protected under the [Section 34 of the BC Wildlife Act](#), which states: “a person commits an offence if the person, except as provided by regulation, possesses, takes, injures, molests or destroys... (b) the nest of an eagle, peregrine falcon, gyrfalcon, osprey, heron or burrowing owl...”. The Province has also published guidelines (“[Best Management Practices for Raptor Conservation during Urban and Rural Land Development in British Columbia](#)”), which recommend buffers, seasonal timing windows, and other measures to protect eagles and other raptors in urban areas.

Bald eagles are particularly sensitive during the early part of the nesting season when novel disturbances such as fireworks, tree cutting, or night lighting can cause nest abandonment. They become more tolerant of activities near the nest later in the season. Eagles in urban areas are generally less sensitive to disturbance because they have adapted to the range of activities in their territory.

Eagle Nests in Vanier Park – current status

As shown in the map in Figure 1, two bald eagle nests are located in Vanier Park: an older nest (“Coast Guard Nest”) in a black cottonwood tree close to the Coast Guard station, and a newer nest (“Burrard Forest Nest”) in a younger black cottonwood tree on the south edge of the bike park. The Coast Guard Nest has been used by eagles for many years but has had poor success (few chicks produced) because of disturbance or other factors. The Burrard Forest Nest was first constructed and occupied in spring 2018 but collapsed in July 2018 during a windstorm -- two fledgling eagles rescued by local volunteers were rehabilitated and successfully released.

During the 2018 nesting season, Park Board staff installed information signs at the bike park requesting users to avoid loud noises, music, and other activities that could disturb nesting eagles. Users of the bike park were supportive of this approach for managing disturbance. Park Board staff also discussed requirements for bald eagle nest protection with wildlife biologists at the Ministry of Forest, Lands and Natural Resource Operations (FLNRO).



Figure 1: Vanier Park Bald Eagle Nests & Bike/Pump Track

In September 2018, Park Board staff obtained provincial permits and hired a biologist to build a nesting platform for the Burrard Forest Nest in the same tree. Other potential nest trees were surveyed in the adjacent forest but none were considered suitable because of height, branching structure, and/or obscured flight routes. In December 2018, staff hired an independent professional biologist, Environmental Dynamics Inc. (EDI), to assist in determining the best manner to proceed with bike park expansion while balancing recreation and wildlife.

In early March 2019, a nesting pair of eagles was observed preparing the Burrard Forest Nest. On March 18, FLNRO biologist Joel Gillis advised Park Board staff that best practice under the Wildlife Act would dictate restricting close human activity by fencing the area around the nest for the key sensitive period of egg laying, incubation and early rearing – approximately 8 weeks.

The Park Board supports and is striving to balance recreation activities in parks, including the use of the bike park by members of the Vancouver Dirt Jump Coalition (VDJC), with wildlife and other park users. However, park activities must comply with the provisions of the BC Wildlife Act to protect biodiversity and to avoid risk of enforcement actions by the Province of BC.

Eagle Nest Protection Measures

The following measures will be used to address risk to the nesting eagles in Vanier Park during the 2019 nesting season:

1. The bike park will be temporarily closed for 8 weeks (Mar 19 – May 10), using fencing and signs to protect nesting eagles during the most sensitive part of the nesting season. Fencing was installed today (Mar 19), with informational signage currently being fabricated and planned for installation tomorrow (Mar 20).



2. The Park Board will communicate with the VDJC to explain the temporary closure.
3. After May 10, the bike park will be open to regular use but signs and other stewardship approaches will be used to manage noise and other disturbances. This will also ensure that the bike park is open during the summer use period.
4. Park Board rangers will conduct regular visits of the bike park during the nesting season to ensure it remains closed in the short-term and is used appropriately after May 10;
5. Park Board staff will continue to work on the future expansion of the bike park that addresses the needs of the bike community while also ensuring that Bald Eagles and other wildlife are protected. Relocation of the bike park will be considered as part of this process.

The success of these measures will be reviewed at the end of the 2019 nesting season (around September) to inform decisions around bike park expansion and park management in the future.

Regards,

A handwritten signature in black ink, appearing to read "Malcolm Bromley".

Malcolm Bromley
General Manager - Vancouver Board of Parks and Recreation

/np/clc

Copy to: PB Senior Leadership Team
PB Communications